



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

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

Office of the City Clerk  
Taped and Televised

**COMMON COUNCIL**  
**Regular Meeting**  
**Tuesday, June 14, 2016**  
**7:30 PM**  
**Christine Nuernberg Hall**

**Agenda**

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

**2) 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.**

**3) Public officials' reports:**

- a) Mayor
- b) City Administrator

**4) Consent Agenda:**

- a) Common Council meeting minutes of May 10, 2016
- b) Architectural Board meeting minutes of April 11, 2016
- c) Board of Appeal meeting minutes of April 26 and May 25, 2016
- d) Bureau of Permits and Inspections Reports for April 2016
- e) Economic Development Board meeting minutes of May 3, 2016
- f) Finance-Personnel Committee meeting minutes of April 12, 2016
- g) Fire Department Report for April 2016
- h) Mequon Festivals Committee meeting minutes of April 4, 2016
- i) Municipal Water Utility Commission meeting minutes of October 27, 2015
- j) Park Board meeting minutes of March 16, 2016
- k) Planning Commission meeting minutes of April 11, 2016
- l) Police and Fire Commission meeting minutes of March 10 and April 11, 2016
- m) Public Safety Committee meeting minutes of April 26, 2016
- n) Public Welfare Committee meeting minutes of April 12, 2016
- o) Public Works Committee meeting minutes of April 12, 2016
- p) Sewer Utility District Commission meeting minutes of April 12, 2016
- q) Zoning Enforcement and Site Compliance Report through June 1, 2016

- r) **RESOLUTION 3383** - Wisconsin Department of Natural Resources NR208 - Compliance Maintenance Annual Report 2015. **Recommendation forthcoming by Public Works Committee June 14, 2016.**
- s) **RESOLUTION 3386** - Granting of Easement to WE Energies: 10800 North Industrial Drive. **Recommendation forthcoming by Public Works Committee June 14, 2016.**
- t) **RESOLUTION 3388** - A Resolution Authorizing the Final Plat for River Club Estates in Connection with the Development of Five Single-Family Lots Located at the Southeast Corner of Freistadt and Oak Shore Roads. **Recommendation forthcoming by Planning Commission June 13, 2016.**
- u) **RESOLUTION 3389** - A Resolution Authorizing the Phase I Final Plat for Highlander Estates in Connection with the Development of 36 Single-Family Lots Located Immediately South of Brighton Ridge Estates and Knightsbridge Estates Between Wauwatosa and Swan Roads. **Recommendation forthcoming by Planning Commission June 13, 2016.**

**5) 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 February 8, 2016; Recommended by Planning Commission April 11, 2016; First Reading at Common Council April 12, 2016; Public Hearing at Common Council May 10, 2016; Motion failed at Common Council May 10, 2016.**
  - i) Request to reconsider action of May 10, 2016 in which Common Council denied **ORDINANCE 2016-1468.**
  - ii) In the event that the Common Council votes to reconsider the action, the Common Council will then proceed to take such action on the matter as it deems appropriate.
- 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; Recommended by Planning Commission April 11, 2016; First Reading at Common Council April 12, 2016; Tabled at Common Council May 10, 2016.**
- c) **ORDINANCE 2016-1472** - An Ordinance Creating Section 2-216(15) of the Mequon Code of Ordinances Establishing a Paid Time Off Donation Policy. **Recommendation forthcoming by Finance-Personnel Committee June 14, 2016; First Reading.**
- d) **ORDINANCE 2016-1473** - An Ordinance Repealing Section 14-32 of the Mequon Municipal Code as it Relates to Economic Development Grants for Reserve "Class B" Liquor Licenses. **Recommendation forthcoming by Finance-Personnel Committee June 14, 2016; First Reading.**

- e) **ORDINANCE 2016-1474** - An Ordinance Amending the City of Mequon Zoning Map from B-1 (Neighborhood Commercial) with a Planned Unit Development (PUD) to R-4 (Single-Family Residential) to Allow for a Single-Family Home located at 4200 County Line Road. **Recommendation forthcoming by Planning Commission June 13, 2016; First Reading**

**6) Resolutions**

- a) **RESOLUTION 3379** - A Resolution Relating to the City of Mequon's Participation In the Home Investment Partnership Program Administered by Waukesha County. **Tabled by Public Welfare Committee May 10, 2016; Recommendation forthcoming by Public Welfare Committee June 14, 2016.**
- b) **RESOLUTION 3381** - Resolution Approving a Transfer of Funds Within the Sanitary Sewer Capital Budgets. **Recommended by Sanitary Utility District Commission May 17, 2016.**
- c) **RESOLUTION 3382** - A Resolution Approving a Transfer of Funds From The Capital Project Fund's Fire Vehicle Replacement Account to the Fire Officer Equipment Account. **Recommendation Forthcoming by Finance-Personnel Committee June 14, 2016.**
- d) **RESOLUTION 3385** - A Resolution Approving the Purchase of a Replacement Vehicle for the Mequon Fire Chief from Ewald Chevrolet, Oconomowoc, WI in the Amount of \$37,740 and Installation of Emergency Lights and Radio Package from General Fire, Milwaukee, WI in the Amount of \$10,280. **Recommended by Public Safety Committee May 24, 2016.**
- e) **RESOLUTION 3387** - A Resolution Authorizing a Purchase Agreement For Replacement of Police Vehicles. **Recommendation forthcoming from Public Safety Committee June 14, 2016.**
- f) **RESOLUTION 3390** - A Resolution Amending A Development Agreement for Outpost Natural Foods Located At 7590 W Mequon Road For a Town Center TID Incentive. **Recommended by Economic Development Board May 31, 2016; Recommendation forthcoming by Finance-Personnel Committee June 14, 2016.**

**7) Specified Unfinished Business:**

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

**9) Specified Miscellaneous New Business:**

- a) Mayoral Appointments

**10) 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



**draft**

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**COMMON COUNCIL  
Regular Meeting  
Tuesday, May 10, 2016  
7:30 PM  
Christine Nuernberg Hall**

**Minutes**

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

Present:

Mayor Dan Abendroth  
Alderman Robert Strzelczyk  
Alderman Connie Pukaite  
Alderman Dale Mayr  
Alderman John Wirth  
Alderman Mark Gierl  
Alderman John Hawkins  
Alderman Andrew Nerbun  
Alderman Pam Adams

Also Present: City Clerk/Administrator Jones; Assistant City Administrator Thyes; Deputy City Clerk Fochs; City Attorney Sajdak; Community Development Director Tollefson; Assistant Director Community Development Zader; City Engineer/Public Works Director Lundeen; Police Chief Graff; Finance Director Watson; Assistant Finance Director Rudychev; Thomas Zabjek, President of Lakeside Development Company; press and interested public

Motion to suspend the rules and take action on 7g **RESOLUTION 3380** - A Resolution Authorizing a Development Agreement with P2 Development Company, LLC with a Town Center TID Incentive in the Amount of \$250,000.

**RESULT:** **Approved by Roll Call Vote [7 to 1]**  
**MOVED BY:** Alderman Wirth  
**SECONDED BY:** Alderman Hawkins

Attachment: ACCELA 05-10-16\_CC (1663 : Common Council meeting minutes of May 10, 2016)

**AYES:** Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun  
**NAYS:** Adams

**RESOLUTION 3380** - A Resolution Authorizing a Development Agreement Between the City of Mequon and P2 Development Company, LLC with a Town Center TID Incentive in The Amount of \$250,000.

**RESULT:** **Approved by Roll Call Vote [7 to 1]**  
**MOVED BY:** Alderman Wirth  
**SECONDED BY:** Alderman Nerbun

**AYES:** Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun  
**NAYS:** Adams

**2) Public Hearings:**

Motion to open public hearings for 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 and 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 for a 9 Lot Single family Residential Development.

**RESULT:** **Approved by Voice acclamation [Unanimous]**  
**MOVED BY:** Alderman Wirth  
**SECONDED BY:** Alderman Nerbun

**AYES:** Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams

The following citizens spoke in support of **ORDINANCE 2016-1468**: Suda Wagle, Jamie Bach, David Mueller, Bob Tenges, Tanya Felton, Lisa Froemming, John Graham, Brian Stark, Judy Smith, Thomas Zabjek.

The reasons for the support is the increased tax base, increase in property values, good reputation and high quality of craftsmanship of Lakeside Developers, improvement of the aesthetics of the neighborhood, satisfy a market need for single family homes of this size, increase tax revenue, increase school enrollment, aid in the water management of the area. The City planners and engineers, DNR and developer will work together to ensure that all the concerns are addressed. The proposed engineering to manage the water is more extensive than if individual home owners would build. Mr. Zabjek challenged some of the claims of the residents that the DNR has not been contacted about the wetlands. Due to the minimal amount of wetland Lakeside Development Company would be filling the DNR told them they would just require a general permit. The permit will be purchased when/if the project is approved. In addition, Lakeside met with the Army Corp of Engineers before meeting with City staff and proceeding with the

Attachment: ACCELA 05-10-16\_CC (1663 : Common Council meeting minutes of May 10, 2016)

proposal. Doing nothing will certainly not solve any drainage/flooding issues.

The following citizens spoke in opposition to **ORDINANCE 2016-1468**: Nicholas Meyer, Jim Locatelli, Arlene Kurzer, Janet Ehn, Robert Kieckhefer.

They expressed concerns about a decrease in property values, possible alteration to or elimination of wetland area, sewer capacity issues, lack of DNR approval regarding wetland setbacks and flood risks. Whereas they have no issue with the developer, per se, this is not the location to build nine homes. The flooding of resident’s yards has increased proportionately with development over the years. Can detention ponds guarantee that flooding will not get worse?

The following citizens spoke in opposition to both **ORDINANCE 2016-1467** and **ORDINANCE 2016-1468**: Lisa Lamb, Sara Fleet, Lynne Bomzer.

In response to her question of the status of the protest petition, City Attorney Sajdak stated it will be brought forward when the item is up for action. They expressed concerns about the DNR approval regarding the wetland conditions, complete identification of specimen trees, alleged inaccuracy of site plan, propensity to flood in the area which diminishes the daily use of their property, drainage problems, actual market demand, increased traffic, decreased water pressure, and negative effect on wildlife in the area. The sewer capacity is strained now. Any modification to the sewer system and its capacity is 2-5 years away. How can more homes be built without addressing that issue immediately? There has been no offer or talks between the developer and Sarah Chudnow regarding the 2.5 acres being reduced. Sarah Chudnow currently owns and maintains the pond on the property. If the overall size of their campus is reduced, this pond will become the responsibility of the developers. Will they keep it up to the current high standards? The residents urged Council to listen to the residents and leave the zoning as is. There are other locations within the City where this development could be built.

The following citizens opposed **ORDINANCE 2016-1467** and **ORDINANCE 2016-1468** but did not wish to speak: Harriet M. Resnick, Ira Kaufman.

The following citizens opposed **ORDINANCE 2016-1468** but did not wish to speak: Kathleen Tracy, Keith Tracy, Laura Meyer, Ellen Leeney, Marvin and Marlene Lauwasser.

Motion to close public hearings for **ORDINANCE 2016-1467** and **ORDINANCE 2016-1468**.

<b>RESULT:</b>	<b>Approved by Voice acclamation [Unanimous]</b>
<b>MOVED BY:</b>	Alderman Wirth
<b>SECONDED BY:</b>	Alderman Pukaite

<b>AYES:</b>	Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams
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Attachment: ACCELA 05-10-16\_CC (1663 : Common Council meeting minutes of May 10, 2016)

Motion to suspend the rules and take action on **ORDINANCE 2016-1468** and **ORDINANCE 2016-1467**.

**RESULT:** **Approved by Roll Call Vote [Unanimous]**  
**MOVED BY:** Alderman Wirth  
**SECONDED BY:** Alderman Nerbun

**AYES:** Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams

**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.

Discussion ensued by Council. It was stated that the specimen tree issue is off the table because it has been agreed that all 22 of the specimen trees will be preserved. Alderman Hawkins questioned the wetland delineation report prepared by TRC Environmental Corporation. There were appendices missing and the DNR has not approved any plan yet.

Engineering studies will be done by staff specifically to study the sewer capacity in the East Trunk area. Alderman Hawkins advised the developers await the completion of these studies and the DNR approval.

Director Tollefson clarified the issues from the DNR and wetland delineation. Initially staff's concern was to receive the wetland delineation, but the fact that there was an indication that buildings were proposed within the wetland required a setback of 50 feet and that there could be deviations to that 50 foot setback so long as other measures were met caused the Planning Commission to pause over environmental concerns about the wetland. Regarding the overall wetland complex and final approval of fill, it is standard at this point in the process to condition rezoning approvals subject to DNR approvals. Land developers do not initiate the process until there is some understanding that they could move forward with their concept plan should they be able to meet all the technical standards.

Director Lundeen clarified the sewer capacity issue. Staff has recommended as a condition of the rezoning is that if there is a consideration of a density in excess of what is currently allowed by zoning (four homes), then the discharge to the sewer would be restricted to the rate equal to or less than that four homes. On-site accommodations, such as a storage tank, grinder pump or lift station, would reduce the pumping and discharge to a rate that would be equal to that of a four home development instead of the nine homes that may be built. This would ensure that there would be no further impact on the sanitary sewer than the four homes currently allowed until such time that the East Trunk sewer project was completed.

Alderman Wirth expressed the need for a fair set of rules. Throughout the process drainage experts and engineers are hired numerous times. All conditions must be met prior to getting approval to proceed with the project. The developers plan can/will assist with the improving the

drainage issues; building four homes will not improve the drainage conditions. This is not the time to say no to the developer.

Alderman Mayr stated that not all development improves conditions. Council clarified that the vote is to allow the PUD to go forward instead of the traditional 1 acre subdivision. That PUD would ultimately be reviewed and approved by the Planning Commission once the DNR approval is received. The next step in the process would be a plat. Do we want up to 9 building sites with no water remediation plan or engineering involvement or a PUD with specimen tree and engineer-advised water remediation plans?

Council discussion continued. Sewer capacity issues happen during wet weather events. Any new system would be constructed with plastic piping. The engineers have extensively planned to fix the water drainage problems. Alderman Gierl said that the homeowners in the area are his main concern. He wishes to see all the data from the DNR and Army Corps of Engineering before approving. Alderman Adams is not comfortable with doing away with Sarah Chudnow's green space. She does not think the yield plan gives the developers nine homes and the wetland delineation plan is incomplete.

Director Lundeen confirmed that the subject area is generally flat and drains to the Milwaukee River with a low grade change. Prior to this development moving to Planning Commission there were no reported drainage issues in the area that the city staff investigated or evaluated. Topography generally does drain from east to west and from south to north. Whether the water actually flows in those directions would need to be evaluated in a rain event. Off-site drainage can be evaluated by staff whether it was a part of the project or not or on private property or public roadway. She further stated that the storm water City ordinance regulates the rate of discharge not the volume of discharge. The development would be required to have the rate of discharge be less than or equal to that of the site predevelopment. That would require on-site retention of water that would hold back water in large storm events to discharge at the same rate. There is no question that with the addition of any impervious surface the volume of runoff increases. Storm water facilities are built to address this issue. She further stated that the Sarah Chudnow runoff goes through the Winding Hollow subdivision.

Mayor Abendroth clarified that the yield plan was approved at Planning Commission.

City Attorney Sajdak stated that there was a protest petition filed referencing both subject parcels. As a result of City staff's analysis it was determined that the petitions for **ORDINANCE 2016-1468** were sufficient to trigger the protest requirement. Therefore, this ordinance would require a  $\frac{3}{4}$  majority vote, or six votes, to pass the rezoning. The protest petitions for **ORDINANCE 2016-1467** were similarly analyzed and it was determined that they were not sufficient to trigger the protest requirement. Therefore, this ordinance would require a standard majority vote to pass the rezoning.

<b>RESULT:</b>	<b>Failed [3 to 5]</b>
<b>MOVED BY:</b>	Alderman Wirth
<b>SECONDED BY:</b>	Alderman Nerbun

<b>AYES:</b>	Strzelczyk, Pukaite, Nerbun
<b>NAYS:</b>	Mayr, Wirth, Gierl, Hawkins, Adams

Moved by Alderman Pukaite, seconded by Alderman Wirth to approve **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.

Alderman Adams questioned whether the developer would proceed with the development of Sarah Chudnow given the failure of the previous ordinance. The developer confirmed there would be no point to proceed.

**RESULT:**                      **No Vote**

**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.

**RESULT:**                      **Table [Unanimous]**  
**MOVED BY:**                 Alderman Wirth  
**SECONDED BY:**             Alderman Mayr

<b>AYES:</b>	Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams
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**3) Personal Appearances and Public Comment:**

None.

**4) Public Officials' Reports:**

a) Mayor

None.

b) City Administrator

None.

**5) Consent Agenda:**

**RESULT:**                      **Approved by Voice Acclamation [Unanimous]**  
**MOVED BY:**                 Alderman Pukaite  
**SECONDED BY:**             Alderman Hawkins

<b>AYES:</b>	Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams
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- a) Common Council meeting minutes of April 12, 2016
- b) Common Council Organizational meeting minutes of April 19, 2016

Attachment: ACCELA 05-10-16\_CC (1663 : Common Council meeting minutes of May 10, 2016)

- c) Architectural Board meeting minutes of March 14, 2016
- d) Board of Appeals meeting minutes of April 13, 2016
- e) Bureau of Permits and Inspections Report for March 2016
- f) Finance-Personnel Committee meeting minutes of March 8, 2016
- g) Fire Department Report for March 2016
- h) Mequon/Thiensville Bike Pedestrian Commission meeting minutes of February 5, 2016
- i) Planning Commission meeting minutes of February 8, 2016
- j) Public Safety Committee meeting minutes of February 23, 2016
- k) Public Welfare Committee meeting minutes of March 8, 2016
- l) Public Works Committee meeting minutes of February 9 and March 8, 2016
- m) River Advisory Committee meeting minutes of February 24, 2016
- n) Sewer Utility District Commission meeting minutes of October 27, 2015
- o) Zoning Enforcement and Site Compliance Report through May 1, 2016

**6) Ordinances:**

- a) Item 6a was moved to after the Public Hearings.
- b) Item 6b was moved to after the Public Hearings.
- c) **ORDINANCE 2016-1471** - An Ordinance Amending Section 2-204 of the Mequon Municipal Code as it Relates to Identifying and Defining Department Heads.

**RESULT: First Reading**

**7) Resolutions:**

- a) **RESOLUTION 3373** - A Resolution Awarding the 2016 GSB-88 Bituminous Seal Contract to Fahrner Asphalt Sealers, LLC, Kaukauna, WI, in the Amount of \$266,030.

**RESULT: Approved by Roll Call Vote [Unanimous]**  
**MOVED BY: Alderman Adams**  
**SECONDED BY: Alderman Nerbun**

<b>AYES:</b> Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams
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- b) **RESOLUTION 3374** - A Resolution Awarding the 2016 Road Improvements Contract to Payne & Dolan, Inc., Jackson, WI, in the Amount of \$962,170.

This bid came in 14-15% less than expected, as did **RESOLUTION 3373**.

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

<b>AYES:</b> Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams
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Attachment: ACCELA 05-10-16\_CC (1663 : Common Council meeting minutes of May 10, 2016)

- c) **RESOLUTION 3375** - A Resolution Authorizing Execution of a Professional Services Agreement with Matrix Consulting Group, Mountain View, CA, for Completion of a Human Resource Compliance Audit in an Amount Not-to-Exceed \$23,250.

**RESULT:** Failed [3 to 5]  
**MOVED BY:** Alderman Strzelczyk  
**SECONDED BY:** Alderman Nerbun

**AYES:** Strzelczyk, Pukaite, Nerbun  
**NAYS:** Mayr, Wirth, Gierl, Hawkins, Adams

- d) **RESOLUTION 3376** - A Resolution Amending the City of Mequon's 2016 Employee Compensation Plan, in Connection with the Establishment of New and Reclassified Positions.

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

**AYES:** Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams

- e) **RESOLUTION 3377** - A Resolution Authorizing the Replacement of Squad Video Cameras and Purchase of Body Worn Cameras.

**RESULT:** Approved by Roll Call Vote [Unanimous]  
**MOVED BY:** Alderman Pukaite  
**SECONDED BY:** Alderman Hawkins

**AYES:** Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams

- f) **RESOLUTION 3379** - A Resolution Authorizing Renewal of a Mutual Cooperation Agreement For the City of Mequon's Participation In the Home Investment Partnership Program Administered by Waukesha County.

**RESULT:** Tabled [Unanimous]  
**MOVED BY:** Alderman Strzelczyk  
**SECONDED BY:** Alderman Wirth

**AYES:** Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams

- g) Item 7g - RESOLUTION 3380 was already adopted earlier in the meeting.

**8) Specified Unfinished Business:**

None.

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

None.

**10) Specified Miscellaneous New Business:**

- a. Aldermanic Appointment: Harold Nonken, Ethics Board Member, District 7.

**RESULT:** Approved by Voice Acclamation [Unanimous]  
**MOVED BY:** Alderman Nerbun  
**SECONDED BY:** Alderman Gierl

**AYES:** Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams

**11) Closed Session:**

- a) There was no motion to 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).

In lieu of going into Closed Session Attorney Sajdak stated he could provide the information in open session. If Council wishes to discuss further then a motion could be considered.

Alderman Wirth recused himself.

Attorney Sajdak continued with the update on these items: 1) conference date in front of the judge has been set for July 6, 2016; and 2) the Association has reached out to an alderman to address existing on-going concerns of the property, i.e. lake maintenance, mowing. He has advised the title insurance company's lawyer to organize further discussions. A future meeting is pending at this time.

**12) Adjourn**

Moved by Alderman Pukaite, seconded by Alderman Nerbun to adjourn at 10:00 PM.

Motion passed by voice acclamation.

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



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 Mequon, WI 53092-1930  
 Phone (262) 236-2924  
 Fax (262) 242-9655

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INSPECTION DIVISION

Architectural Board Minutes

April 11, 2016

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

**Members at Large:**                **Bobbi Schroeder, Daniel Morgan, Scott Reed**

**Aldermanic District**  
**Members:**                                **Paul Mattingly, Colleen Pemberton, Bruce Stern**

**Building Inspector:**                **Michael Rakow**

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

A.     1. Architectural Board Minutes of March 14, 2016  
    Moved to Approve:   Davison    
    Secoded By:       Reed        
    Vote:   4-0 Approved  

B.

No.	Ald. Dist. / Time	Type of App	Owner(s) / Project Address	Contractor
1)	Dist. 3 6:30pm	<u>New:</u> Single Family Residence	William & Carla Morgan 12451 N. Hawks Glen Ct.  Subd: Hawks Glen	Cont: Victory Homes of WI  Arch: Victory Homes of WI
Moved to Approve: <u>  Reed  </u> Secoded by: <u>  Morgan  </u> Approved: <u>  Yes  </u> Vote: <u>  4-0  </u>  Conditions: Plans approved as submitted.				

Attachment: Arch Brd minutesw\_04-11-16 (1655 : Architectural Board meeting minutes of April 11, 2016)

2)	Dist. 3 6:35pm	<b>New:</b> Single Family Residence	Dave & Suzy Boerke 6720 W. River Birch Drive	Cont: Horwath Builders
			Subd: River Birch Manor	Arch: Joe Smith

Moved to Approve: Reed  
 Seconded by: Davison  
 Approved: Yes  
 Vote: 4-0

Conditions: Plans approved with the following conditions:  
 1. Add window on left elevation, second story.  
 2. Add stone on right and rear elevations, as drawn on original plans.  
 3. Double French Doors with window accents should be added and centered on rear elevation.  
 4. Will need to resubmit new drawings to reflect changes.

3)	Dist. 4 6:40pm	<b>Addition:</b> Attached Garage	David Kriegel 5103 W. Westfield Road	Cont: Owner
			Subd: Cedar Acres	Arch: N/A

Moved to Table: Davison  
 Seconded by: Mattingly  
 Approved: No  
 Vote: 5-0

Conditions: Will need to resubmit new drawing for 5/9/16 Architectural Board Meeting. Also, Planning Commission approval is needed for zoning issues.

4)	Dist. 5 6:50pm	<b>Re-Submittal:</b> Sunroom Addition	Haralampos Mavraganis 11603 N. Lake Shore Drive	Cont: Owner
			Subd: N/A	Arch: N/A

Moved to Table: Davison  
 Seconded by: Reed  
 Approved: No  
 Vote: 4-0

Conditions: Owner or representative did not show up at meeting to explain changes. Tabled for 5/9/16 Architectural Board Meeting

Attachment: Arch Brd minutesw\_04-11-16 (1655 : Architectural Board meeting minutes of April 11, 2016)

5)	Dist. 6 7:00pm	<b>Addition:</b> Second Story/Garage	Robert Stern 11050 N. River Road  Subd: N/A	Cont: Robert Stern/Owner  Arch: Jim Pitzen
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Moved to Approve: Reed  
 Seconded by: Morgan  
 Approved: Yes  
 Vote: 4-0

Conditions: Plans approved as submitted.

6)	Dist. 7 7:10pm	<b>Addition:</b> Sunroom	Phillip & Elizabeth Weir 140 W. Boundary Road  Subd: Hickory Hollow	Cont: Hometown Building  Arch: N/A
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Moved to Approve: Reed  
 Seconded by: Morgan  
 Approved: Yes  
 Vote: 4-0

Conditions: Plans approved as submitted.

7)	Dist. 7 7:20pm	<b>New:</b> Single Family Residence	Charles & Heather Bechthold 9802 N. Hilltop Lane  Subd: Settler's Ridge	Cont: N/A  Arch: Port City Studio LTD
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Moved to Approve: Reed  
 Seconded by: Davison  
 Approved: Yes  
 Vote: 4-0

Conditions: Plans approved as submitted.

Attachment: Arch Brd minutesw\_04-11-16 (1655 : Architectural Board meeting minutes of April 11, 2016)

8)	Dist. 7 7:25pm	<b>Exterior Renovations:</b> Window changes	Steve Trinkl 9938 N. Valley Hill Drive  Subd: Range Line Valley	Cont: Homes by Newcastle Estates  Arch: N/A
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Moved to Approve:   Davison    
 Seconded by:   Morgan    
 Approved:   Yes    
 Vote:   4-0  

Conditions: Plans approved as submitted with the condition that both windows are to be kept and the window on the right should be moved over.

9)	Dist. 8 7:35pm	<b>Re-Submittal:</b> Exterior Renovations of Windows/Doors/Brick Siding and new front entryway	Eric Stelske 10438 N. Lake Shore Drive  Subd: N/A	Cont: Hickory Bridge Const.  Arch: Patera
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Moved to Approve:   Pemberton    
 Seconded by:   Morgan    
 Approved:   Yes    
 Vote:   5-0  

Conditions: Plans approved as submitted with the following conditions:  
 1. Beltline is to be removed.  
 2. Stone should be used as a focal point only on pillars in front.  
 3. Will need to resubmit new drawings to reflect changes.

10)	Dist. 8 7:45pm	<b>Addition:</b> First Floor	Scott & Barbara Allen 10922 N. Lake Shore Drive  Subd: N/A	Cont: Design Group Three  Arch: N/A
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Moved to Approve:   Pemberton    
 Seconded by:   Morgan    
 Approved:   Yes    
 Vote:   5-0  

Conditions: Plans approved as submitted with addition of shutters on West Elevation

Attachment: Arch Brd minutesw\_04-11-16 (1655 : Architectural Board meeting minutes of April 11, 2016)

11)	Dist. 1 7:55pm	<b>New:</b> Single Family Residence	Andrew Reuter 12927 N. Cobblestone Court  Subd: Cobblestone Woods	Cont: Alesci Homes, Inc.  Arch: Ahman Design
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Moved to Approve:   Stern    
 Seconded by:   Reed    
 Approved:   Yes    
 Vote:   5-0  

Conditions: Plans approved as submitted.

12)	Dist. 1 8:00pm	<b>New:</b> Single Family Residence	Brad & Rachael Amundsen 13925 N. Foxtail Lane  Subd: The Uplands	Cont: Henderson Group, Inc.  Arch: Henderson Group, Inc.
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Moved to Approve:   Stern    
 Seconded by:   Morgan    
 Approved:   Yes    
 Vote:   5-0  

Conditions: Plans approved as submitted.

13)	Dist. 1 8:05pm	<b>New:</b> Single Family Residence	Mark Gondek & Alicia Polikowski 4223 W. Solvang Lane  Subd: N/A	Cont: N/A  Arch: Wade Weissmann Arch.
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Moved to Approve:   Stern    
 Seconded by:   Reed    
 Approved:   Yes    
 Vote:   5-0  

Conditions: Plans approved as submitted.

Attachment: Arch Brd minutesw\_04-11-16 (1655 : Architectural Board meeting minutes of April 11, 2016)

**BOARD OF APPEALS**  
**Tuesday, April 26, 2016; 6:00 PM**

**Present:** Chairman Reitz; Members Ashmore, Levin, Massey, Stern, Deputy Clerk Fochs; City Attorney Sajdak; City Inspector Schoenknecht Court Reporter C. Kovac, Gramann Reporting; and interested public

All parties appearing before the Board of Appeals were sworn.  
A complete transcript of the proceedings can be made available upon request.

The meeting was called to order at 6:02 PM.

**1. Approve meeting minutes of April 13, 2016**

Moved by Member Levin, seconded by Member Ashmore to approve the meeting minutes of April 13, 2016, with a minor correction.

The motion passed by roll call vote 4/0.

Favor: Members Ashmore, Larson, Reitz, Stern

Abstain: Member Massey

**2. Hear evidence concerning; debate, deliberate and decide the request of:**

Applicant(s): Phillip and Elizabeth Weir

Owner: Phillip and Elizabeth Weir

Appeal: Requesting a variance from the Planned Unit Development (PUD) Ordinance setback standards approved for the Hickory Hollow neighborhood in order to construct an addition to the existing home at 140 W. Boundary Road.

Inspector Schoenknecht summarized the applicant's case. He indicated that the appellant is requesting a variance to exceed the 15 foot offset in order to build a family room addition. The proposed plan shows the addition would have a 13.58 foot offset. He stated that he did not inspect the property.

The appellant Mr. Weir explained that the total variance is approximately 4.5 square feet. The lot in question is unique because it is pie shaped, wider at the frontage road and narrower in the rear. The architecture is consistent with the interior and exterior styles. The appellant clarified that the original house was razed and they rebuilt a house off the street in 2006, pushing it towards the corner in question. The slab was permitted, poured and inspected separately in 2007.

City staff does not dispute at this time the existence of any permit besides the original house construction. Further research is needed to locate the permit for the slab.

City staff clarified that the driveway is beyond the permitted 3 feet of the lot line and that a concrete slab may not need a permit if it is for a patio. The appellant stated that the permit for the slab was identified as potentially for a three season room and it has footings. Appellant stated the hardship is created by the irregularity of the lot.

Moved by Member Levin, seconded by Member Massey to receive into evidence Exhibit A, a Google satellite map of the subject property.

The motion was approved by voice acclamation 5/0.

Member Ashmore questioned if the proposed addition could be designed so that it conforms to the code, effectively making the addition smaller than the slab. Inspector Schoenknecht stated that it would have to be carefully engineered to ensure that the weight of the walls and roof are supported by the slab and footings. It may be possible to cut the slab and put footings in the correct location. However, an addition set back on the slab would not be architecturally consistent with the home.

Moved by Member Levin, seconded by Member Massey to close the public hearing. The motion passed by voice acclamation 5/0.

The Board deliberated:

- Area variance is broader than a use variance
- The subject lot is irregular in shape
- The variance is only 17 inches
- Variance cannot be self-created and the property owner bears the burden of proving unnecessary hardship
- There is an alternative way to build an addition, though it is not preferred
- Practical difficulty unique to the property has been provided

Motion by Member Levin, seconded by Member Stern to approve the variance. The motion passed by roll call vote 4/1:

Favor: Members Levin, Massey, Stern, Chairman Reitz

Oppose: Member Ashmore

### 3. Adjourn

Moved by Member Levin, seconded by Member Stern to adjourn the meeting at 6:35 PM.

The motion passed by voice acclamation 5/0.

Respectfully submitted,  
 CITY OF MEQUON BOARD OF APPEALS  
 Kathy Andrykowski, Administrative Secretary



**draft**

11333 N. Cedarburg Road  
Mequon, WI 53092-1930  
Phone: 262/236-2911  
Fax: 262/242-9655

4.c.b

www.ci.mequon.wi.us

Office of the City Clerk

**BOARD OF APPEALS  
Tuesday, May 25, 2016; 6:00 PM**

**Present:** Chairman Reitz; Members Ashmore, Levin, Massey, Stern, Alternate Member Clancy, Deputy Clerk Fochs; City Attorney Sajdak; City Inspector Rakow, Court Reporter J. Steidtmann, Gramann Reporting; and interested public

**Also Present:** Brian Strachota, general contractor

All parties appearing before the Board of Appeals were sworn.  
A complete transcript of the proceedings can be made available upon request.

The meeting was called to order at 6:01 PM.

**1. Approve meeting minutes of April 26, 2016**

Moved by Member Massey, seconded by Member Levin to approve the meeting minutes of April 26, 2016.

Discussion ensued on whether a correction to the minutes is necessary since further research discovered that there was new information gathered since the last meeting regarding the Weir project. Attorney Sajdak stated that Robert Rules of Order and stated that minutes are the official record of the proceedings of a deliberative the assembly and should contain a record of what took place at a meeting. The minutes are on this agenda solely for a discussion of that particular meeting. Review or reconsideration of a completed due process is improper.

The motion passed by roll call vote 4/0.

Favor: Members Ashmore, Levin, Massey, Reitz

Abstain: Alternate Member Clancy

Member Ashmore questioned what contact the City had with the Weirs post-hearing. The Chairman notified the Weirs of the possibility of reconsideration of the original decision. Attorney Sajdak stated case law in Wisconsin that a motion to reconsider, amend, or rescind action taken by a body is appropriate only when that action can be undone without negative affects to a party. The Weirs had already ordered materials and scheduled deliveries. Based on that a motion to reconsider would not be appropriate. It was determined that further discussion of the factual events of the previous hearing and of City staff were inappropriate and were discontinued.

**2. Hear evidence concerning; debate, deliberate and decide the request of:**

Applicant(s): Mark L. McGraw

Owner: Mark L. McGraw

Appeal: Requesting a variance from Section 58-234 (c)(1)(d) Mequon Code of Ordinances in order to erect a detached garage at 1220 W. Bonniwell Road.

Inspector Rakow summarized the applicant's case. He indicated that the appellant is requesting a variance to build a 26' x 30' accessory structure. Code allows one additional

Attachment: McGraw\_minutes\_05-25-16 (1669 : Board of Appeal meeting minutes of April 26 and May 25, 2016)

detached structure; currently the appellant has two such accessory structures. Inspector Rakow indicated he visited the property in preparation for this case.

The appellant's representative, Mr. Strachota, explained that one of the current accessory structures would be eliminated if the variance is granted. The current setback of the existing garage is twenty-three feet off of Bonniwell Road and two feet of the property line. The landscaping/snow plowing businesses at the end of Bonniwell Road are causing traffic and safety problems for the appellant. He fears for his safety and the safety of his grandchildren.

The Board questioned the zoning of the landscaping/snow plowing businesses and staff could not state with certainty the zoning but did state that a landscape contracting business is an approved conditional use. The conditional use will need to be reviewed to see if snow plowing is allowed.

The appellant is not proposing to eliminate the existing garage. If both sheds were torn down he could construct another shed. There would be additional approvals beyond the decision of this Board. It would still need site plan approval to make sure that setbacks are met, size conforms to code, etc. Code allows for a detached garage of a certain size and one accessory structure. If the existing garage is eliminated along with another accessory structure then there is a possibility that the proposed 3 car garage could be built, assuming it passes code.

Moved by Member Massey, seconded by Member Clancy to close the public hearing. The motion passed by voice acclamation 5/0.

The Board deliberated:

- The appellant has a choice to remove other structures to accomplish what he wishes
- Application for permit for new garage would include demolition of the existing garage and another structure
- Code allows a principal detached garage not to exceed 800 square feet; that code may influence the choice of which structures to keep and which to demolish
- This is a self-created hardship
- A variance cannot be self-created and the property owner bears the burden of proving unnecessary hardship

Motion by Member Ashmore, seconded by Member Levin to deny the variance. The motion passed by roll call vote 5/0:

Favor: Members Ashmore, Levin, Massey, Chairman Reitz, Clancy

Oppose: None

Members of the Board suggested a workshop be organized to include Board Members, City staff (Clerk's Office, Inspection Department and Community Development Department), and the City Attorney. Communication between staff and the Board, clarification of the appeals, efficiency and preparation for hearings are lacking and need improvement. One option is to invite the UW-Extension to provide training for Board of Appeals. The scheduling of this workshop is pending.

**3. Adjourn**

Moved by Member Ashmore, seconded by Member Massey to adjourn the meeting at 7:00 PM. The motion passed by voice acclamation 5/0.

Respectfully submitted,  
CITY OF MEQUON BOARD OF APPEALS  
Kathy Andrykowski, Administrative Secretary

**CITY OF MEQUON  
WISCONSIN**

**DEPARTMENT OF COMMUNITY DEVELOPMENT**

**BUREAU OF PERMITS AND INSPECTIONS**

\*APRIL 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	33	3,240.00	41	4,224.00
Building Permits	59	30,446.00	244	143,538.13	225	122,971.03
Heating Permits	31	9,497.80	147	29,822.24	185	33,347.54
Temp. Occupancy Permits	4	400.00	18	1,903.00	21	1,006.00
Occupancy Permits	6	342.00	33	2,016.00	34	2,401.00
Cert. of Compliances	0	0.00	0	0.00	107	6,527.00
Moving Permits	0	0.00	0	0.00	0	0.00
Razing	2	80.00	5	282.00	9	549.00
Plumbing Permits	80	6,408.00	274	30,685.00	287	36,711.00
Electrical Permits	62	5,759.20	278	23,946.85	289	30,705.34
Well Abandonment Permit	3	183.00	4	244.00	0	0.00
Well Operation Permit	6	732.00	6	732.00	0	0.00
Early Start	2	750.00	2	750.00	1	183.00
<b>Total</b>	<b>261</b>	<b>\$ 55,173.00</b>	<b>1044</b>	<b>\$ 237,159.22</b>	<b>1199</b>	<b>\$ 238,624.91</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  
\*APRIL 2016 \*  
MONTHLY VALUE'S REPORT**

Type of Permit	This Month		Year to Date		2015	
	No.	Value	No.	Value	No.	Value
Residences	3	2,482,000.00	14	8,710,927.00	13	6,386,956.00
Two Family Residence*	4	1,160,000.00	4	1,160,000.00	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	23	753,343.00	112	3,527,000.00	120	3,512,384.52
Misc Residential	21	202,398.00	85	812,788.32	63	953,646.35
Commercial New/Addition	1	8,000,000.00	1	8,000,000.00	2	1,500,000.00
Commercial Remodel	2	37,484.00	7	241,521.00	8	668,952.00
Commercial Tenant	0	0.00	2	3,900,000.00	11	1,626,000.00
Utility	1	120,000.00	6	222,200.00	5	117,000.00
School/Church/Public Add/Rem	4	1,231,000.00	12	5,252,391.00	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	2	0.00	4	0.00	9	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>61</b>	<b>\$ 13,986,225.00</b>	<b>248</b>	<b>\$ 31,899,827.32</b>	<b>234</b>	<b>\$ 14,904,938.87</b>

\*Total Permits Issued, 2 Residences per 1 Unit



11333 N Cedarburg Road  
 Mequon, WI 53092  
 P: 262-236-2902  
 F: 262-242-9655  
[www.ci.mequon.wi.us](http://www.ci.mequon.wi.us)

Department of Community Development

**Economic Development  
 Board May 3<sup>rd</sup> 2016  
 7:30 AM  
 North Conference Room  
 Mequon City Hall  
 11333 N Cedarburg**

**Minutes**

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

Members present: Tim Carr, Jim Baka, Gloria Rosenberg, Jon Safran, Mason Holbrook, Rick Shneyder, Alt. John Wirth, Alt. Connie Pukaite

Staff and City Representatives Present:

Kim Tollefson, Director of Community Development

Ms. Tollefson introduced new board member Jon Safran. All members introduced themselves.

**2. Approval of meeting minutes from March 23, 2016**

Ald. Wirth made a correction to the minutes on page 2 in which he clarified his intention of researching other economic development departments in neighboring suburbs to inquiry how they run their economic development staffing (not just their board).

Ald. Wirth made a motion to approve the meeting minutes from March 23, 2016.

Ms. Rosenberg seconded the motion.

***A voice vote was called. All voted aye (7-0)***

**3. TIF No.3: Town Center Incentive Request for “The Reserve” Redevelopment  
 Site located at 6729-6835 W. Mequon Road.**

Ms. Tollefson introduced Robert Bach from P2 Development and Jim Mann from Ehlers. She stated that Mr. Bach is developing an 81-unit multi-family apartment complex south of Mequon Road to the rear of where Ivana’s Trunk was located in the Town Center (TC) zoning. This proposed development has been through all the necessary approvals from both Planning Commission and Common Council and has started construction on the site. Full valuation is expected by 2018, with a partial valuation in 2017. The incentive request was evaluated against the Fast Track Formula.

In this specific case the estimated project cost is \$10M and that is an improvement value beyond \$9.7M. The applicant would be eligible for about \$876,000 based on the Fast Track Formula, but when the Common Council approved the opportunity for incentives in the Fast Track Formula in Town Center, there was a total of only \$3M allocated for developer incentives. It is almost at full execution of those dollars, so \$250,000 is currently

available for this application. The payback period and the estimated annual tax revenue at \$250,000, it will be just under two years of a payback period.

Ms. Tollefson stated Jim Mann from Ehlers helps the City vet through the pro forma of the project and helps to ensure that the City is in compliance with the TID and looks out for the City's best financial health in the TID. In this particular case, there will be a substantial overall net benefit from the \$10M project coming into the TIF district. Ms. Tollefson reminded the board that like the other TIF incentives provided in TC, it is not suggested to provide 100% of return on that tax revenue each year, but rather to structure the payback period over 3 years and splitting the percentage. This is coming in about 48/52% split with a payback of 3 years. This allows the City to take some of those dollars in the first initial three years and fuel the TIF. Mr. Bach will receive around \$83,000 over those three years. Ms. Tollefson indicated that the estimated tax revenue would be about \$175,000.

Mr. Mann explained that they look at two components when evaluating:

1. Sunk Cost – this is the individual parcel's portion of the original TID expenses.

Mr. Mann stated that this is a 2 acre site that represents about 1.75% of the total TID district (which is about \$85,000 of the original TID public improvements expenses that this project is supposed to cover). The development incentive request of the \$250,000 leaves a significant addition to the bottom line of the TID. This project cuts about 1/3 of that hole back out. This is very positive to the cash flow of the overall TID.

Mr. Mann answered Ald. Wirth that the Schaffer project is not yet included and once it comes through the TID will no longer be in the hole. If the Schaffer project does not go through there is about \$600,000 in the hole. There is a lot of time left and other projects could be included. He added that if the projects that are currently proposed all move forward (The Reserve, the Schaffer project, the Dermond project), then the TID close date could move forward. He said the things have turned the corner and they are moving in a positive direction for the TID.

Mr. Bach stated that they build projects and maintain ownership of them. They use very high quality products. They expect this project to be a premier apartment building in Ozaukee County. They are incorporating many amenities; indoor pool, large community center, 140 stall underground parking garage, 5,000 sq. ft. social gathering on the second floor deck with fire pit and areas to cook out. He stated that their market is young professionals and snow birds. The high end quality apartments include 10' ceilings, 8' doors and high end finishings.

Mr. Bach stated that the rents will be between \$1,350 - \$2,000.

- 15 - 1 bedrooms, smallest unit is 881 sq. ft
- 64- 2 bedroom units
- 12 - 3 bedroom units, largest is 1975 sq. ft.

Mr. Safran asked about the demand for apartments being realistic.

Mr. Bach stated that they have done two market surveys and the findings are that the demand goes beyond everything that has been approved for the TC area.

Ald. Wirth made a motion to approve the incentive request.

Mr. Baka seconded the motion.

***A voice vote was called. All voted Aye, vote passed 7-0***

Ms. Tollefson stated that a Town Center workshop for the Common Council is being planned and she will let the EDB know the date once it is confirmed. A portion of that workshop is an overall view and prospective of the TIF and the financial health of the TID.

She stated that even if  $\frac{3}{4}$  of the projected potential value of the Schaffer project indicated was to deliver (about \$26.8M), the TID would be in the black. The final year of construction for the Schaffer project and full valuation is expected in 2019.

Part of the workshop conversation will focus on what some of the other potential goals or interests of the TID are if there is continued increment (Logeman Center, gateway features).

#### 4. Staff Updates

Ms. Tollefson stated the following projects are on the agenda for Planning Commission and/or Common Council this month:

- Oriole Lane conservation subdivision. There will be some neighborhood protest. It is proposed to be 9 single family condominium conservation subdivision. It is a constrained site due to wetlands and specimen trees. The developer has gone through many revisions. They appear to be in compliance with the DNR at this time. They have preserved all 22 specimen trees.

Ald. Pukaite stated this is a great deal of controversy because this site is perceived as the last green space buffer between the neighborhood and commercial area and the neighboring residents are opposed.

- Ms. Tollefson is bringing to Public Welfare the City's partnership with Ozaukee HOME Consortium. It is a four county program in which the federal dollars are targeted towards home ownership opportunities.

Over the past 10-12 years there has been about \$12M of HUD dollars allocated to the program with about \$1M of that to Ozaukee County.

- Neumann Companies, Highlander Estates is seeking street tree and landscape plan approval for Phase I of their new subdivision.
- Cyclebar is seeking conditional use grant for a spin fitness studio at Mequon Pavilions.

Mr. Carr stated that the barber shop next door is upset about being put out of business.

- Town Center parking is being discussed and strategies are being worked on for some additional parking options. This is not an actionable item but is being discussed internally and with the developer and business owners.
  - The Schaffer project has had the environmental work done. The Development Agreement (DA) has been delivered. The City is the owner of the property and is requesting of the DNR that no further investigation is necessary. It is a matter of monitoring it now. Most of the contamination are soil management issues so now an action plan needs to be put into place on how to deal with those soils. The contaminated areas happen to align with the developer's concept plan where parking lots were intended.

Mr. Safran asked if the hotel is still a viable part of the plan.

Ms. Tollefson answered that is still included in the overall plan. Ms. Schaffer has been asked to show an alternative plan in the PUD and she has suggested that the alternative would be an additional apartment complex. The hotel is part of phase II. The PUD

approval will be crafted with standards that the hotel would need to meet to be implemented.

Mr. Carr stated that he feels there is demand in town that would support a hotel.

Ms. Tollefson stated that because the site was sold for \$1 it was made clear that there is no intention of further incentives being offered through the TIF or otherwise. This relates to the environmental work as well in that the developer is responsible for those costs. The public improvements will also be the developer's responsibility.

- The Logeman Center has the last tenant (the Historical Society) moving out. There are about two weeks of work still to do. There are many options and ideas of what will be done with this space and this will also be discussed at the TC workshop.

There was a causal discussion among the EDB members about big box businesses going into neighboring communities (Ikea going into Oak Creek, Walmart wanting to come to Mequon) and the preference from the residents of Mequon and the Common Council not to allow those types of businesses here.

Ms. Rosenberg suggested that the tenants of TC should have maps at their counters to give out as well as have a map shown when advertising.

## 5. Announcements

Ms. Tollefson stated that there were two other incentives slated for today. One is OutPost; they will be asking for an amendment to their development agreement that granted the incentive to them. The request is for an additional \$30,000. They prefer to meet on May 31<sup>st</sup>.

The second one is in the business park with MLG.

This is on a 12 acre site with a local owner and local resident and would be a great asset to the business park.

**The next meeting is scheduled for either May 24<sup>th</sup> or May 31<sup>st</sup>.**

Mr. Baka made a motion to adjourn.  
Ms. Rosenberg seconded the motion.

The meeting adjourned 8:49 am.



11333 N. Cedarburg Rd 60W  
 Mequon, WI 53092-1930  
 Phone: 262/236-2941  
 Fax: 262/242-9819

ww.ci.mequon.wi.us

Office of the City Administrator

**FINANCE-PERSONNEL COMMITTEE  
 MEETING MINUTES  
 April 12, 2016**

**Present:** Mayor Abendroth, Aldermen Leszczynski, Mayr, Pukaite

**Also Present:** City Administrator Jones, Assistant City Administrator Thyges, Finance Director Watson, Deputy City Clerk Fochs, City Attorney Sajdak, Executive Assistant Prosser, Press

Mayor Abendroth called the meeting to order at 6:48 PM.

**Approve minutes from the March 8, 2016 meeting**

**Action:** Motion to approve the March 8, 2016 meeting minutes (Pukaite/Leszczynski).

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

**License applications**

**Action:** Motion to approve license applications and “Class B” Reserve Liquor License contingent upon passing all required inspections (Mayr/Leszczynski).

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

**Vouchers for payment**

Alderman Mayr requested further information on invoice #3176-Solar Heights Drainage Analysis 2015 in the amount of \$4,500.

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

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

**Discussion- Jalapeno Loco Dos, Inc. “Class B” Liquor License**

Deputy City Clerk Fochs stated at the September, 2015 Finance-Personnel Committee meeting a hearing was held to discuss issuing Jalapeno Loco Dos, Inc. a 2015-2016 “Class B” Liquor license since they were no longer in business. Ms. Fochs noted the Committee decided at that time to issue the license, but asked for an update in six months as to the disposition of the sale of the business. Ms. Fochs provided an update to the Committee stating, the owner indicated there was interest from a developer, however, at this time there have been no plans submitted to the city for review and staff indicated they have not had any recent contact with any potential buyer. Ms. Fochs stated Jalapeno Loco Dos’ license will expire on June 30, 2016 at which time the Committee can decide to review or deny the license for the 2016-2017 licensing year if the applicant chooses to reapply or the Committee could call a hearing to revoke the license due to a non-operating business.

The Committee decided to address whether to renew or deny Jalapeno Loco Dos’s license for the 2016-2017 licensing year if the applicant chooses to reapply.

City Administrator Jones noted all annual license renewals will be provided at the June, 2016 meeting. City Attorney Sajdak indicated ramification proceedings for non-operating businesses will also be scheduled for the June, 2016 meeting.

**Adjourn**

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

**Result:** Motion passed by voice acclamation. Meeting adjourned at 7:15 PM.

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



## Mequon Fire Department Monthly Report - April 2016

### Calls for Service

Call Type	April 2016	YTD 2016	YTD 2015
EMS	134	540	431
Fire	31	156	151
Total	165	696	582

Interfacility Transports	2	22	-
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### Response Times

Call Type	Average Response Time
First Responder	4:58
Ambulance	8:32
Fire	9:39

### Fire Calls

Type/Cause	Number
Fire (structure, car or vegetation)	3
Rescue/EMS (water/ice rescue or search for lost person)	8
Hazardous Condition (no fire, chemical/electrical problem, gas leak)	3
Service Call (smoke removal, mutual aid standby)	3
Good Intent Call (cancelled enroute to alarm or smoke mistaken for fire)	2
False Alarm/False Call (fire alarm, co alarm, or malfunction of system)	0
Severe Weather	12
Monthly Total	31

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

Type/Cause	Number
Fall Victim	22
Breathing Problem	12
Unconscious Person	9
Lift Assist	10
Stroke/CVA	5
Sick	8
Traffic Accident	18
Altered Mental Status	4
Chest Pain	6
Seizures	4

### Monthly Training

Type	Average Attendance
Fire/EMS	36
Dive/Tech Rescue	7

### 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	9
Burn Permits Issued	152
Fire Inspections	85

# Mequon Fire Department

## Monthly Report - May 2016



### Calls for Service

Call Type	May 2016	YTD 2016	YTD 2015
EMS	147	690	540
Fire	34	191	184
Total	181	881	724

Interfacility Transports	3	22	-
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### Response Times

Call Type	Average Response Time
First Responder	4:35
Ambulance	8:19
Fire	8:43

### Fire Calls

Type/Cause	Number
Fire (structure, car or vegetation)	6
Rescue/EMS (water/ice rescue or search for lost person)	7
Hazardous Condition (no fire, chemical/electrical problem, gas leak)	0
Service Call (smoke removal, mutual aid standby)	3
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)	13
Severe Weather	0
Monthly Total	34

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

Type/Cause	Number
Fall Victim	37
Breathing Problem	12
Unconscious Person	2
Lift Assist	8
Stroke/CVA	2
Sick	8
Traffic Accident	20
Altered Mental Status	5
Chest Pain	5
Seizures	3

### Monthly Training

Type	Average Attendance
Fire/EMS	30
Dive/Tech Rescue	21

### Community Education

Activity	Number
Department Tours/Fire Prevention Presentations* (Tour groups, birthday parties, community events)	1
Fire Prevention Talk (Offsite - school, facility, business, etc.)	1

### Administrative

Activity	Number
False Alarm Charges	11
Burn Permits Issued	88
Fire Inspections	63



11333 N. Cedarburg Rd 60W  
Mequon, WI 53092-1930  
Phone: 262/236-2941  
Fax: 262/242-9819

www.ci.mequon.wi.us

Office of the City Administrator

**Mequon Festivals Committee  
April 4, 2016  
Meeting Minutes**

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

**Not Present:** Alan Day, Kirsten Hildebrand

**Also Present:** Executive Assistant Prosser

The meeting was called to order by Vanessa Nerbun, Committee Chair, at 6:06 PM.

**Approve minutes of the March 7, 2016 meeting**

**Action:** Motion to approve the meeting minutes of March 7, 2016 with recommended edit.  
(Stillman/Adams)

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

**Staff Updates**

Executive Assistant Prosser informed the Committee that twenty-one food/beverage vendor applications were mailed out on March 16 and nineteen artist applications were sent on March 30. Alderman Adams requested a reminder e-mail of the May 2<sup>nd</sup> application deadline be sent out to the restaurants and artists.

Al McIlwraith provided information on an ATM machine for Taste of Mequon. The ATM machine is maintained by Associated Bank and there is no charge to the festival for the use of the ATM machine. The Committee agreed to move forward with obtaining an ATM machine. Al will follow-up with Associated Bank.

**2016 Budget**

***Emergency Communication Equipment Purchase***

Executive Assistant Prosser discussed with the Committee the purchase of a megaphone as an essential piece of equipment to be used at an event to communicate an emergency. Ms. Prosser noted the use of a standard microphone may not reach the attention of a large crowd should an emergency occur. Ms. Prosser provided the Committee with information on a megaphone and a portable air horn for use as emergency communication equipment. The Committee decided to purchase a megaphone, not the portable air horn since the megaphone is equipped with a horn.

**Action:** Motion to purchase a high power megaphone (McIlwraith/Stillman)

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

**Pre-Event Planning**

***Inclement Weather Notification Procedures (Pre-Event)***

Executive Assistant Prosser stated at the February, 2016 meeting staff presented a draft-pre-event inclement weather policy for the Committee's review and the Committee requested the item to be brought back for discussion at the March meeting. Ms. Prosser noted the Committee approved the Pre-Event

Mequon Festivals Committee Meeting Minutes  
April 4, 2016  
Minutes Approved: May 9, 2016

Inclement Weather Policy at the March, 2016 meeting. Ms. Prosser provided the Committee with notification procedures to implement the policy should the Committee need to contact event participants of the decision to cancel or delay the event. The Committee approved the inclement weather notification procedures with an amendment to include the word “severe” (inclement/severe weather).

#### *Entertainment*

Committee Chair, Vanessa Nerbun stated a contract has been received from Left on Sunset and noted contracts from Chicken Wire Empire Band and Danny Miller Band are forthcoming.

#### *Non-Profit Organizations Participation Guidelines*

Vanessa Nerbun stated at the last meeting Kirsten Hildebrand provided the Committee with a draft of participation guidelines for non-profit organizations and it was decided to bring the guidelines back for further discussion at the next meeting.

Executive Assistant Prosser reviewed with the Committee with the definition of a non-profit organization that was approved at the last meeting; *Vendors in this category are defined as a local (Mequon-Thiensville) non-profit community based organization that serves the needs of the fuller community.* The Committee requested the word “fuller” be removed from the definition.

The Committee made changes to the nonprofit organization participation guidelines as follows; a non-profit organization must provide a valid tax ID number on their application, a non-profit organization must be prepared to participate from noon to 6:00 p.m., application from a non-profit organization will be accepted as space allows, and applications from religious or political organizations will not be accepted.

**Action:** Motion to approve the amended non-profit organization definition and participation guidelines. (Nerbun/McIlwraith)

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

#### *Sponsorship*

Vanessa Nerbun stated the sponsorship package will be mailed out within the next several weeks to those who have sponsored one or both events.

#### **Future agenda items**

- Children’s Area
- Sponsorship
- Entertainment

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

The next meeting of the Mequon Festivals Committee will be held on Monday, May 9, 2016 at 6:00 PM.

#### **Adjourn**

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

**Result:** Motion passed by voice acclamation. Meeting was adjourned at 7:05 PM.

Respectfully submitted,

CITY OF MEQUON – MEQUON FESTIVALS COMMITTEE

Lina Prosser, Executive Assistant



11333 N. Cedarburg Rd 60W  
Mequon, WI 53092-1930  
Phone: 262/236-2941  
Fax: 262/242-9819

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Office of the City Administrator

**Mequon Festivals Committee  
May 9, 2016  
Meeting Minutes**

**Members Present:** Alderman Pam Adams (left 6:55 PM), Sue Dorszynski, Lynn Jarman, Bridget King, Al McIlwraith (left 7:05 PM), Committee Chair Vanessa Nerbun,

**Also Present:** Executive Assistant Prosser, Sharon Stillman

The meeting was called to order by Vanessa Nerbun, Committee Chair, at 6:00 PM.

Vanessa introduced new committee members and recognized Sharon Stillman for her work as the past Committee Chair to the Mequon Festivals Committee.

**Approve minutes of the April 4, 2016 meeting**

**Action:** Motion to approve the meeting minutes of April 4, 2016. (McIlwraith/King)

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

**Staff Updates**

*Participants/Applications*

Executive Assistant Prosser provided the Committee with an update on participants; ten food/beverage vendors and seven artist applications have been received. Al McIlwraith offered to contact a vendor that sells human size Jenga puzzles. Committee members offered to follow up with restaurants and artists that have not yet responded to the application package. Staff was asked to e-mail the food/beverage vendor application to the committee.

*Sponsors*

Staff provided a sponsor update to the Committee. Committee members selected individual sponsors to follow-up with in regards to the sponsorship package they received. Staff was asked to e-mail the sponsorship package to the committee.

**2016 Budget**

*Budget Update*

Executive Assistant Prosser provided the committee with a budget update.

*Bounce House*

**Action:** Motion to approve renting a bounce house for Taste of Mequon geared towards pre-teens, not to exceed the cost of \$1,500 (King/McIlwraith)

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

***Pre-Event Planning***

*ATM Machine*

Mequon Festivals Committee Meeting Minutes  
Meeting Minutes: May 9, 2016  
Minutes Approved: June 6, 2016

Al McIlwraith reviewed a sponsorship package available for the ATM machine. A business sponsoring \$500 would receive their name on the ATM machine and terminals along with a percentage of the fees collected.

*Entertainment –Music*

Lina Prosser reported all contracts have been received from the bands.

*Children's Area*

Kirsten Hildebrand reported applications have been sent to past participants in the children's area. The magician from last year has agreed to come back.

**Future Agenda Items**

Mequon Town Center Businesses

Parking

Recycling containers

**Next Meeting Date and Time**

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

**Adjourn**

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

**Result:** Motion passed by voice acclamation. Meeting was adjourned at 7:20 PM.

Respectfully submitted,

CITY OF MEQUON – MEQUON FESTIVALS COMMITTEE

Lina Prosser, Executive Assistant

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

**MUNICIPAL WATER UTILITY COMMISSION  
MINUTES  
October 27, 2015**

1. The meeting was called to order at 9:05 p.m. with Mayor Abendroth, Alderman Strzelczyk, Alderman Pukaite, Alderman Mayr, Alderman Leszczynski, Alderman Gierl, Alderman Hawkins, Alderman Nerbun and Alderman Adams present.

Also present was City Administrator Jones, Assistant City Administrator Thyes, Director of Public Works/City Engineer Lundeen, Finance Director Watson, Assistant Finance Director Rudychev, Water Utility Manager/City Water LLC President Mike Rau, Water Utility/City Water LLC Director of Operations Jim Voigt and Administrative Secretary Kress.

2. The minutes of the June 2, 2015 Municipal Water Utility Commission meeting were moved for approval by Ald. Pukaite, seconded by Ald. Mayr, and unanimously approved by the Commission as written.
3. Director of Public Works/City Engineer presented the 2016 Water Utility Budget for the Commission's review. Staff and the Commission discussed the Utility's growth and infrastructure.

Following discussion, it was moved by Ald. Strzelczyk, seconded by Ald. Adams, and the Municipal Water Utility Commission unanimously approved the 2016 Water Utility Budget.

4. There being no further business to conduct, the meeting was unanimously adjourned at 9:13 p.m.

CITY OF MEQUON  
WISCONSIN  
\*\*\*\*\*  
**PARK BOARD MEETING**  
**March 16, 2016**  
**Mequon City Hall**  
**11333 N. Cedarburg Rd.**  
**6:30 PM**

Vice Chairperson Susan Chich called the meeting to order at 6:34 pm with roll call as follows:

Members present: Susan Chich, Mary Glenn Fuchs, Jim Lysaught, Tom Menzel,  
Ald. John Leszczynski

Members absent: Bruce Barnes, Fran Rechcygl, and Robert Walerstein

Also present: Parks Director Curran

1. **Approval of Park Board Minutes:**  
Moved by Mary Glenn Fuchs and seconded by Jim Lysaught to approve the minutes of the February 17, 2016 meeting. The motion passed by voice acclamation.
2. **Visitor Participation/Recognition:**  
None
3. **Park Improvements and Projects:**  
As requested at the February Park Board meeting, a list of potential projects and improvements for various parks and nature preserves is included in the packet. A majority of these ideas are included in the Comprehensive Park, Recreation and Open Space Plan; however as in previous years annual budgets most often do not include the funding needed to move the projects forward. Discussion for improvements included adding gravel to Katherine Carpenter Park to alleviate the wet paths, bathroom facilities at Lemke Park, signs along the river, parking lot repairs and invasive species removal. Also mentioned was having a Mequon Park application for smart phones or notice posted giving additional information to park visitors. Discussion included ongoing maintenance items at various parks. Due to budget constraints, immediate improvements will likely include items in need of repair and or replacement. Director Curran will compile a list of recommended projects and estimates to present to the board next meeting.
4. **Chairperson's Report:**  
None
5. **Director's Report:**  
Director Curran mentioned Arbor Day is April 24 at Logemann Center and will need volunteers.
6. **Adjourn:**  
A motion by John Leszczynski and seconded by Jim Lysaught to adjourn at 7:39 pm passed by voice acclamation.

Future meeting date.....April 20, 2016

Respectfully submitted,

CITY OF MEQUON PARK BOARD

**CITY OF MEQUON WISCONSIN  
PLANNING COMMISSION MINUTES  
April 11, 2016**

Commissioners present: Mayor Dan Abendroth, Ald. Pam Adams, Becky Schaefer, Brian Parrish, John Mason, David Fuchs, Jim Schaefer, LeRoy Bessler, John Stoker (voting)

Staff members present: Kim Tollefson, Director of Community Development  
Jac Zader, Asst. Director of Community Development  
James Keegan, Engineering Services Manager

Minutes of the meeting held on Monday, February 25, 2016 at 7:00 p.m. in the Common Council Chambers, Mequon City Hall, 11333 N. Cedarburg Road. [Note: Planning Commission meeting was audiotaped.]

1. a. Call to Order, Roll Call
- b. Approval of the February 8, 2016 Planning Commission meeting minutes.

Commissioner Parrish made a correction to the minutes that he had recused himself from items #8 and #9 at the February meeting.

**Action:**

Commissioner Mason moved to approve the February 8, 2016 minutes.

Commissioner Bessler seconded the motion to approve the minutes.

*A voice vote was called. All voted aye, 8-0.*

**Consent  
Public Hearing**

**Action:**

Commissioner Stoker made a motion to go into public hearing.

Commissioner Fuchs seconded the motion.

*A voice vote was called. All voted aye, 8-0*

**2. Donges Bay Elementary School**

Address: 2401 W. Donges Bay Road      Tax Key: #15-031-06-001.00      Zoning: R-2      District: #7

- Request:**
1. Conditional Use Grant Amendment
  2. Building/Site Plan Amendment

**Briefing:** The applicant is seeking conditional use grant and building/site plan amendment approval to add two classrooms for the property located at 2401 W. Donges Bay Road (Donges Bay Elementary School).

Jennifer Florsheim – 10252 N. Range Line Road. She questioned and formally opposed the fence around the school. She feels it is unsightly and an unnecessary expense. She says there is a natural barrier there and she feels that the fence is unnecessary.

Asst. Dir. Zader stated that the fence is not part of the application. There was a letter sent to neighboring residents that the fence was going to possibly exceed the 4 ½ feet which requires the neighbors' permission. He stated that if the fence is less than 4 ½ feet the neighbor approval is not necessary.

Mayor Abendroth suggested that Ms. Florsheim ask the school district about why they are installing a fence. He said that if they apply for a permit, she will be contacted.

Commissioner Bessler asked why the schools are adding classrooms if the enrollment is declining.

Asst. Dir. Zader stated that due to declining enrolment, Range Line School was closed and the other elementary schools are now reaching capacity levels and need to add on to them.

Ald. Adams stated that she talked to Dr. Means, school Superintendent, and he told her the reasons for adding the classrooms are due to Range Line closing, they are needed for special education to have their own rooms and K4 was added to the district which now uses additional rooms.

**3. Gregg Prossen for MPP Group, LLC**

Address: 12250 N. Corporate Parkway Tax Key: #15-017-10-011.00 Zoning: B-4 District: #7

**Request:** 1. Conditional Use Grant

**Briefing:** The applicant is seeking conditional use grant approval to remodel the existing building to a R&D facility for the property located at 12250 N. Corporate Parkway.

**Action:**

Commissioner Stoker made a motion to close the public hearing.

Commissioner Becky Schaefer seconded the motion.

*A roll vote was called. All voted aye, 8-0*

**Regular Business**

**4. P2 Development Company, Bob Bach**

Addresses: 6809 W. Mequon Rd Tax Key: #14-027-05-001.00 Zoning: AC/PUD District: #4  
6835 W. Mequon Rd Tax Key: #14-027-02-015.00  
6729 W. Mequon Rd. Tax Key: #14-027-02-002.00

**Request:** 1. Fill Permit in excess of 10,000 cubic yards

**Briefing:** The applicant is seeking fill permit, in excess of 10,000 cubic yards, approval for the property located at 6729-6835 W. Mequon Road.

**5. Oriole Lane Elementary School**

Addresses: 12850 Oriole Lane Tax Key: #15-007-15-000.00 Zoning: IPS/FFO District: #5

**Request:** 1. Building/Site Plan Amendment

**Briefing:** The applicant is seeking building/site plan amendment approval to add two classrooms for the property located at 12850 Oriole Lane (Oriole Lane Elementary School).

**6. Wilson Elementary School**

Addresses: 11001 N. Buntrock Avenue Tax Key: #14-027-03-001.00 Zoning: IPS District: #4

**Request:** 1. Building/Site Plan Amendment

**Briefing:** The applicant is seeking building/site plan amendment approval to add two classrooms for the property located at 11001 N. Buntrock Avenue (Wilson Elementary School).

Commissioner Bessler asked what P2 Development wants to do with the excess of 10,000 cubic yards of fill and he asked what the exact actual fill amount is.

Mr. Keegan stated that the fill will be used for excavation of the pool and pond. He said the actual fill permit was included in the packet and the actual fill amount is 20,000 cubic yards. There is a farm field located at Pioneer and Wasaukee Roads that has a low spot that will be filled with the excavation from this site.

Attachment: PC\_minutes\_04\_11\_2016 (1675 : Planning Commission meeting minutes of April 11, 2016)

**Action:**

Commissioner Parrish made a motion to approve the consent agenda items (#2 - #6)

Commissioner Bessler seconded the motion.

*A voice vote was called. All voted aye, 8-0*

**Public Hearing****Action:**

Commissioner Bessler made a motion to go into public hearing.

Commissioner Fuchs seconded the motion.

*A voice vote was called. All voted aye, 8-0*

**Action:**

Commissioner Stoker made a motion to close the public hearing.

Commissioner Parrish seconded the motion.

*A voice vote was called. All voted aye, 8-0*

**7. Artis Senior Living of Mequon, LLC**

Address: 11900 N. Port Washington Road

Tax Key: #15-020-06-008.00 Zoning: B-3 District: #5

**Request:**

1. Conditional Use Grant
2. Building/Site Plan

**Briefing:** The applicant is seeking conditional use grant and building/site plan approval for the 30,000 sf, 72-bed memory care residential living facility located at 11900 N. Port Washington Road (Artis Senior Living of Mequon, LLC).

Asst. Dir. Zader stated that this was approved in January of 2014 but the approval has lapsed. They are requesting conditional use grant and building/site plan approval which is essentially identical to the approvals from 2014 and they did make some of the changes that were recommended by staff at that time and everything has been brought up to date.

Commissioner Fuchs asked about the storm water management plan and asked about the underground runoff. He asked how it is determined how big to make the reservoir.

Mr. Keegan answered that there are programs that have formulas to help make the determination. He explained that the existing site is assessed to determine what types of surfaces are present (impervious, native soils, gravel) and compare to the proposed plans; how much impervious surface is going to be added. They then solve for the amount of flow difference for the specific site size. The flows from the two difference surfaces types determines how much needs to be stored on site to allow the discharge to be the same post construction.

Commissioner Becky Schaefer asked about the wetland north of the site and whether that is part of the storm water management plan. She also inquired about the trees there.

Mr. Keegan stated that this is a drainage way along the property that heads to the south underneath Port Washington Road to the west. It ultimately will drain into that drainage way. That is not a part of the storm water management plan but that is where the underground detention would drain to.

Asst. Dir. Zader answered that there are mostly scrub trees and there was a clearing done a year ago. He stated that the City Forester can review the site again.

Commissioner Jim Schaefer asked about a wooden guard rail on the north side where there is a driveway and staff did not like that idea and he does not like it either. He asked if there are other ideas for that area. He likes the idea of the dormers but not with the roof overhang, he feels that it looks too heavy.

Asst. Dir. Zader answered that there may be masonry columns as part of the fence. He said that they can work together on the dormers overhang issue.

**Action:**

Commissioner Parrish made a motion to adopt the item subject to staff's conditions.

Commissioner Becky Schaefer seconded the motion.

*A voice vote was called. All voted aye, 8-0*

**Regular Business**

**8. Jeff and Sue Knudsen for Barthel's Bakery, LLC.**

Address: 12246 N. Farmdale Road

Zoning: R-1/OA, FW/OA, C-1/FW/OA

Tax Key: #14-017-13-001.00

District: #3

**Request:** 1. Minor Request – Temporary Roadside Stand

**Briefing:** The applicant is seeking minor request approval for a temporary bakery for the property located at 12246 N. Farmdale Road (Barthel Fruit Farm).

Asst. Dir. Zader stated that this is not a common approval request but it is allowed in the code. There are criteria in the code which he included in the report which address what is allowed to be sold on the premises. The code states that the product has to be from items produced on site. They are proposing to sell goods from the apple orchard on site; apple cider and apple doughnuts. Staff is supportive of the use and location of the trailer as it will be screened from public view and there is adequate parking. The operations will run from September through November with limited hours. Staff will determine if additional items fit with the spirit and intent of the permit. Staff does recommend approval

Robert Barthel, the applicant, stated that this will be an in-season bakery; so it will not be year-round but they will be selling during strawberry season in June.

Commissioner Mason asked what types of bakery would be for sale.

The applicant answered they will sell apple cider doughnuts, apple muffins and starting in October there would be pumpkin flavored muffins and doughnuts. They will bake everything they sell in the trailer.

Ald. Adams is supportive of this item.

Commissioner Becky Schaefer stated that she is very excited about the bakery and thinks this is a wonderful addition to the orchard.

**Action:**

Commissioner Mason made a motion to approve the item per staff recommendations.

Commissioner Jim Schaefer seconded the motion.

*A voice vote was called. All voted aye, 8-0*

**9. Poblocki Sign Company**

Address: 6006 W. Mequon Road

Tax Key: #14-050-02-04-000 Zoning: TC

District: #2

**Request:** 1. Master Sign Plan Amendment  
2. Minor Request - Building Plan Amendment

**Briefing:** The applicant is seeking master sign plan amendment and building plan amendment approval to allow for artwork on the building for the property located at 6006 Mequon Road (Café Hollander).

Asst. Dir. Zader stated that this item has two separate approvals; one is the master sign plan amendment and other is the building plan amendment. The master sign plan amendment makes changes that were approved for the whole Town Center (TC) master sign plan. The changes allow for a 28 square foot blade sign on the east elevation, a 36 square foot wall sign on the south elevation and two logos on the north and south elevations. Staff is mostly in agreement with the requested changes except for the Mequon Road sign. Staff is supportive of the wall signs on the south elevation and on the east elevation.

Staff supports the change to the projecting sign. The logo location is acceptable but the size of the logo is too large; measuring eight foot diameter, only a 6 foot diameter was allowed in the plan.

The other issue is the addition of art work. The applicant is requesting some bikes on the south elevation and also on the interior facing the courtyard. This is in keeping with the Hollander theme which is closely connected to the cycling community. Staff is supportive of the bikes on the interior but not on the exterior on Mequon Road. Staff recommends possibly incorporating the bikes into the ground seating area as opposed to the exterior wall.

Another section was added to the master sign plan regarding banners. The current master sign plan states that two banners are allowed; which is the City standard. There was a lot of interest from the tenants at TC and due to the placement of the building close to the front property line, there are now three approved banner locations (plan is on page 148 in the packet). Staff will allow all three locations to be used concurrently provided that no tenant is allowed to have more than two banners up at any given time.

Chuck Anderson from Poblocki Sign Company was present to represent Café Hollander. He stated that the owner prefers the second set of letters to be moved to the southeast elevation and the blade sign on the east elevation. He wants the exposure from the intersection on the southeast exposure.

Asst. Dir. Zader stated that the building has an angled corner. The building has an angle that is different than Cedarburg Road and the east building is closer to the road. Asst. Dir. Zader stated that Steve from Poblocki agreed that the blade sign was very difficult to see southbound on Cedarburg Road because it was partially blocked by the building.

Commissioner Stoker asked how much smaller the sign on the southeast wall would need to be given the scale of the wall.

Asst. Dir. Zader answered that it would need to half of the proposed size.

Commissioner Becky Schaefer stated she feels that the item should be tabled. She thinks the owner needs to understand what is allowed per code and she would like to see what the signs would actually look like.

Commissioner Parrish asked if the building color was approved. He stated that the white does feel inconsistent with the rest of the site. He is opposed to the extra signage and artwork proposed.

Asst. Dir. Zader answered that the lighter brick and the wood color were approved.

Commissioner Bessler asked if the building is entirely white in color. He asked how many signs in total there are for this building. He does not like the bicycles and he is not aware of bicycles hanging on the buildings on their other restaurants. He feels this is way too much signage and feels circus-like.

Asst. Dir. Zader answered that the building is not entirely white and the building matches the renderings shown. He restated there is brown reclaimed wood and metal accents and doors. He stated that the north elevation does not have finished material yet. He stated that typically there are 2 signs per wall on a building but because of the angle, this building has a third wall so it has a third sign. The total signs are:

- 1 projecting sign
- 2 wall signs
- 2 logo signs
- 2 bicycle (artwork)

Commissioner Fuchs stated that there is more white on the building than expected. He feels that the residents are not going to like the building any better with all the signs on it. He does not like the blade sign at all and feels that it is too much. He does not want this to become an eyesore. He favors removing the blade sign and staying within the ordinance of sign sizes.

It was discussed that white dots in the lettering are the lights. They will need to meet the lighting code and meet the illumination code levels. The lights are exposed LED lamps (similar to Joey Gerards).

Commissioner Stoker stated that he disagrees with Commissioner Fuchs. He likes the blade signs and he feels that they

add class to the building. He does not like the bikes and would be comfortable having those removed.

Commissioner Jim Schaefer does not like the blade sign. He prefers the sign on the corner and approves of the size. He does not like the bicycles on the Mequon Road side.

Ald. Adams stated that the residents have commented that the building does appear whiter and shinier than expected. She feels that once all the shrubs are in and everything is in place, the white will fade a bit. She likes the bicycles and feels it ties in to the nearby inter-urban trail. She would like to keep the signs they are proposing on the side elevations and she is comfortable with the blade sign. Her recommendation is to use a spot light instead of the little lights in the lettering. She approves the medallions.

Commissioner Mason stated that the corporate sign needs to be lit. He is fine with all the proposed signs and artwork.

**Action:**

Commissioner Mason made a motion broken into two separate motions. The first motion is for the signs: approve the logos at 6 feet, blade sign, other proposed signs as instructed by staff and allow the LED lights in the lettering.

Commissioner Stoker seconded the motion.

Commissioner Becky Schafer is supportive with the exception of the LED lights.

*A roll vote was called. Vote passed, 5-3 (No: Becky Schaefer, Parrish, Fuchs)*

Ald. Adams made a motion to approve the artwork as proposed by the applicant.

Mayor Abendroth seconded the motion.

*A roll vote was called. Vote passed, 5-3 (No: Jim Schaefer, Parrish, Fuchs)*

**10. Veridian Homes**

Zoning: R- 3/CGO      District: #4      Tax Key: # 14-028-03-006.00

Address: 10729 N. Wauwatosa Road      Tax Key: # 14-028-13-007.00

Address: 10701 N. Wauwatosa Road      Tax Key: # 14-028-13-008.00

Address: 10839 N. Wauwatosa Road      Tax Key: # 14-028-04-012.00

**Request:**      1. Fill Permit in excess of 10,000 cubic yards  
                         2. Development Agreement

**Briefing:** The applicant is seeking fill permit and development agreement approval for the property located at 10729 - 10839 N. Wauwatosa Road for the proposed 2nd phase of the Enclave at Mequon Preserve subdivision (16 lots).

Asst. Dir. Zader stated that this includes 16 of the remaining 37 lots. There are no major changes to the standard development agreement. Additional lots built prior to final plat were added to the Phase 1 but not on this phase; two spec homes will be allowed prior to final plat.

Commissioner Fuchs asked where the fill was going.

Mr. Keegan answered that it will be used to build the roadway, trench backfill and the utility backfill, it is not soil fill.

**Action:**

Commissioner Stoker made a motion to approve the item.

Commissioner Jim Schaefer seconded the motion.

*A voice vote was called. All voted aye. Vote passed 8-0*

Commissioner Parrish recused himself from items #11 and #12

**11. Tom Zabjek for Lakeside Development Company /Oriole Lane**

Addresses: Land immediately south of 11104 Oriole Lane.

Zoning: R-3, IPS, PUD, C-2      District: #6

Tax Key: #15-030-02-023.00 #15-030-02-022.00  
 #15-030-02-020.00 #15-030-02-021.00  
 #15-030-03-024.00

**Request:** 1. Remove from Table  
 2. Rezoning Recommendation  
 3. Concept Plan

**Briefing:** The applicant is seeking rezoning recommendation and concept plan approval for a 9 lot single-family residential subdivision on 10-acres located immediately south of 11104 Oriole Lane.

Resident feedback:

Dr. Ken Zganijar – 3714 W. Grace Ave. – supports this project because he feels this is a great fit for a conservation subdivision. He said the builder has taken precautions to preserve the specimen trees and has redesigned the plan to protect the specimen trees. He feels there are many residents looking for this type of housing.

Jim Locatelli – 10925 N. Oriole Lane – opposes this project because he feels the wetlands are significant and the property is unbuildable due to the amount of standing water on the surrounding properties. He also has concerns for the safety on Oriole Lane as there are not street lights, no road shoulder and steep culverts.

Lisa Lamb – 10925 N. Oriole Lane - opposes this project and has expressed her concerns previously. She initiated a neighborhood petition and gathered 20 responses in one day. She feels the property is unsuitable due to standing water and drainage issues. She is also worried about the encroachment on the residential neighborhood from the commercial developments. She is concerned about the traffic because the road is heavily used by children riding bicycles, dog walkers and pedestrians and she worries that added traffic will cause safety hazards.

Michael Tsirlin – 10870 N. Oriole Lane - is opposed and does not wish to speak.

Janet Ehn – 1948 W. Hidden Reserve Ct. – opposes this project and spoke at the previous meeting. She is the President of Hidden Reserve Homeowners Association. She does not feel that this location is appropriate due to the wetlands and the negative effect on the wildlife there. She is also concerned about the sewer and water issues there. She is also concerned about the sewer system capacity issues.

John Graham – 9327 W. Highland Road – is supportive of this project. He stated that every time there is a new development proposed, those that live nearby are opposed. He stated that new developments have enhanced water management issues. He thinks that everyone should respect the professionals hired to evaluate and plan this project.

Arlene Kurzer – 11104 N. Oriole Lane - is opposed due to the amount of standing water in her yard. She says this gets deeper and wider every year. She stated that once Sarah Chudnow was built the water appeared. She does not want additional sewer or water issues due to this project. She also thinks the wildlife will be negatively affected. She is also concerned about the increased traffic on the street.

David Mueller – 1737 W. Mequon Road – is supportive of this project because he thinks that Mr. Zabjek is a man of integrity. He believes there will be improvements to the water in the neighbors' yards after this project is complete.

Al Washko – 1712 W. Sunnysdale Lane – he is the president of the Winding Hollow Homeowners Association. He has concerns about additional drainage after construction than currently exists. He has had numerous conversations with Mr. Keegan and Asst. Dir. Zader and from them he understands that there should not be additional drainage issues for the surrounding neighbors.

Asst. Dir. Zader stated this issue was tabled at the last meeting due to issues regarding the wetland buffers and specimen trees. The wetland setback issue has been addressed with the DNR. Staff has a better understanding that reduced wetland buffers are acceptable as long as they do not directly discharge into a wetland. The City Forester did a site visit and confirmed that the changes made by the applicant to the road layout and the building pads will not impact any of the 33 specimen trees.

Asst. Dir. Zader addressed some of the comments from the residents:

- The four parcels do equal 7.5 acres. The developer will be getting 2.5 acres from Sarah Chudnow to get the 10 acres total required for the PUD rezoning.
- Regarding the buffer and the habitat; the 4 lots have already been created and can be built on. The issue is whether there should be 4 separate homes build there or the cluster subdivision design.
- An important distinction regarding the drainage is that four new homes would have many impervious surfaces without storm water management or facilities addressed. The conservation subdivision design will cluster the homes in a smaller area and will require storm water management facilities that will hold the water until it should be release.

He stated that staff does support the approvals based on the staff conditions and requirements in the report.

Mr. Keegan stated that it is a challenging site regarding drainage. If it is built as a subdivision it will be required to have a storm water management plan. As a part of that, it will be subject to both City of Mequon and MMSD requirements. This requires that the rate of runoff is not increased for a 2 year, 10 year and 100 year storm compared to the existing conditions. The rate of run could not be increased once this site is built upon. The site primarily discharges to a site than to a culvert which goes east to west under Oriole Lane. The development to the southeast would not be effected by what is being proposed based on the drainage basin for the proposed development.

There are wetlands on the site and they are determined to be moderately susceptible. The DNR has set a 50 foot setback. There are ways to mitigate and to minimize the setback.

This project will only add 9 units to the traffic on Oriole Lane Winding Hollow has 3 units and Hidden Reserve had 54 units that use Oriole Lane.

Mr. Zabjak, the applicant and President of Lakeside Development, stated that the project will enhance the drainage issues of the area. He understands there are some water issues there and there are wetlands there. He visited some of the properties there and he says that it is partially the residents responsibility to help deal with the water issues. He said this is an ideal site for them to build on. He said this land will be developed on in some capacity. They are confident that these lots and homes on them will be desirable. He says the homes being built will increase the tax base.

Commissioner Stoker asked Mr. Keegan about sewer capacity. He also asked about the timing of the project improvements.

Mr. Keegan stated that this project would drain into the east trunk sewer and there are some known east trunk sewer capacity issues. There is currently a planning study being completed which will result in final design plans by the end of the year which will increase the capacity of the east trunk sewer. There is a requirement in the staff report that will limit the amount of effluent discharge from the site to the existing zoning (which is about 8 properties). Mr. Keegan said the project would not be completed until 2-5 years from now.

Mayor Abendroth stated that there are already 4 platted lots there. There could be four separate accesses onto Oriole Lane. There could also be years of construction if the homes were to be built at different times. If it is a subdivision, there would only be one access, the construction for the subdivision would take place on the interior of the property and would mostly like be condensed and would most likely happen quickly.

Commissioner Fuchs stated that most of the residents' concerns are about water issues. He feels that the City should be addressing these concerns. He thinks that a combination of the city having a big picture plan and the residents working together would help alleviate these issues.

Mr. Keegan stated that there are primarily clay soils which don't infiltrate. When it rains the water needs to go somewhere and no one wants it on their properties. A large portion of the city was built up prior to storm water management controls. With the new projects, the developers are required to solve for that release from their site at the same rate it was releasing preconstruction. A lot of the issues are from the sites around the City that were built without these controls. He explained that there is a drainage compliant system at the City. If there is a known drainage issue, there is a process in the engineering department to look at the issues and address them. This area is not currently on the schedule.

Commissioner Fuchs stated that he likes the proposed development and he feels that it is a nice addition to the neighborhood. He feels this type of development leaves much of the site untouched and that it will still maintain a rural feel. He feels this would be a preferred design as opposed to four chopped up parcels. He does feel the water issues are a valid concern that needs to be addressed. His hope is that this project could help with the water issues in this area and make it better than it is now for the surrounding neighbors.

Ald. Adams asked about the distance between lots 3 and 4. She also asked about how big the houses will be. She is listening to the neighbors and she hopes that some facts came out tonight to help alleviate some concerns. She said this is a sensitive area for the whole community.

Asst. Dir. Zader answered that a PUD requires a minimum of 30 feet between buildings. He explained that the units will be single family condos and will be built on the building pad, which is 60 x 40, with open space around it. This is still at concept level and the exact sizes need to be worked out.

Commissioner Jim Schaefer stated that he was initially opposed to the project but he feels that the developer has done a commendable job. He likes that have stayed away from the wetlands and that it is not going to be visible from the street because of all the wooded areas. He said the density is .9 per acre and it is not an issue. He is supportive of this project.

Commissioner Mason asked about the flow of the runoff and the direction in which it flows. He stated that the Sarah Chudnow holding pond was 3 feet below the overflow and he was surprised due to all the recent rain that it was not filled to the brim.

Mr. Keegan explained that there are two culverts and that the runoff flows west and then northwest. He also stated that there is a couple of different overflows. The smaller overflow limits the release rate of storm water from the pond and there is an emergency overflow that is larger and that if the pond gets so full, it releases in that direction. It can be designed so that in an emergency type event the water does drain into an area away from structures. This is typically the 100 year storm. He stated that the engineering department has not yet be given detailed plans for grading, storm water management or utility plans yet. This is still very preliminary.

Commissioner Mason asked the applicant if he intends to build basements as part of this project. He asked about how much grade would be needed to build up the house pads.

Mr. Zabjek answered that they do intend to build basements and they had the soil tested and passed the test. He answered that the homes will not be in the wetlands and will not need much fill.

Mr. Keegan stated that the fill needed for the building pads is valid because he could impact the wetlands. Staff recommendations have required the applicant to have DNR approval for the wetland setback and impact.

Commissioner Becky Schaefer stated that she agrees with smaller higher end homes for residents to remain in Mequon. She trusts the staff and the processes regarding the storm water management. She prefers residential development there as opposed to commercial development. She is cautious about counting on homes selling before they are built. She feels that Lakeside Development Company has a very good reputation but she does not feel that this site is desirable for this type of development. She is not in favor and will vote against it.

**Action:**

Mayor Abendroth made a motion to approve the item.

Commissioner Stoker seconded the motion.

**Roll Call was taken. Vote passed 6-2 (No: Becky Schaefer, Ald. Adams)**

**12. Sarah Chudnow**

Addresses: 10995 N. Market Street

Tax Key: #15- 030-02-023.00

Zoning: IPS/PUD, R-3

District: #6

**Request:**

1. Remove from Table
2. Rezoning Recommendation

**Briefing:** The applicant is seeking a rezoning recommendation approval to reduce the overall land area of the PUD by 2 acres for the property located at 10995 N. Market Street.

**Action:**

Ald. Adams made a motion to remove from table

Commissioner Stoker seconded the motion.

*A voice vote was called. All voted aye. Vote passed 8-0*

Asst. Dir. Zader stated that Sarah Chudnow was approved as a PUD for the entire area and removing the 2.5 acres does require an amendment to the PUD. Sarah Chudnow was originally approved with 2 more acres than originally anticipated. The net result is about ½ acre and the density changes from 5.75 to 5.94, mostly negligible on impact to the PUD. Based on the last approval, staff recommends approval.

**Action:**

Commissioner Mason made a motion to approve the item.

Commissioner Stoker seconded the motion.

*Roll Call was taken. Vote passed 7-7 (No: Ald. Adams)*

**13. Announcements**

Development Inquiry

Next Meeting is Monday, May 9, 2016

**14. Adjourn**

**Action:**

Commissioner Fuchs made a motion to adjourn.

Commissioner Stoker seconded the motion.

*A voice vote was All voted Aye. Vote passed 8-0.*

**Police and Fire Commission  
March 10, 2016  
MINUTES**

**Present:** Commissioners Dorszynski, Michalski and Neman; Fire Chief Bialk, Police Chief Graff (arrived 6:15 pm), Executive Assistant Kowalchuk

**Absent:** Commissioners Sommerhauser and Sproat

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

**1) Approve meeting minutes of December 3, 2015.**

Moved by Commissioner Dorszynski, seconded by Commissioner Michalski to accept the meeting minutes of December 3, 2016. 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, sharing that each recruit proposed has strong qualifications and/or education that would be of great benefit to the department.

Moved by Commissioner Dorszynski, seconded by Commissioner Michalski to approve the hiring of proposed Fire Department recruits Ryan Spradlin, Daniel Wolf and Kenneth Rodriguez. The motion passed by voice acclamation.

Chief Bialk additionally asked commissioners of their availability to attend an interview next week for the purpose of interviewing another new recruit. Commissioners shared their availability and advised Chief Bialk to schedule and communicate via email the date/time selected.

**3) Information Report of Fire Chief**

Chief Bialk advised commissioners of the department's increase in EMS transports, staffing education and training hours, the benefits of the intern program, which will continue this summer with some modifications, and staff scheduling challenges.

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

**4) Information Report of Police Chief**

Chief Graff briefed commissioners on departmental staffing which included two retirements, one resignation and the approach that will be taken to fill these three positions, a new dispatch supervisor position to be filled this upcoming spring-summer, and the upcoming reassignment of the police liaison position. He additionally briefed commissioners on the departments' workload, the 18<sup>th</sup> annual CPA class which started tonight, squad and video

camera replacements to occur this year, and the hope to have Emergency Medical Dispatch up and running by mid-2016.

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

**5) Correspondence**

Chairman Neman asked commissioners if they wished to comment on the Public Safety Committee letter included in the agenda packet that commended Fire Department personnel and their many accomplishments.

Chief Bialk shared that he sent a copy of the letter to all the members of the department, thanking them for their year, and all the hard work they do.

Commissioners commented that it was nice letter and that it is always good to recognize people.

**6) Public Comment**

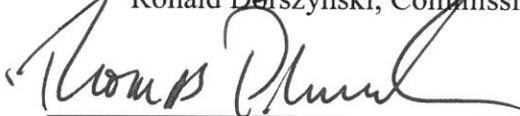
No one was present for public comment.

**7) Adjourn**

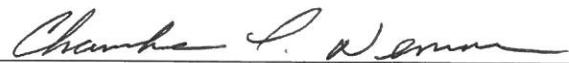
Moved by Commissioner Dorszynski, seconded by Commissioner Michalski to adjourn the meeting at 6:35 pm. The motion passed by voice acclamation.

Respectfully Submitted,  
*Diane Kowalchuk, Executive Assistant*

  
\_\_\_\_\_  
Ronald Dorszynski, Commissioner

  
\_\_\_\_\_  
Thomas Luzinski, Commissioner

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

  
\_\_\_\_\_  
Charles Neman Sr., Commissioner

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

6-02-2016  
Date

6-02-2016  
Date

June 2 2016  
Date

6/2/2016  
Date

6/2/2016  
Date

Attachment: Police & Fire minutes\_03-10-16 (1677 : Police and Fire Commission meeting minutes of March 10 and April 11, 2016)



**Police and Fire Commission  
April 11, 2016  
MINUTES**

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

**Absent:** Commissioner Michalski; Police Chief Graff

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

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

Chief Bialk summarized each proposed recruits' biography/resume for commission members adding that one is currently an EMT and another is currently a paramedic.

Moved by Commissioner Sommerhauser, seconded by Commissioner Sprout to approve the hiring of proposed Fire Department recruits Brandon Bogan and Ashley Purify. The motion passed by voice acclamation.

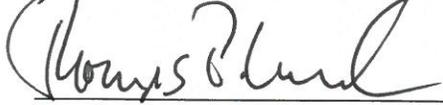
**2) Adjourn**

Moved by Commissioner Sprout, seconded by Commissioner Dorszynski to adjourn the meeting at 6:10 pm. The motion passed by voice acclamation.

Respectfully Submitted,  
*Diane Kowalchuk, Executive Assistant*

  
\_\_\_\_\_  
Ronald Dorszynski, Commissioner

6-02-2016  
Date

  
\_\_\_\_\_  
Thomas Luzinski, Commissioner

6-02-2016  
Date

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

June 2 2016  
Date

  
\_\_\_\_\_  
Charles Neman Sr., Commissioner

6/2/2016  
Date

  
\_\_\_\_\_  
Robert Sprout, Commissioner

6/2/2016  
Date

Attachment: Police & Fire minutes\_04-11-16 (1677 : Police and Fire Commission meeting minutes of March 10 and April 11, 2016)



**Public Safety Committee  
April 26, 2016  
MINUTES**

**Present:** Aldermen Hawkins and Nerbun; Police Chief Graff, Fire Chief Bialk (*left/excused after item 3*), Assistant City Administrator/HR Manager Thyges, Assistant Finance Director Rudychev, Executive Assistant Kowalchuk, press and interested public

**Absent:** Alderman Pukaite

The meeting was called to order at 6:30 p.m.

**1. Elect Committee Chairman**

Moved by Alderman Hawkins, seconded by Alderman Nerbun to nominate Alderman Pukaite for Public Safety Committee Chairman. The motion passed by voice acclamation.

**2. Approve meeting minutes of February 23, 2016**

Moved by Alderman Nerbun, seconded by Alderman Hawkins to approve the meeting minutes of February 23, 2016. The motion passed by voice acclamation.

**3. Protective Services Employee Engagement Survey Results**

It was explained that in the past the mayor had expressed a desire for an employee engagement survey of the Fire Department. As this discussion progressed, the Police Department was added. A consultant was hired to conduct this voluntary survey with the goal being to solicit feedback on organizational practices, leadership effectiveness, communications, effectiveness of daily operations, compensation, benefits, and employee development, recognition, commitment and job satisfaction.

The Police Department did not have a high enough rate of return to create a trend analysis; however, the results for the Fire Department, which had a 70% response rate, were glowing and point to extremely effective leadership and operational practices with the majority of categories coming in well above the norm for positive responses. The only low satisfaction rate came in the areas of pay and benefits which the consultant theorized indicated employees may feel a full time department would be more appropriate. A possible policy discussion on whether or not a full time Fire Department would/could be appropriate for the City of Mequon was also the only consultant suggestion. Chief Bialk interjected that getting one person to help out at this time would be extremely beneficial.

**4. Resolution – Replacement of Squad Video Cameras and Purchase of Body Cameras**

Chief Graff explained the squad video upgrade needs and savings to be recognized if said purchase can be coordinated to the City's purchase of new squads. He additionally explained the request and benefits for body cameras, with the desired brand being that of the same company proposed for the squad cameras. A lease to own funding is proposed at this time

and there is no associated pre-payment fee. Committee members acknowledged the benefits of the proposed cameras and the savings by coordinating the proposed purchases.

Moved by Alderman Nerbun, seconded by Alderman Hawkins to approve the proposed lease option agreement with Digital Ally for the purchase of squad and body worn cameras. The motion passed by voice acclamation.

**5. Adjourn**

Moved by Alderman Nerbun, seconded by Alderman Hawkins to adjourn at 7:00 pm. The motion passed by voice acclamation.

Respectfully Submitted,  
*Diane Kowalchuk*  
*Executive Assistant*  
Minutes approved 05/24/16



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

www.ci.mequon.wi.us

Office of the City Administrator

**PUBLIC WELFARE COMMITTEE  
MEETING MINUTES  
April 12, 2016**

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

**ALSO PRESENT:** Mayor Abendroth (6:20 p.m.), City Administrator Jones, Assistant City Administrator Thyges, City Attorney Sajdak, Executive Assistant Prosser, Jason Nickels, Mequon Nature Preserve Education and Restoration Director

The meeting was called to order by Chairman Mayr at 6:16 PM.

**Approval of the March 8, 2016 meeting minutes**

**Action:** Motion to approve the March 8, 2016 meeting minutes.  
(Strzelczyk/Gierl)

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

**RESOLUTION 3370 - A Resolution Designating Mequon, Wisconsin as a Bee City USA**

Assistant City Administrator Thyges stated that the Mequon Nature Preserve is looking to pursue designation as a “Bee City USA” on behalf of the City of Mequon. Mr. Thyges noted the application process is similar to “Bird City USA” in that a resolution must be adopted by the City’s Common Council. Mr. Thyges noted that Mequon Nature Preserve staff will take the lead on any associated activities and publicity. Jason Nickels, Mequon Nature Preserve Education and Restoration Director, was present at the meeting to answer questions of the Public Welfare Committee.

**Action:** Motion to approve RESOLUTION 3370 - A Resolution Designating Mequon, Wisconsin as a Bee City USA (Strzelczyk/Gierl)

**Result:** Motion passed by voice acclamation. Resolution 3370 recommended to Common Council for approval.

**Review and Discussion of the City of Mequon Ethics Code**

Assistant City Administrator Thyges stated, based upon the Committee’s discussion at the last meeting, staff conducted additional research with respect to the City of Mequon’s Ethics Code. Mr. Thyges noted a copy of the Code of Ethics (Sections 2-135 through 2-148) has been provided per the Committee’s request. Mr. Thyges went on to say, there were initial discussions by the Committee on how to properly establish an additional honesty provision for staff, elected/appointed officials, and contracted employees. Mr. Thyges pointed out the Committee raised specific questions on the procedure to follow regarding an ethics violation and whether there is a defined set of consequences resulting in an ethics violation. Staff referenced the specific code sections of the Ethics Code that answers the questions raised by the Committee.

Mr. Thyges stated as staff and the City Attorney researched the history behind the City’s Ethics Code it was determined the procedure to review and provide updates to the Ethics Code has been championed by the Ethics Board with referral back to the Public Welfare Committee for final consideration by the Common Council. Mr. Thyges stated should the Public Welfare Committee feel that the code revisions are

Public Welfare Committee  
Meeting Minutes: April 12, 2016  
Minutes Approved: May 10, 2016

Attachment: Public Welfare minutes\_04-12-2016 (1661 : Public Welfare Committee meeting minutes of April 12, 2016)

required; staff recommends that the review of the City's Ethics Code be forwarded to the Ethics Board for consideration and recommendation in accord with the Municipal Code and historical practice.

Mr. Thyes pointed out, in the event amendments to the Ethics Code are advised by the Ethics Board, said amendments will be forwarded to the Public Welfare Committee for further consideration prior to going to the Common Council for final approval.

Assistant City Administrator Thyes noted based upon the recent discussions and reviews of the City's Ethics Code, staff is looking to be proactive in facilitating a web-based training course offered through the International City/County Management Association (ICMA). The Committee received a copy of the ICMA Code of Ethics.

Alderman Mayr pointed out the request by Alderman Gierl to incorporate an honesty definition in the City's Ethics Code has not been provided to the Committee as requested.

City Administrator Jones stated staff was under the impression that the Ethics Board has been the primary author of the current Ethics Codes; therefore staff recommended working first with the Ethics Board with respect to making amendments to the Ethics Code. Mr. Jones noted the changes made by the Ethics Board would then be forwarded to the Public Welfare Committee or final recommendation and approval of Council.

Alderman Mayr stated historically the Ethics Board has been the primary author of the Ethics Code; however the request to amend the Ethics Code has been initiated by a member of the Public Welfare Committee. Alderman Mayr indicated the information staff provided on the procedure of an ethics violation and the consequences of an ethics violation did fulfill the Committee's request for further information.

Mayor Abendroth questioned the need to amend the current Ethics Code. Alderman Gierl stated an honesty provision within the City's Ethics Code would provide a guideline for current and future staff, elected/appointed officials, and contracted employees.

Staff was directed to add a definition of honesty to Section 2-136 of the City's Ethics Code for the next meeting for the committee to review.

City Administrator Jones asked that the Committee send additional feedback to staff prior to the next meeting. Alderman Mayr requested the amended section of the Ethics Code be provided to the Committee for review one week prior to the next meeting.

### **Adjourn**

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

**Result:** Motion passed by voice acclamation. Meeting adjourned at 6:46 PM.

Respectfully submitted,  
Lina Prosser, Executive Assistant  
CITY OF MEQUON PUBLIC WELFARE COMMITTEE

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

**COMMITTEE ON PUBLIC WORKS**  
MINUTES  
April 12, 2016

1. The meeting was called to order at 6:45 p.m. with Alderman Hawkins, Alderman Nerbun and Alderman Adams present.

Staff present was Director of Public Works/City Engineer Lundeen, and Administrative Secretary Deuster. Also present was Jason Nickels, Education and Restoration Director from the Mequon Nature Preserve.

2. The minutes of the March 8th, 2016 Public Works Committee meeting were moved for approval by Ald. Hawkins, seconded by Ald. Nerbun and unanimously approved by the Committee as written.
3. Director of Public Works/City Engineer Lundeen informed the Committee that, Resolution 3372 needed approval for paving of an overflow lot at the Mequon Nature Preserve, and that additional funding was needed in the construction of a new pervious parking lot on the Nature Preserve's property. Additional funding would come from MMSD Green Infrastructure (GI) Funding. Due to previous bids being rejected, the staff made a request to MMSD that original Green Solutions for Separate Infrastructure and Sewer Separation (GSSISS) funding be extended into the 2016 calendar year. September of last year the extension was approved by MMSD. This approval would allow the bidding process to begin so that our next discussion on this would be a resolution to award and accept any bids brought to the committee. Also discussed wanting to update the memorandum of understanding with MMSD to use GI funding for the pervious paving.

Following discussion, it was moved by Ald. Hawkins, seconded by Ald. Nerbun, and unanimously approved by the Committee on Public Works to recommend approval of Resolution 3372, Granting of endorsement that allows the use of GI/GS funding to be used for additional funding for the construction of the Mequon Nature Preserve pervious parking lot, to the Common Council for approval.

4. Director of Public Works/City Engineer Lundeen informed the committee that approval was needed in awarding the 2016 Crack Sealing Contract to American Pavement Solutions, Inc., Green Bay, WI in the amount of \$157,162. It was found they had the lowest responsive bid and the project would be beneficial for years to come.

Following discussion, it was moved by Ald. Hawkins, seconded by Ald. Nerbun, and unanimously approved by the Committee on Public Works to recommend approval awarding the 2016 Crack Sealing Contract to American Pavement Solutions, Inc., Green Bay, WI.

5. The next meeting is on hold until agreement is made to change to a different date so that the committee can work with a larger public crowd that time will not be restricted.
6. There being no further business to conduct, the meeting was unanimously adjourned at 7:07 p.m.

CITY OF MEQUON  
WISCONSIN  
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**Sewer Utility District Commission**  
Tuesday, April 12, 2016 – Christine Nuernberg Hall  
MINUTES

PRESENT: Mayor Abendroth, Commissioners' Strzelczyk, Pukaite, Mayr, Leszczynski, Gierl, Hawkins, Nerbun, Adams.

STAFF

PRESENT: City Administrator Jones, City Attorney Sajdak, Director of Public Works/City Engineer Lundeen, and Administrative Secretary Deuster.

Mayor Abendroth called the meeting to order at 7:20 p.m.

- 1) The minutes of the meeting held October 27, 2015 were moved for approval by Commissioner Leszczynski, seconded by Commissioner Mayr, and unanimously approved by the Commission as written.
- 2) Director of Public Works/City Engineer Lundeen provided an overview recommendation to endorse approval of the contract for the Replacement of a Generator and Transfer Switch at Lift Station A to Frank Gillitzer Electric, of Mequon, in amount of \$47,489.

Following discussion, it was moved by Commissioner Mayr, seconded by Commissioner Leszczynski, and unanimously approved by the Sewer Utility District Commission to recommend Resolution 3371, approving the award of the Contract to Frank Gillitzer Electric, to the Common Council for approval.

- 3) There being no further business to conduct, the meeting was unanimously adjourned at 7:22 p.m.

City of Mequon - Zoning Enforcement Report Date: 6/1/2016

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	5,5,4,1
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	JOESEPH CLAUSING	OUTSIDE STORAGE	1/16/2015	1/23/2015	1
3	150600106000	8025 W FREISTADT RD	JOESEPH CLAUSING	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

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City of Mequon - Zoning Enforcement Report Date: 6/1/2016

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	3/6/2015	3/13/2015	5,5,5,5,1
2	140740107000	5426 W HILLCREST DR	STEVEN MANOR	2 TRAILERS	3/6/2015	3/13/2015	1
8		10530 N PORT WASHINGTON RD	FIDDLEHEADS	BANNER	3/6/2015	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	5,5,5,5,5,1
3	140211500400	8120 W MEQUON ROAD	MICHAEL OR MELISSA HECTOR	FENCE PERMIT	4/9/2015	4/17/2015	5,5,5,5,5
5	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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ALD. DIST.	PARCEL #	ADDRESS	OWNER	VIOLATION	OTC MAILED	COMPLIANCE DATE	COMMENTS (See Key Below)
4	140280102600	7625 W MEQUON ROAD	76TH STREET INVESTMENTS LLC	PARKING	4/27/2015	5/1/2015	5,1
4	140280102600	7625 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	5612 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	2718 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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ALD. DIST.	PARCEL #	ADDRESS	OWNER	VIOLATION	OTC MAILED	COMPLIANCE DATE	COMMENTS (See Key Below)
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		7428 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 RAEI 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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ALD. DIST.	PARCEL #	ADDRESS	OWNER	VIOLATION	OTC MAILED	COMPLIANCE DATE	COMMENTS (See Key Below)
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

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2		6016 W MEQUON ROAD	SUPER CUTS	BANNER	10/12/2015	10/15/2015	5,1
6	150301601000	10401 N PORT WASHINGTON ROAD	GRAVE 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

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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,

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4	140840112000	4558 W COUNTY LINE ROAD	GERALD BERENS	PARKING	3/15/2016	3/18/2016	1
8		11004 N PORT WASHINGTON ROAD	WILD BIRDS UNLIMITED	BANNER	3/15/2016	3/18/2016	1
4		6140 E EXECUTIVE DRIVE SUITE G	MEDICOR	SIGN	3/17/2016	3/20/2016	1
6		11053 N PORT WASHINGTON ROAD	AVADA CARE CENTER	A FRAME	3/17/2016	3/20/2016	1
8		11030 N PORT WASHINGTON ROAD	HART HEARING CENTER	A FRAME, FLAG	3/17/2016	3/20/2016	1
4		4810 W CHIPPEWA DR	NANCY RAINE	MAINTENANCE	3/21/2016	4/25/2016	4
4		4810 W CHIPPEWA DR	NANCY RAINE	OUTSIDE STORAGE	3/21/2016	4/18/2016	4
4		4810 W CHIPPEWA DR	NANCY RAINE	PARKING	3/21/2016	4/25/2016	4
4		10250 N CEDARBURG ROAD	SYBARIS CLUBS INTERNATIONAL INC.	SIGN	3/22/2016	3/22/2016	5,
6		10215 N CEDARBURG ROAD	ELIZABETH MCDONALD/LUCHT PROPERTY	RAZE	3/22/2016	3/22/2016	5,4,
1	141550010000	13760 N BONNIWELL COURT	GALINA SHEPSHELEVICH	OUTSIDE STORAGE	3/23/2016	3/26/2016	5,
1	141550010000	13760 N BONNIWELL COURT	GALINA SHEPSHELEVICH	PARK	3/23/2016	3/30/2016	1
5	150051000500	13800 N PORT WASHINGTON ROAD	UNITARIAN CHURCH NORTH	BANNER	3/30/2016	4/4/2016	1
1	150181000400	12204 N FIELDWOOD ROAD	TIM TUCKER	FENCE PERMIT	3/30/2016	4/13/2016	4
6	140500404000	11155 N CEDARBURG ROAD	MEQUON AUTO TECH	PARKING	3/30/2016	4/15/2016	1
4	140501415000	4006 W COUNTY LINE ROAD	JANE GRIFFIN	OUTSIDE STORAGE	3/30/2016	4/8/2016	1
4	140501415000	4006 W COUNTY LINE ROAD	JANE GRIFFIN	OUTSIDE MAINTENANCE	3/30/2016	5/31/2016	4
3	140210800800	8318 W SUNNYVALE ROAD	MICHAEL KAMARAINEN	PARKING	3/31/2016	4/6/2016	1
3	140892103000	8179 W SUNNYVALE ROAD	BRADLEY ROSE	PARKING	3/31/2016	4/6/2016	1
3	140590001002	12312 W DONGES BAY ROAD	RALPH PETERSON	MAINTENANCE	4/13/2016	5/13/2016	1
6		11049 N PORT WASHINGTON ROAD	WESTWOOD CLEANERS	BANNER	4/13/2016	4/17/2016	1
5		1550 W MEQUON RD	GIGI OF MEQUON	BANNER	4/13/2016	4/17/2016	1
7	151070112000	1027 W DONGES BAY ROAD	WARD OR MARY JOHNSON	OUTSIDE STORAGE	4/13/2016	4/23/2016	5
8	150291001400	10624 N PORT WASHINGTON ROAD	A L HOLDINGS	OUTSIDE MAINTENANCE	4/13/2016	6/13/2016	
8	150291001400	10624 N PORT WASHINGTON ROAD	A L HOLDINGS	PARKING	4/13/2016	4/27/2016	1
8	150291001400	10624 N PORT WASHINGTON ROAD	A L HOLDINGS	OUTSIDE STORAGE	4/13/2016	4/23/2016	1
5	150201101000	11300 N PORT WASHINGTON ROAD	SCHMIDT MEQUON LLC (PICK N SAVE)	MAINTENANCE	4/19/2016	5/15/2015	4
1	140061600100	11020 W BONNIWELL ROAD	JEFFERY MEDEARIS	OUTSIDE STORAGE	4/19/2016	4/22/2016	1
6	140500420000	10923 N CEDARBURG ROAD	GREGORY OR KATHLEEN SCHNEIDER	OUTSIDE STORAGE	4/19/2016	4/26/2016	5
6	140500416000	11707-09 N CEDARBURG ROAD	BENJAMIN SLOMA	PARKING	4/19/2016	4/29/2016	1
6	140500415000	11001 N CEDARBURG ROAD	VENTZISLAV MARKOV	PARKING	4/19/2016	4/29/2016	1
2	140820648000	2916 W SHOLES DRIVE	DAVID SANDE	PARKING	4/26/2016	4/30/2016	1
1	140820648000	5000 W BONNIWELL ROAD	KIM STANGE	PARKING	5/5/2016	5/15/2016	1
4	140280100000	11155 N WAUWATOSA ROAD	MEQUON BP	FLAGS AND SIGN	5/5/2016	5/9/2016	1
7	150500102000	9915 N PORT WASHINGTON LANE	AMIR YAVOR	STORAGE	5/5/2016	5/26/2016	4
7	150500102000	9915 N PORT WASHINGTON LANE	AMIR YAVOR	PARKING	5/5/2015	5/12/2016	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: 6/1/2016

ALD. DIST.	PARCEL #	ADDRESS	OWNER	VIOLATION	OTC MAILED	COMPLIANCE DATE	COMMENTS (See Key Below)
6	151290002001	11025 N PORT WASHINGTON ROAD	EAST TOWNE SHOPS INC.	SIGN	5/5/2016	5/19/2016	4
7	150500201000	1616 W EL RANCHO DRIVE	PAUL DESTEFANIS	BUILDING PERMIT	5/13/2016	5/27/2016	4
5	151000203000	12539 N ISLAND DRIVE	WILLIAM WISTH	PARKING	5/10/2016	5/17/2016	4
5	151000203000	12539 N ISLAND DRIVE	WILLIAM WISTH	OUTSIDE STORAGE	5/10/2016	5/17/2016	4
2	140720400001	11642 N ST JAMES LANE	JOHN MULLINS	GRASS	5/13/2016	5/18/2016	
2	140720400001	11642 N ST JAMES LANE	JOHN MULLINS	PARKING	5/13/2016	5/17/2016	1
2	140720312000	11659 N ST JAMES LANE	PATRICK ALDAPE	PARKING	5/13/2016	5/17/2016	1
2	140530404000	11316 N ROSEWOOD DRIVE	MEG OMARO	PARKING	5/13/2016	5/20/2016	1
5		1424 W MEQUON ROAD	COSMO PROF	SIGN	5/27/2016	6/27/2016	
8	150800106000	604 W MEQUON ROAD	GORDON GUTZKF	GRASS	5/27/2016	6/2/2016	
1	141010071000	3802 W SHERBROOKE DRIVE	FKZ INVESTMENTS GROUP LLC	GRASS	5/27/2016	6/2/2016	
6	150300201200	1725 W MEQUON ROAD	KMG REAL ESTATE LLC	GRASS	5/27/2016	6/2/2016	
8		11110 N PORT WASHINGTON ROAD	BED BATH AND BEYOND	BANNER	5/27/2016	5/30/2016	1
5	150051300300	13950 N BIRCHWOOD LANE	NASSIF MADI	OUTSIDE MAINTENANCE	5/27/2016	6/10/2016	1
5		11210 N PORT WASHINGTON ROAD	NORTH SHORE MOBIL	SIGN	5/27/2016	5/31/2016	1
6		11147 N PORT WASHINGTON ROAD	NORTH SHORE BP	SIGN	5/27/2016	5/31/2016	1
2	150710405000	11433 N COUNTRY LANE	WILLIAM GENSRIK	PARKING	5/27/2016	5/31/2016	1
7	150550102000	1915 W ZEDLER LANE	GENTILLI TRUST	PARKING	5/27/2016	5/31/2016	1
7	151000203000	1903 W ZEDLER LANE	MERNA JARVIS	OUTSIDE STORAGE	5/27/2016	6/3/2016	
7	150680301000	1648 W EL RANCHO	MICHAEL HERRENBRUCK	BUILDING PERMIT	5/9/2016	5/23/2016	5
5	151001214000	1630 W DOROTHY PLACE	DAVID OR SHELLY HAUGH	GRASS	6/2/2016	6/5/2016	
5	151001022000	12536 N CIRCLE DRIVE	ASHLEY STOLL OR RICHARD FAUCETTE	GRASS	6/2/2016	6/5/2016	
6		10512 N CEDARBURG ROAD	ELIZABETH MCDONALD/LUCHT PROPERTY	OUTSIDE STORAGE	6/2/2016	6/15/2016	
6	141530009000	5447 W BAYBERRY PARKWAY	JOSEPH OR JILL BAUBONIS	OUTSIDE MAINTENANCE	6/2/2016	6/16/2016	
8	150840402002	710 E RAVINE DRIVE	MARK OR CHINETA SOLLAZO	OUTSIDE MAINTENANCE	6/2/2016	7/2/2016	
2	150900802000	11547 N LAGUNA DRIVE	BRIAN OR KIM SAVAGE	PARKING	6/2/2016	6/5/2016	
6		11063 N PORT WASHINGTON ROAD	AB & K BATH AND KITCHEN	BANNER	6/3/2016	6/6/2016	1
2		3906 W MEQUON ROAD	MEQUON PRESCHOOL	BANNER	6/3/2016	6/6/2016	1
5		1412 W MEQUON ROAD	SPICE AND TEA EXCHANGE	BANNER	6/3/2016	6/6/2016	
8	150291100500	10500 N PORT WASHINGTON ROAD	CONCORD 41 LLC	MONUMENT SIGN	6/3/2016	6/21/2016	
6		1240 W RANCHITO LANE	WINSTON PROPERTIES LLC	MONUMENT SIGN	6/3/2016	6/21/2016	
2	150900603000	11541 N LAGUNA DR	JOHN OR TRACY CHROBAK	GRASS	6/3/2016	6/7/2016	
2	150900603000	11541 N LAGUNA DR	JOHN OR TRACY CHROBAK	OUTSIDE STORAGE	6/3/2016	6/10/2016	
2	150900603000	11541 N LAGUNA DR	JOHN OR TRACY CHROBAK	PARKING	6/3/2016	6/10/2016	

1 COMPLIANCE ACHIEVED    2 COMPLIANCE DATE NOT MET    3 WAITING ON REPLY    4 EXTENSION GRANTED    5 GOING TO COURT    6 ON HOLD

Attachment: Zoning Enforcement through 06/01/16 (1697 : Zoning Enforcement and Site Compliance



11333 N. Cedarburg Road  
 Mequon, WI 53092  
 Phone: 262-236-2934  
 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: June 3, 2016**  
**SUBJECT: Wisconsin Department of Natural Resources NR208 - Compliance Maintenance Annual Report 2015**

### **Background**

As a state requirement for owning and operating a separate municipal storm sewer system that discharges to waters of the state, the City maintains a general Wisconsin Pollution Discharge Elimination System (WPDES) permit through the DNR. The permit covers water quality, illicit discharges, public information and education, storm water, and erosion control. In addition to an annual report, the City must also file a Compliance Maintenance Annual Report (CMAR) in regards to the sanitary sewer system and any emergency sewer system bypasses that may occur.

### **Analysis**

The draft 2015 CMAR is attached for review and must be filed by June 30. Part of the reporting requirement is that the governing body of the municipality must adopt an annual resolution stating that it has reviewed the report before it is filed each year. The report has a grading system for both the financial management and collection systems. If a community falls below a certain grade (3.00), score less than a “C” in any individual CMAR section, or if Sanitary Sewer Overflows (SSOs) were reported in the year, the City must identify improvements to correct system deficiencies and improve report score.

In 2015 the City reported eleven SSOs as a result of wet weather events. In late 2015, the City adopted a Pilot Private Property Inflow and Infiltration program to better manage wet weather events and is finalizing the East Trunk Sewer modeling report to further identify capacity improvements.

In 2015, the City continued its “A” grade for financial management and collection systems.

### **Fiscal Impact**

There is no fiscal impact to filing this report outside of staff time necessary for its preparation. Any potential projects identified must ultimately be approved by the Sanitary Sewer Utility Commission prior to proceeding.

**Recommendation**

It is staff's recommendation that the Public Works Committee favorably endorse and the Common Council approve Resolution No. 3383 which authorizes staff to file the CMAR report.

Attachments:

CMAR for Packet (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3383

Wisconsin Department of Natural Resources NR208 - Compliance Maintenance Annual Report  
2015

**WHEREAS**, it is a requirement under the Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued by the Wisconsin Department of Natural Resources to file a Compliance Maintenance Annual Report (CMAR) for Mequon's wastewater collect system under Wisconsin Administrative Code NR208; and

**WHEREAS**, it is necessary to acknowledge that the governing body has reviewed the Compliance Maintenance Annual Report (CMAR); and

**WHEREAS**, it is necessary to provide recommendations or an action response plan for any individual CMAR section within the annual report with a grade of "C" or less, an overall grade point of less than 3.0, or in a year where Sanitary Sewer Overflows were reported;

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Mequon that the Compliance Maintenance Annual Report (CMAR) has been reviewed and staff is hereby authorized to file said report and recommendations.

**BE IT FURTHER RESOLVED** by the Common Council that while the City has improved its overall GPA to 4.00, the City will continue to evaluate its system and take necessary actions to maintain and improve the collection system which may include:

1. Continuation of current system improvements such as manhole seals installation, manhole cover replacement, mainline rehabilitation, force main rehabilitation, and lift station upgrades;
2. Evaluation of inflow and infiltration areas and participation in the MMSD Private Property Infiltration & Inflow program.

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

Date Approved:

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

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

# Compliance Maintenance Annual Report

Mequon City

Last Updated: Reporting For:  
6/3/2016 2015

## Financial Management

<p>1. Provider of Financial Information</p> <p>Name: <input type="text" value="Tom Watson"/></p> <p>Telephone: <input type="text" value="(262) 236-2955"/> (XXX) XXX-XXXX</p> <p>E-Mail Address (optional): <input type="text" value="twatson@ci.mequon.wi.us"/></p>																									
<p>2. Treatment Works Operating Revenues</p> <p>2.1 Are User Charges or other revenues sufficient to cover O&amp;M expenses for your wastewater treatment plant AND/OR collection system ?</p> <p><input checked="" type="radio"/> Yes (0 points)</p> <p><input type="radio"/> No (40 points)</p> <p>If No, please explain:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>2.2 When was the User Charge System or other revenue source(s) last reviewed and/or revised?</p> <p>Year: <input type="text" value="2015"/></p> <p><input checked="" type="radio"/> 0-2 years ago (0 points)</p> <p><input type="radio"/> 3 or more years ago (20 points)</p> <p><input type="radio"/> N/A (private facility)</p> <p>2.3 Did you have a special account (e.g., CWFP required segregated Replacement Fund, etc.) or financial resources available for repairing or replacing equipment for your wastewater treatment plant and/or collection system?</p> <p><input checked="" type="radio"/> Yes (0 points)</p> <p><input type="radio"/> No (40 points)</p>	0																								
REPLACEMENT FUNDS [PUBLIC MUNICIPAL FACILITIES SHALL COMPLETE QUESTION 3]																									
<p>3. Equipment Replacement Funds</p> <p>3.1 When was the Equipment Replacement Fund last reviewed and/or revised?</p> <p>Year: <input type="text" value="2015"/></p> <p><input checked="" type="radio"/> 1-2 years ago (0 points)</p> <p><input type="radio"/> 3 or more years ago (20 points)</p> <p><input type="radio"/> N/A</p> <p>If N/A, please explain:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>																									
<p>3.2 Equipment Replacement Fund Activity</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">3.2.1 Ending Balance Reported on Last Year's CMAR</td> <td style="width:5%;"></td> <td style="width:5%; text-align: right;">\$</td> <td style="width:30%; text-align: right;"><input type="text" value="193,117.90"/></td> </tr> <tr> <td>3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)</td> <td style="text-align: center;">+</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><input type="text" value="0.00"/></td> </tr> <tr> <td>3.2.3 Adjusted January 1st Beginning Balance</td> <td></td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><input type="text" value="193,117.90"/></td> </tr> <tr> <td>3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)</td> <td style="text-align: center;">+</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><input type="text" value="45,000.00"/></td> </tr> <tr> <td>3.2.5 Subtractions from Fund (e.g., equipment replacement, major repairs - use description box 3.2.6.1 below*)</td> <td style="text-align: center;">-</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><input type="text" value="121,501.60"/></td> </tr> <tr> <td>3.2.6 Ending Balance as of December 31st for CMAR Reporting Year</td> <td></td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><input type="text" value="116,616.30"/></td> </tr> </table>	3.2.1 Ending Balance Reported on Last Year's CMAR		\$	<input type="text" value="193,117.90"/>	3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)	+	\$	<input type="text" value="0.00"/>	3.2.3 Adjusted January 1st Beginning Balance		\$	<input type="text" value="193,117.90"/>	3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)	+	\$	<input type="text" value="45,000.00"/>	3.2.5 Subtractions from Fund (e.g., equipment replacement, major repairs - use description box 3.2.6.1 below*)	-	\$	<input type="text" value="121,501.60"/>	3.2.6 Ending Balance as of December 31st for CMAR Reporting Year		\$	<input type="text" value="116,616.30"/>	
3.2.1 Ending Balance Reported on Last Year's CMAR		\$	<input type="text" value="193,117.90"/>																						
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Attachment: CMAR for Packet (RESOLUTION 3383 : 2016 CMAR)

# Compliance Maintenance Annual Report

4.r.a

Mequon City

Last Updated: Reporting For:  
6/3/2016 2015

All Sources: This ending balance should include all Equipment Replacement Funds whether held in a bank account(s), certificate(s) of deposit, etc.

3.2.6.1 Indicate adjustments, equipment purchases, and/or major repairs from 3.2.5 above.

Lift Station F Pump Replacement, Purchase of Sanitary Sewer Televising Camera, Lift Station Generator Repair, Purchase of Pump Batteries, Purchase of Discharge Hoses and Trash pumps.

3.3 What amount should be in your Replacement Fund? \$ 200,000.00

Please note: If you had a CWFPP loan, this amount was originally based on the Financial Assistance Agreement (FAA) and should be regularly updated as needed. Further calculation instructions and an example can be found by clicking the HELP link under Info in the left-side menu.

3.3.1 Is the December 31 Ending Balance in your Replacement Fund above, (#3.2.6) equal to, or greater than the amount that should be in it (#3.3)?

- Yes
- No

If No, please explain.

Major expenditure for televising camera impacted fund balance.

## 4. Future Planning

4.1 During the next ten years, will you be involved in formal planning for upgrading, rehabilitating, or new construction of your treatment facility or collection system?

- Yes - If Yes, please provide major project information, if not already listed below.
- No

Project #	Project Description	Estimated Cost	Approximate Construction Year
1	Generator (H)	60000	2016
2	Generator (K)	60000	2017
3	Generator (O)	60000	2018
4	Annual Manhole Seal Project -Follows the Local Road Project-	60000	2016
5	Annual Manhole Seal Project -Follows the Local Road Project-	70000	2017
6	Cedarburg RD Design of Parallel Sewer	50000	2017
7	Cedarburg RD Construction of Parallel Sewer	100000	2018
8	Replacement on-site generator (A)	40000	2016
9	Replacement on-site generator (U)	45000	2017
10	Replacement on-site generator (V)	50000	2018
11	Lift station & force main B Design and Construction	175000	2017
12	Lift station & force main L Design and Construction	175000	2016
13	Lift station & force main Q Design and Construction	175000	2018
14	Lift station & force main R Design and Construction	225000	2019
15	Commercial Meter Improvements	10000	2016
16	Equipment Replacement	45000	2018
17	Equipment Replacement	45000	2016
18	Equipment Replacement	45000	2017
19	Cedarburg Rd. 36" Line Upgrades Design and Construction	1000000	2016
20	Lift Station Transfer Switches	10000	2019
21	Lift Station Transfer Switches	10000	2016
22	Lift Station Transfer Switches	10000	2017
23	Lift Station Transfer Switches	10000	2018
24	East Trunk Sewer Upgrades - Design	1200000	2016
25	East Trunk Sewer Upgrades - Design and Construction	22000000	

Attachment: CMAR for Packet (RESOLUTION 3383 : 2016 CMAR)

# Compliance Maintenance Annual Report

Mequon City

Last Updated: Reporting For:  
6/3/2016 2015

26	Donges Bay Rd. Design/Construction - Capacity Increase	2000000	2017
27	Annual Manhole Seal Project -Follows the Local Road Project-	50,000.00	2018
5. Financial Management General Comments			

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

Attachment: CMAR for Packet (RESOLUTION 3383 : 2016 CMAR)

Sanitary Sewer Collection Systems

1. CMOM Program

1.1 Do you have a Capacity, Management, Operation & Maintenance (CMOM) requirement in your WPDES permit?

- Yes
- No

1.2 Did you have a documented (written records/files, computer files, video tapes, etc.) sanitary sewer collection system operation & maintenance (O&M) or CMOM program last calendar year?

- Yes (Continue with question 1)
- No (30 points) (Go to question 2)

1.3 Check the elements listed below that are included in your O&M or CMOM program.

Goals

Describe the specific goals you have for your collection system:

[Empty text box for goals]

Organization

Do you have the following written organizational elements (check only those that apply)?

- Ownership and governing body description
- Organizational chart
- Personnel and position descriptions
- Internal communication procedures
- Public information and education program

Legal Authority

Do you have the legal authority for the following (check only those that apply)?

- Sewer use ordinance Last Revised Date (MM/DD/YYYY)
- Pretreatment/industrial control Programs
- Fat, oil and grease control
- Illicit discharges (commercial, industrial)
- Private property clear water (sump pumps, roof or foundation drains, etc.)
- Private lateral inspections/repairs
- Service and management agreements

Maintenance Activities (provide details in question 2)

Design and Performance Provisions

How do you ensure that your sewer system is designed and constructed properly?

- State plumbing code
- DNR NR 110 standards
- Local municipal code requirements
- Construction, inspection, and testing
- Others:

[Empty text box for other design details]

Overflow Emergency Response Plan:

Does your emergency response capability include (check only those that apply)?

- Alarm system and routine testing
- Emergency equipment
- Emergency procedures
- Communications/notifications (DNR, internal, public, media, etc.)

Capacity Assurance:

How well do you know your sewer system? Do you have the following?

- Current and up-to-date sewer map
- Sewer system plans and specifications

Attachment: CMAR for Packet (RESOLUTION 3383 : 2016 CMAR)

# Compliance Maintenance Annual Report

Mequon City

Last Updated: Reporting For:  
6/3/2016 2015

Manhole location map  
 Lift station pump and wet well capacity information  
 Lift station O&M manuals  
 Within your sewer system have you identified the following?  
 Areas with flat sewers  
 Areas with surcharging  
 Areas with bottlenecks or constrictions  
 Areas with chronic basement backups or SSOs  
 Areas with excess debris, solids, or grease accumulation  
 Areas with heavy root growth  
 Areas with excessive infiltration/inflow (I/I)  
 Sewers with severe defects that affect flow capacity  
 Adequacy of capacity for new connections  
 Lift station capacity and/or pumping problems  
 Annual Self-Auditing of your O&M/CMOM Program to ensure above components are being implemented, evaluated, and re-prioritized as needed  
 Special Studies Last Year (check only those that apply):  
 Infiltration/Inflow (I/I) Analysis  
 Sewer System Evaluation Survey (SSES)  
 Sewer Evaluation and Capacity Management Plan (SECAP)  
 Lift Station Evaluation Report  
 Others:

0

2. Operation and Maintenance

2.1 Did your sanitary sewer collection system maintenance program include the following maintenance activities? Complete all that apply and indicate the amount maintained.

Cleaning	<input type="text" value="27"/>	% of system/year
Root removal	<input type="text" value="0.000018"/>	% of system/year
Flow monitoring	<input type="text" value="0.1"/>	% of system/year
Smoke testing	<input type="text" value="0"/>	% of system/year
Sewer line televising	<input type="text" value="0.008"/>	% of system/year
Manhole inspections	<input type="text" value="20.2"/>	% of system/year
Lift station O&M	<input type="text" value="6.5"/>	# per L.S./year
Manhole rehabilitation	<input type="text" value="3.8"/>	% of manholes rehabbed
Mainline rehabilitation	<input type="text" value="0.26"/>	% of sewer lines rehabbed
Private sewer inspections	<input type="text" value="0"/>	% of system/year
Private sewer I/I removal	<input type="text" value="0"/>	% of private services

Please include additional comments about your sanitary sewer collection system below:

3. Performance Indicators

3.1 Provide the following collection system and flow information for the past year.

Attachment: CMAR for Packet (RESOLUTION 3383 : 2016 CMAR)

# Compliance Maintenance Annual Report

4.r.a

Mequon City

Last Updated: Reporting For:  
6/3/2016 2015

34.9	Total actual amount of precipitation last year in inches
34.34	Annual average precipitation (for your location)
159.93	Miles of sanitary sewer
24	Number of lift stations
0	Number of lift station failures
0	Number of sewer pipe failures
18	Number of basement backup occurrences
18	Number of complaints
	Average daily flow in MGD (if available)
	Peak monthly flow in MGD (if available)
	Peak hourly flow in MGD (if available)
3.2 Performance ratios for the past year:	
0.00	Lift station failures (failures/year)
0.00	Sewer pipe failures (pipe failures/sewer mile/yr)
0.07	Sanitary sewer overflows (number/sewer mile/yr)
0.11	Basement backups (number/sewer mile)
0.11	Complaints (number/sewer mile)
	Peaking factor ratio (Peak Monthly: Annual Daily Avg)
	Peaking factor ratio (Peak Hourly: Annual Daily Avg)

## 4. Overflows

LIST OF SANITARY SEWER (SSO) AND TREATMENT FACILITY (TFO) OFERFLOWS REPORTED **				
	Date	Location	Cause	Estimated Volume (MG)
0	4/9/2015 8:00:00 AM - 4/9/2015 8:00:00 PM	MH #0431-176 at intersection of Brookdale Dr and Clover Lane.	Rain	1.2780 - 1.2780
1	4/9/2015 12:30:00 PM - 4/9/2015 2:30:00 PM	MH #0119-058 (Lift Station E)	Rain	0.18 - 0.18
2	4/9/2015 10:00:00 AM - 4/9/2015 3:00:00 PM	Lift Station "H" (2932 W. Riverland Drive)	Rain	0.0975 - 0.0975
3	4/9/2015 1:30:00 PM - 4/9/2015 2:30:00 PM	Lift Station "O" (9729 W. Tamerlane Drive).	Rain	0.0195 - 0.0195
4	4/9/2015 9:00:00 AM - 4/9/2015 3:30:00 PM	Lift Station "B" (5000 W. Parkview St)	Rain	0.0780 - 0.0780
5	4/9/2015 11:00:00 AM - 4/9/2015 3:00:00 PM	Lift Station "F" - 12439 N. Circle Drive	Rain	0.1680 - 0.1680
6	4/9/2015 10:00:00 AM - 4/9/2015 1:00:00 PM	Lift Station "K" - 9911 North Lakeshore Road	Rain	0.0009 - 0.0009
7	4/9/2015 10:30:00 AM - 4/9/2015 12:00:00 PM	Lift station "V" - 4020 W. Donges Bay Road	Rain	0.0594 - 0.0594
8	4/9/2015 9:45:00 AM - 4/9/2015 3:00:00 PM	Manhole #0119-038 at LS E	Rain	0.4725 - 0.4725
9	4/9/2015 10:15:00 AM - 4/9/2015 12:15:00 PM	Lift Station "L" 608 E Juniper Ct	Rain	0.0012 - 0.0012

Attachment: CMAR for Packet (RESOLUTION 3383 : 2016 CMAR)

# Compliance Maintenance Annual Report

Mequon City

Last Updated: Reporting For:  
6/3/2016 2015

10	4/9/2015 8:45:00 AM - 4/9/2015 3:15:00 PM	Lift Station "G" - 12735 N. Fieldwood Road	Rain	0.2574 - 0.2574
<p>** If there were any SSOs or TFOs that are not listed above, please contact the DNR and stop work on this section until corrected.</p> <p>What actions were taken, or are underway, to reduce or eliminate SSO or TFO occurrences in the future?</p> <p>East Trunk Sewer Study is in its final stages with intent to install in line storage in 2017 to alleviate the backflow and capacity issues identified within the system.</p>				

5. Infiltration / Inflow (I/I)

5.1 Was infiltration/inflow (I/I) significant in your community last year?

- Yes
- No

If Yes, please describe:

The City has a large wet weather event that resulted in SSO's and bypassing.

5.2 Has infiltration/inflow and resultant high flows affected performance or created problems in your collection system, lift stations, or treatment plant at any time in the past year?

- Yes
- No

If Yes, please describe:

The surcharging and capacity issues in the East Trunk Sewer appear during wet weather events, indicating that I/I is prevalent in this portion of the system. In addition to inline storage and additional capacity upgrades, the City will implement a pilot PPI/I program in an attempt to reduce the I/I in the system.

5.3 Explain any infiltration/inflow (I/I) changes this year from previous years:

The utility lined 2,220 linear feet of sanitary sewer mainline and rehabilitated 137 manholes.

5.4 What is being done to address infiltration/inflow in your collection system?

The City will implement a Private Property Inflow/Infiltration pilot program in 2016 in an attempt to reduce wet weather impacts on the sanitary sewer system.

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

Attachment: CMAR for Packet (RESOLUTION 3383 : 2016 CMAR)

# Compliance Maintenance Annual Report

4.r.a

Mequon City

Last Updated: Reporting For:  
6/3/2016 2015

## Grading Summary

WPDES No: 0047341

SECTIONS	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Financial	A	4	1	4
Collection	A	4	3	12
TOTALS			4	16
GRADE POINT AVERAGE (GPA) = 4.00				

### Notes:

- A = Voluntary Range (Response Optional)
- B = Voluntary Range (Response Optional)
- C = Recommendation Range (Response Required)
- D = Action Range (Response Required)
- F = Action Range (Response Required)

Attachment: CMAR for Packet (RESOLUTION 3383 : 2016 CMAR)



11333 N. Cedarburg Road  
 Mequon, WI 53092  
 Phone: 262-236-2934  
 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: June 3, 2016**  
**SUBJECT: Granting of Easement to WE Energies: 10800 North Industrial Drive**

### **Background**

At the existing Public Works building, the transformer providing service to the building is outdated and will not support the components of the new Combined Department of Public Works (DPW) Facility. The existing transformer is also in conflict with the footprint of the new facility. As such, We Energies is requesting an easement to provide service to a new transformer to be installed outside of the proposed building pad.

### **Analysis**

The easement is required for We Energies to protect its infrastructure that will be installed to serve the Combined DPW Facility. Several staff meetings identified the proper location of the transformer, as shown in the easement documents. The attached legal description and exhibit for the easement will be updated after installation to reflect the final location.

### **Fiscal Impact**

There is no cost for the easement itself. The Common Council approved the expenditure for the installation of the electrical service at a previous meeting.

### **Recommendation**

Staff recommends that the Public Works Committee favorably endorse and the Common Council approve Resolution 3386 granting an easement to We Energies for the Combined DPW Facility at 10800 North Industrial Drive.

#### Attachments:

3875228MequonEA (DOC)  
 TempExAMEquon (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3386

Granting of Easement to WE Energies: 10800 North Industrial Drive

**WHEREAS**, the City of Mequon owns land at 10800 North Industrial Drive; and

**WHEREAS**, WE Energies has proposed to install electrical service for the Combined Department of Public Works Facility; and

**WHEREAS**, staff has reviewed WE Energies requested easement and is in agreement with the proposed installation, restoration and easement agreement.

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Mequon that the City hereby grants the easements to WE Energies as proposed and shown on the attached easement documents and that the appropriate City officials be authorized to execute the easement documents.

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

Date Approved:

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

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

DISTRIBUTION EASEMENT UNDERGROUND

Document Number

WR NO. 3875228 IO NO. 10943

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CITY OF MEQUON, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies, hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as strips of land 15 feet in width being part of Parcel 1 of Certified Survey Map No. 2114 as recorded in the office of the Register of Deeds for Ozaukee County in Volume 15 on Pages 362 through 364, inclusive, as Document No. 422334 and being a division of a part of the Northeast 1/4 of the Southeast 1/4 of Section 27 and the Northwest 1/4 of the Southwest 1/4 of Section 26, Township 9 North, Range 21 East in the City of Mequon, Ozaukee County, Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO: We Energies PROPERTY RIGHTS & INFORMATION GROUP 231 W. MICHIGAN STREET, ROOM A252 PO BOX 2046 MILWAUKEE, WI 53201-2046

14-027-13-007.00 (Parcel Identification Number)

- 1. Purpose: The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
2. Access: Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.
3. Buildings or Other Structures: Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.
4. Elevation: Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. Restoration: Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to the initial installation of said facilities or any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. Exercise of Rights: It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
7. Binding on Future Parties: This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. Easement Review: Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document or voluntarily waives the five day review period.

Attachment: 3875228MequonEA (RESOLUTION 3386 : We Energies Easement - 10800 N Industrial Drive)

**Grantor:**

**CITY OF MEQUON**

By \_\_\_\_\_

(Print name and title): \_\_\_\_\_

By \_\_\_\_\_

(Print name and title): \_\_\_\_\_

Personally came before me in \_\_\_\_\_ County, Wisconsin on \_\_\_\_\_, 2016,  
the above named \_\_\_\_\_, the \_\_\_\_\_  
and \_\_\_\_\_, the \_\_\_\_\_  
of the CITY OF MEQUON, for the municipal corporation, by its authority, and pursuant to Resolution File  
No. \_\_\_\_\_ adopted by its \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public Signature, State of Wisconsin

\_\_\_\_\_  
Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires \_\_\_\_\_

This instrument was drafted by Michele M. Arendt on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.

Attachment: 3875228MequonEA (RESOLUTION 3386 : We Energies Easement - 10800 N Industrial Drive)





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

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

Office of Community Development

**TO: Common Council**  
**FROM: Kim Tollefson, Director of Community Development**  
**DATE: June 14, 2016**  
**SUBJECT: A Resolution Authorizing the Final Plat for River Club Estates in Connection with the Development of Five Single-Family Lots Located at the Southeast Corner of Freistadt and Oak Shore Roads**

**Background:**

The developer is requesting final plat approval for the River Club Estates development at the southeast corner of Oak Shore Lane and Freistadt Road. The development includes five lots ranging in size from 1.40 to 1.88 acres and a 3.88 acre Outlot. The Common Council approved Ordinance 2014-1416 (see attached) in April of 2014.

**Analysis:**

The five single-family lots are accessed by a private road that connects to Oak Shore Lane. The final plat is consistent with the approved preliminary plat and approved Ordinance 2014-1416.

**Fiscal Impact:**

The five lot subdivision is estimated to be valued at \$4 million dollars with annual revenue of \$40,000.

**Planning Commission Recommendation:**

The Planning Commission's recommendation is forthcoming on June 13, 2016, subject to the conditions contained in the attached resolution.

Attachments:

Zoning Map (PDF)

LS-3218-River Club Estates final plat\_4-26-16 (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3388

A Resolution Authorizing the Final Plat for River Club Estates in Connection with the Development of Five Single-Family Lots Located at the Southeast Corner of Freistadt and Oak Shore Roads

**WHEREAS**, the Common Council on April 8 2014, (Ordinance 2014-1416) granted rezoning approval for the River Club Estates development; and

**WHEREAS**, the Planning Commission granted final plat approval for the final plat on June 13, 2016; and

**WHEREAS**, the Common Council approved the Development Agreement on June 9, 2014;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL FOR THE CITY OF MEQUON**, that the River Club Estates-Final Plat (see attached Exhibit A) is hereby approved subject to the following conditions:

- . Final legal documents are subject to City Attorney review and approval prior to recording.
- . Any technical corrections identified by City staff shall be made to the final plat.
- . City Engineer certification that the terms of the Development Agreement have been complied with and that the plat is ready for recording.
- . Payment of all necessary fees and or escrows.
- . Compliance with standards established in Ordinance 2014-1416.
- . All buildings shall maintain a minimum building setback of 30' from the interior private road and a minimum 15' offset from the side and rear property lines.
- . Architectural design of residential buildings shall comply with the Architectural Board's publication entitled "Guidelines for Residential Structures" and are subject to approval by the Architectural Review Board.

---

Approved by: Dan Abendroth, Mayor

Date Approved:

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

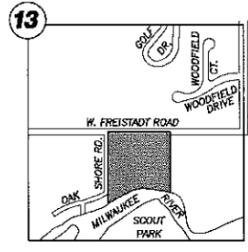
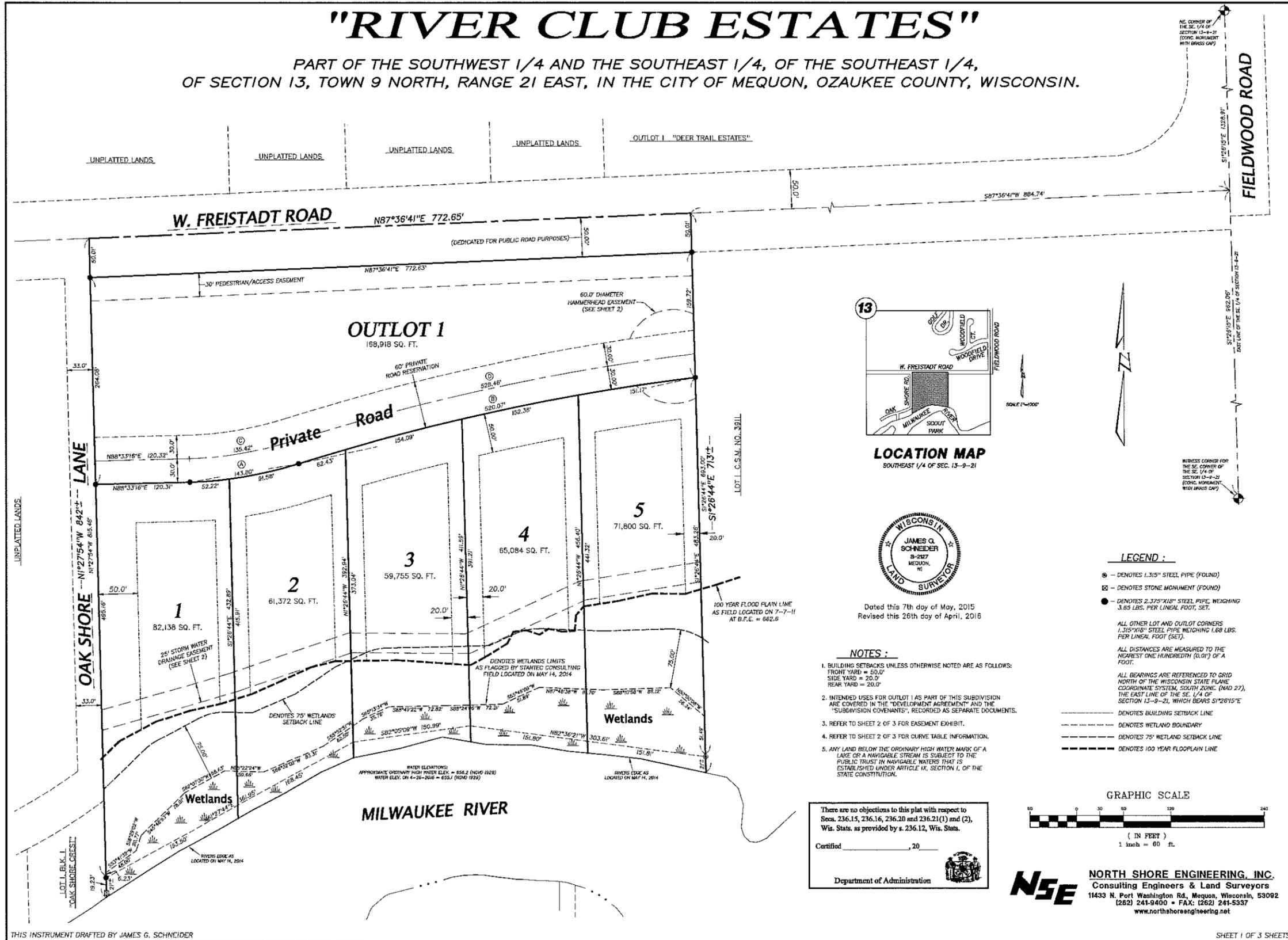
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William H. Jones, Jr., City Clerk



# "RIVER CLUB ESTATES"

PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4, OF THE SOUTHEAST 1/4, OF SECTION 13, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



Dated this 7th day of May, 2015  
Revised this 26th day of April, 2016

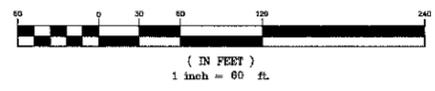
### NOTES:

1. BUILDING SETBACKS UNLESS OTHERWISE NOTED ARE AS FOLLOWS:  
FRONT YARD = 50.0'  
SIDE YARD = 20.0'  
REAR YARD = 20.0'
2. INTENDED USES FOR OUTLOT 1 AS PART OF THIS SUBDIVISION ARE COVERED IN THE "DEVELOPMENT AGREEMENT" AND THE "SUBDIVISION COVENANTS", RECORDED AS SEPARATE DOCUMENTS.
3. REFER TO SHEET 2 OF 3 FOR EASEMENT EXHIBIT.
4. REFER TO SHEET 2 OF 3 FOR CURVE TABLE INFORMATION.
5. ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION.

### LEGEND:

- ⊙ - DENOTES 1.315" STEEL PIPE (FOUND)
  - ⊠ - DENOTES STONE MONUMENT (FOUND)
  - - DENOTES 2.375" X 1/8" STEEL PIPE, WEIGHING 3.65 LBS. PER LINEAL FOOT, SET.
- ALL OTHER LOT AND OUTLOT CORNERS 1.315" X 1/8" STEEL PIPE WEIGHING 1.68 LBS. PER LINEAL FOOT (SET).
- ALL DISTANCES ARE MEASURED TO THE NEAREST ONE HUNDREDTH (0.01') OF A FOOT.
- ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, (NAD 27), THE EAST LINE OF THE SE. 1/4 OF SECTION 13-9-21, WHICH BEARS S1°28'15"E
- DENOTES BUILDING SETBACK LINE
  - DENOTES WETLAND BOUNDARY
  - DENOTES 75' WETLAND SETBACK LINE
  - DENOTES 100 YEAR FLOODPLAIN LINE

### GRAPHIC SCALE



There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_, 20\_\_

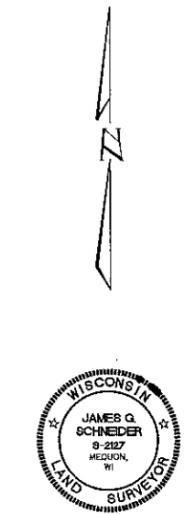
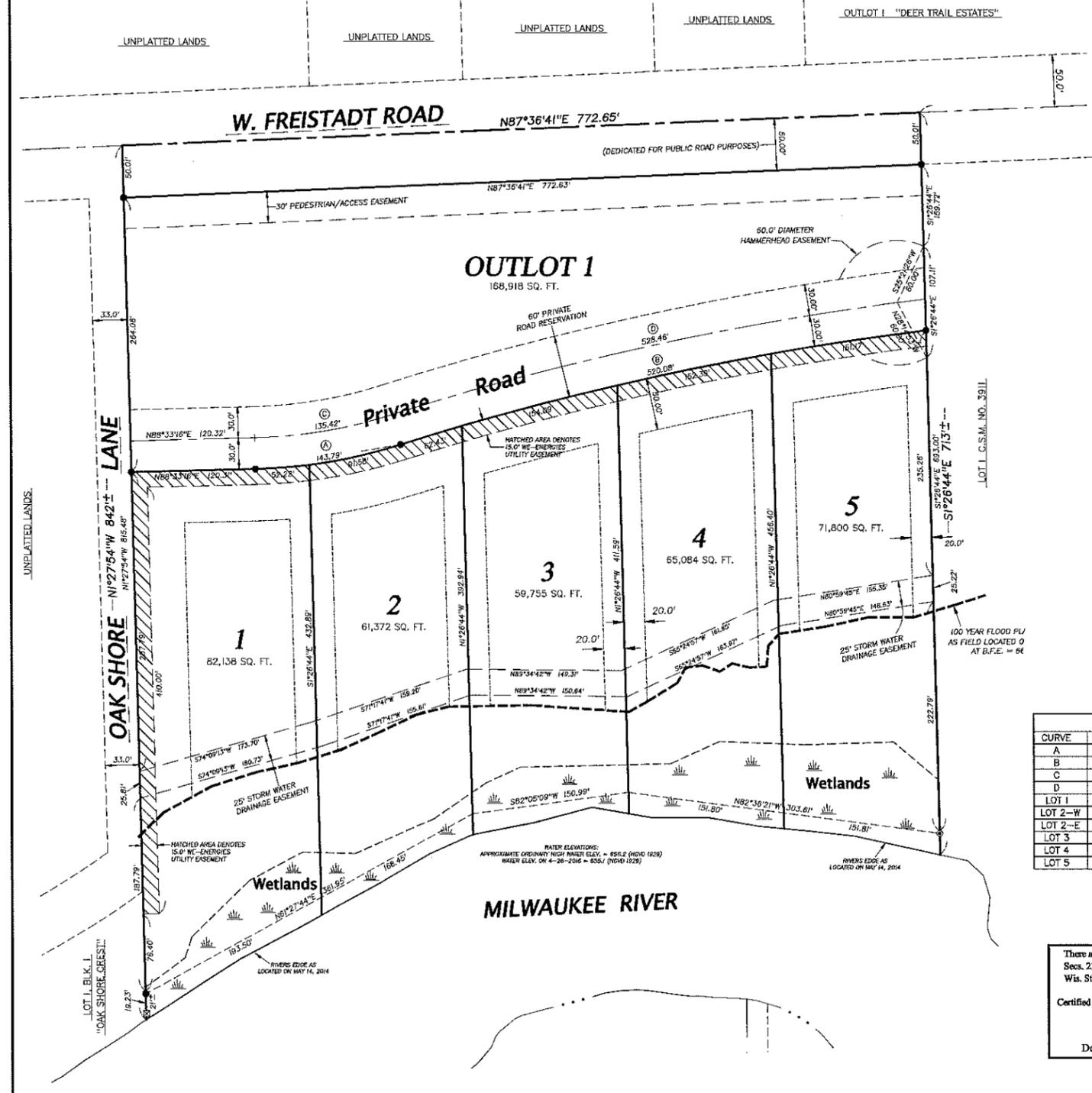
Department of Administration

**NSE** NORTH SHORE ENGINEERING, INC.  
Consulting Engineers & Land Surveyors  
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092  
(262) 241-9400 • FAX: (262) 241-5337  
www.northshoreengineering.net

Attachment: LS-3218-River Club Estates final plat\_4-26-16 (RESOLUTION 3388 : River Club Final Plat)

# "RIVER CLUB ESTATES"

PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4, OF THE SOUTHEAST 1/4,  
OF SECTION 13, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

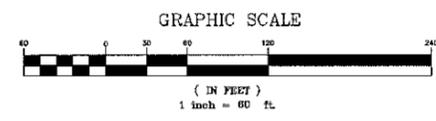


Dated this 7th day of May, 2015  
Revised this 26th day of April, 2016

**LEGEND:**

- ⊙ - DENOTES 1.315" STEEL PIPE (FOUND)
  - ⊠ - DENOTES STONE MONUMENT (FOUND)
  - - DENOTES 2.375"x10" STEEL PIPE, WEIGHING 3.65 LBS. PER LINEAL FOOT, SET.
- ALL OTHER LOT AND OUTLOT CORNERS  
1.315"x10" STEEL PIPE WEIGHING 1.68 LBS.  
PER LINEAL FOOT (SET).
- ALL DISTANCES ARE MEASURED TO THE  
NEAREST ONE HUNDREDTH (0.01') OF A  
FOOT.
- ALL BEARINGS ARE REFERENCED TO GRID  
NORTH OF THE WISCONSIN STATE PLANE  
COORDINATE SYSTEM, SOUTH ZONE (NAD 27),  
THE EAST LINE OF THE SE 1/4 OF  
SECTION 13-9-21, WHICH BEARS S12°15'E
- DENOTES BUILDING SETBACK LINE
  - DENOTES WETLAND BOUNDARY
  - DENOTES 75' WETLAND SETBACK LINE
  - DENOTES 100 YEAR FLOODPLAIN LINE

CURVE TABLE							
CURVE	LENGTH	RADIUS	CHORD	TANGENT BEARING IN	BEARING	TANGENT BEARING OUT	DELTA
A	143.80'	515.00'	143.33'	N88°33'16"E	N80°33'20"E	N72°33'24"E	15°59'52"
B	520.07'	2854.59'	519.38'	N72°33'24"E	S77°48'33.5"W	N82°59'43"E	10°26'19"
C	135.42'	485.00'	134.98'	N88°33'16"E	N80°33'20"E	N72°33'24"E	15°59'52"
D	528.46'	2884.59'	527.72'	N72°33'24"E	S77°48'18"W	N83°03'12"E	10°29'48"
LOT 1	52.22'	515.00'	52.20'	-----	N85°38'59"E	-----	5°48'34"
LOT 2-W	91.58'	515.00'	91.48'	-----	N77°38'03"E	-----	10°11'18"
LOT 2-E	62.43'	2854.59'	62.43'	-----	S73°10'59.5"W	-----	1°15'11"
LOT 3	154.09'	2854.59'	154.07'	-----	S75°21'22"W	-----	3°05'34"
LOT 4	152.38'	2854.59'	152.37'	-----	S78°25'54.5"W	-----	3°03'31"
LOT 5	151.17'	2854.59'	151.15'	-----	S81°28'41.5"W	-----	3°02'03"



There are no objections to this plat with respect to  
Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2),  
Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_, 20\_\_\_\_

Department of Administration

**NSE** NORTH SHORE ENGINEERING, INC.  
Consulting Engineers & Land Surveyors  
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092  
(262) 241-9400 • FAX: (262) 241-5337  
www.northshoreengineering.net

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

Attachment: LS-3218-River Club Estates final plat\_4-26-16 (RESOLUTION 3388 : River Club Final Plat)

# "RIVER CLUB ESTATES"

PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4, OF THE SOUTHEAST 1/4,  
OF SECTION 13, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, James G. Schneider, Professional Land Surveyor, do hereby certify:  
THAT I have surveyed, divided, and mapped the plat of "RIVER CLUB ESTATES",  
bounded and described as follows:

Part of the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 13,  
Township 9 North, Range 21 East, in the City of Mequon, Ozaukee County,  
Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of said Southeast 1/4 Section; thence  
S1°26'15"E along the East line of said Southeast 1/4 Section and the centerline  
of N. Fieldwood Road, 1328.91 feet to a point in the centerline of Freistadt Road,  
thence S87°36'41"W along the centerline of Freistadt Road, 884.74 feet to the  
Northwest corner of Certified Survey Map No. 3911, said point also being the  
point of beginning of lands to be described; thence S1°26'44"E along the West  
line of said Certified Survey Map, 693.00 feet to a meander point 20± feet from  
the North edge of the Milwaukee River; thence N82°38'21"W along a meander  
line, 303.61 feet to a meander point 20± feet from the North edge of the  
Milwaukee River; thence S82°05'09"W along a meander line, 150.99 feet to a  
meander point 20± feet from the North edge of the Milwaukee River; thence  
S61°27'44"W along a meander line, 361.95 feet to a meander point 20± feet  
from the North edge of the Milwaukee River, said point also lying in East line  
"Oak Shore Crest", a recorded subdivision; thence N1°27'54"W along the East line  
of "Oak Shore Crest" and the East right of way line of Oak Shore Road, 815.48  
feet to a point in the centerline of Freistadt Road; thence N87°36'41"E along the  
centerline of Freistadt Road, 772.65 feet to the point of beginning, said parcel  
containing 12.873 acres of land more or less, inclusive of lands lying between  
said meander line and the North edge of the Milwaukee River.

THAT I have made such survey, land division and plat in the direction of  
RIVER ESTATES DEVELOPMENT, LLC the owner of said land.

THAT such plat 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 the provisions of Chapter 236 of the Wisconsin  
State Statutes and the City of Mequon Subdivision Regulations.

James G. Schneider R.L.S No. S-2127



Dated this 7th day of May, 2015  
Revised this 26th day of April, 2016

OWNERS CERTIFICATE OF DEDICATION

As owner, I hereby certify that I caused the land described on this plat to be surveyed,  
divided, mapped and dedicated as represented on this plat. I also certify that this plat  
is required by s. 236.10 or s. 236.12 of the Wisconsin State Statutes to be submitted to  
the following for approval or objection: 1) Department of Administration,  
2) City of Mequon.

Witness the hand and seal of said owner this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

RIVER ESTATES DEVELOPMENT, LLC  
BY: THOMAS WEICKARDT, MANAGER

IN THE PRESENCE OF

WITNESS \_\_\_\_\_ THOMAS WEICKARDT, Manager

STATE OF WISCONSIN )  
OZAUKEE COUNTY ) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above named  
Thomas Weickardt, to me known to be the person who executed the foregoing  
instrument and acknowledged the same.

NOTARY PUBLIC—STATE OF WISCONSIN  
My Commission expires \_\_\_\_\_, 20\_\_\_\_

CONSENT OF CORPORATE MORTGAGEE

MARINE BANK, existing under and by virtue of the laws of  
the State of Wisconsin, mortgagee of the above described land does  
hereby consent to the Surveying, Redividing and Mapping of the  
land described on this plat of "RIVER CLUB ESTATES" and does hereby  
consent to the above certificate of RIVER ESTATES DEVELOPMENT, LLC, OWNER.

IN witness whereof, the said MARINE BANK has caused these  
presents to be signed by Bill Kadrich, its \_\_\_\_\_  
at Wauwatosa, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

IN THE PRESENCE OF:

WITNESS \_\_\_\_\_ BILL KADRICH, \_\_\_\_\_

COUNTY TREASURER'S CERTIFICATE

STATE OF WISCONSIN )  
OZAUKEE COUNTY ) SS

I, Karen L. Makoutz, being duly elected, qualified and acting Treasurer  
of the County of Ozaukee, do hereby certify that the records in my  
office show no unredeemed tax sales and no unpaid taxes or special  
assessments as of \_\_\_\_\_, 20\_\_\_\_, affecting the  
lands included in the plat of "RIVER CLUB ESTATES".

Dated: \_\_\_\_\_, 20\_\_\_\_. KAREN L. MAKOUTZ, County Treasurer

CITY TREASURER'S CERTIFICATE

STATE OF WISCONSIN )  
OZAUKEE COUNTY ) SS

I, Tom Watson, Director of finance for the City of Mequon,  
do hereby certify that in accordance with the records  
in my office, there are no unpaid taxes or unpaid special  
assessments as of this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, on any of the land included in the plat of "RIVER CLUB ESTATES".

Dated: \_\_\_\_\_, 20\_\_\_\_. TOM WATSON, Director of Finance

COMMON COUNCIL RESOLUTION

"Resolved that the plat known as "RIVER CLUB ESTATES" in the City of Mequon  
which has been filed for approval, be and hereby is approved as required  
by Chapter 236 of the Wisconsin State Statutes."

APPROVED \_\_\_\_\_  
DAN ABENDROTH, Mayor

I, William Jones, being the acting Clerk of the City of Mequon,  
do hereby certify that the foregoing is a true and correct copy  
of a resolution adopted by the Common Council of the City of Mequon on  
the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

WILLIAM JONES, City Clerk

UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby  
granted by \_\_\_\_\_, Grantor, to  
WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC,  
Wisconsin corporations doing business as We Energies, Grantee,  
Wisconsin Bell, Inc. d/b/a AT&T Wisconsin, a Wisconsin corporation, Grantee,  
and TIME WARNER ENTERTAINMENT COMPANY, L.P., Grantee

their respective successors and assigns, to construct, install, operate, repair,  
maintain and replace from time to time, facilities used in connection with  
overhead and underground transmission and distribution of electricity and  
electric energy, natural gas, telephone and cable TV facilities for such  
purposes as the same is now or may hereafter be used, all in, over, under,  
across, along and upon the property shown within those areas on the plat  
designated as "Utility Easement Areas" and the property designated on the plat  
for streets and alleys, whether public or private, together with the right to  
install service connections upon, across within and beneath the surface of each  
lot to serve improvements, thereon, or on adjacent lots; also the right to trim or  
cut down trees, brush and roots as may be reasonably required incident to the  
rights herein given, and the right to enter upon the subdivided property for all  
such purposes. The Grantees agree to restore or cause to have restored, the  
property, as nearly as is reasonably possible, to the condition existing prior to  
such entry by the Grantees or their agents. This restoration, however, does not  
apply to the initial installation of said underground and/or above ground  
electric facilities, natural gas facilities, or telephone and cable TV facilities or  
to any trees, brush or roots which may be removed at any time pursuant to the  
rights herein granted. Structures shall not be placed over Grantees' facilities or  
in, upon or over the property within the lines marked "Utility Easement Areas"  
without the prior written consent of Grantees. After installation of any such  
facilities, the grade of the subdivided property shall not be altered by more  
than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the  
heirs, successors and assigns of all parties hereto.

There are no objections to this plat with respect to  
Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2),  
Wis. Stats. as provided by s. 236.12, Wis. Stats.  
Certified \_\_\_\_\_, 20\_\_\_\_  
Department of Administration



11333 N. Cedarburg Road  
 Mequon, WI 53092  
 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: June 14, 2016**  
**SUBJECT: A Resolution Authorizing the Phase I Final Plat for Highlander Estates in Connection with the Development of 36 Single-Family Lots Located Immediately South of Brighton Ridge Estates and Knightsbridge Estates Between Wauwatosa and Swan Roads**

**Background:**

The developer is requesting final plat approval for the Highlander Estates-Phase I subdivision. The first phase contains 36 of the 111 lots that are part of the entire conservation subdivision. The development is located on 112.7 acres of land immediately south of the Brighton Ridge and Knightsbridge Subdivisions between Swan and Wauwatosa Roads.

**Analysis:**

The final plat is consistent with the approved preliminary plat and the City Engineer certifies that all of the Improvements have been satisfactorily constructed or installed, completed or escrowed and approved.

**Fiscal Impact:**

The 36 lot subdivision is estimated to be valued at \$450,000/lot, resulting in an estimated annual revenue of \$240,000.

**Planning Commission Recommendation:**

The Planning Commission's recommendation is forthcoming on June 13, 2016, and is subject to the conditions contained in the attached resolution.

Attachments:

Zoning Map (PDF)  
 Final plat (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3389

A Resolution Authorizing the Phase I Final Plat for Highlander Estates in Connection with the Development of 36 Single-Family Lots Located Immediately South of Brighton Ridge Estates and Knightsbridge Estates Between Wauwatosa and Swan Roads

**WHEREAS**, the Planning Commission granted preliminary plat approval on April 13, 2015; and

**WHEREAS**, the Planning Commission granted approval for the final plat on June 13, 2016; and

**WHEREAS**, the Common Council approved the Development Agreement on April 13, 2015;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL FOR THE CITY OF MEQUON**, that the Highlander Estates Phase I-Final Plat (see attached Exhibit A) is hereby approved subject to the following conditions:

1. Any technical corrections identified by City staff shall be made to the final plat.
2. Establishment of an escrow in the amount required to re-seed and mulch the portion of the site that will be dedicated as public right of way.
3. Establishment of an escrow in the amount required to install the street signs in accordance with City standards.
4. 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 of the Final Plat.

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

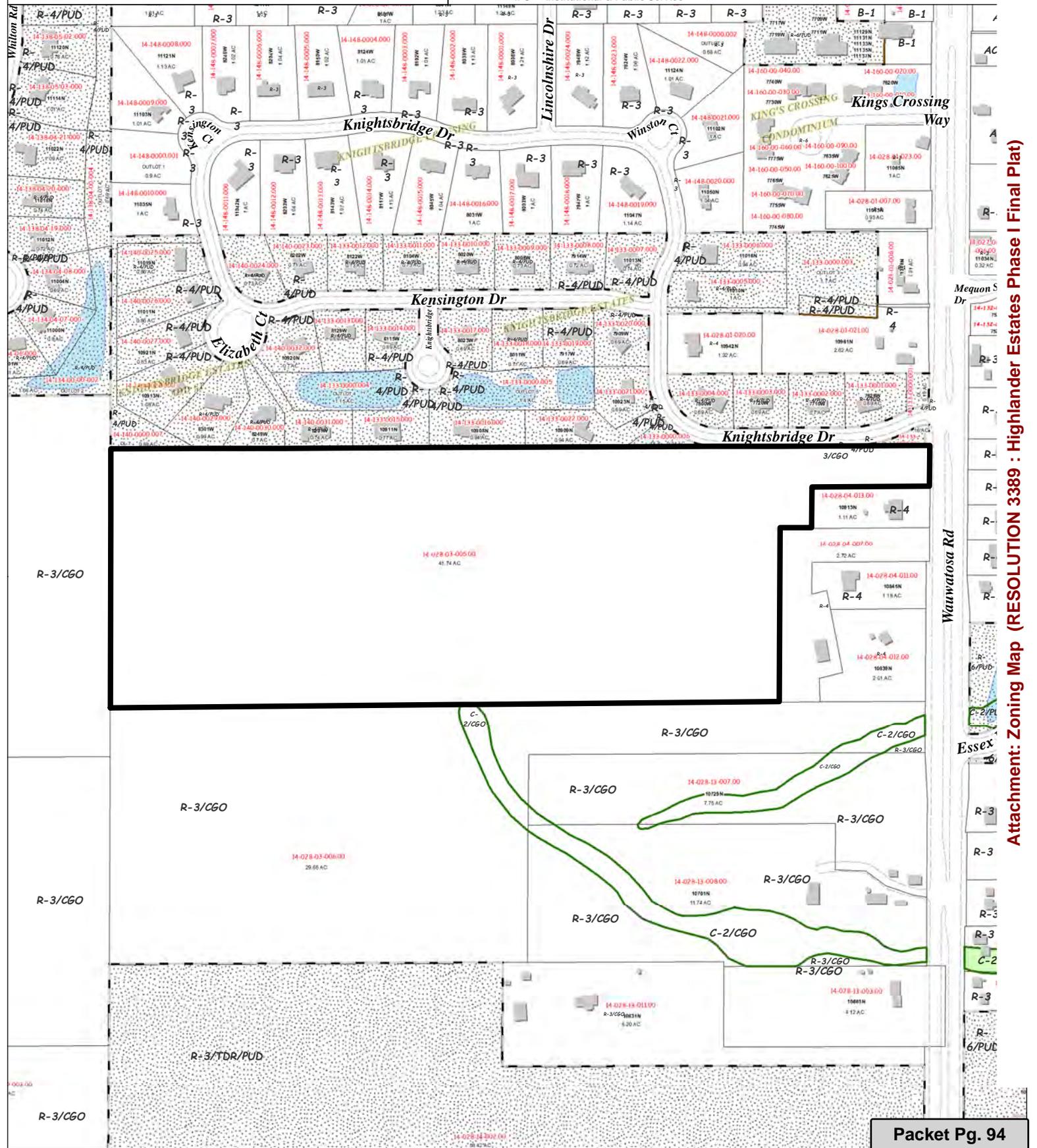
Date Approved:

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

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

# Neumann Companies Highlander Estates LLC, Phase I

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		



Attachment: Zoning Map (RESOLUTION 3389 : Highlander Estates Phase I Final Plat)

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_, 20\_\_\_\_



Department of Administration

**EASEMENT LEGEND:**

(A) - 5' WIDE STORM SEWER EASEMENT (GRANTED TO THE CITY OF MEQUON)

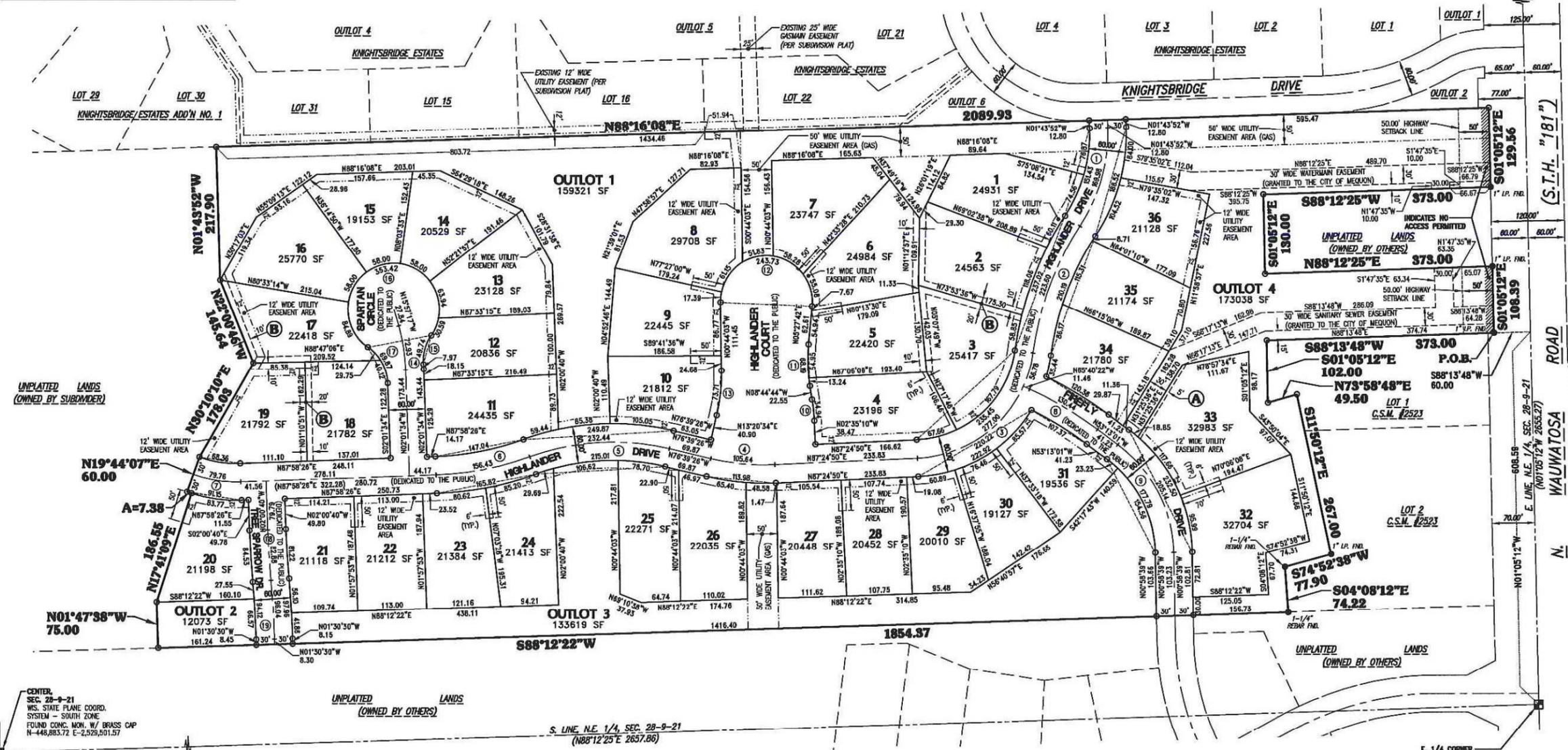
(B) - 20' WIDE STORM SEWER AND DRAINAGE EASEMENT (GRANTED TO THE CITY OF MEQUON)

# HIGHLANDER ESTATES

BEING A SUBDIVISION OF A PART OF THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

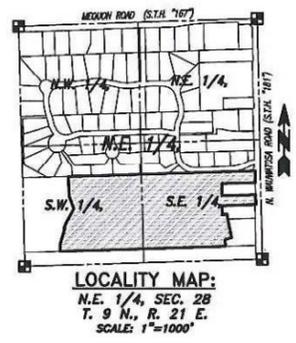
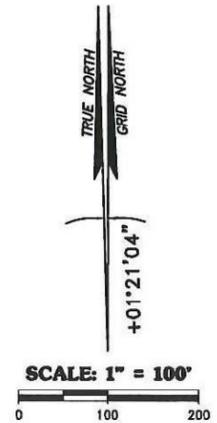
**OWNER:**  
 HIGHLANDER ESTATES, LLC  
 N27W24075 PAUL COURT, STE. 200  
 PEWAUKEE, WI 53072  
 PHONE: (262) 542-9200  
 FAX: (262) 349-9324

N.E. CORNER, SEC. 28-9-21  
 WIS. STATE PLANE COORD. SYSTEM - SOUTH ZONE  
 FOUND CONC. MON. W/ ALUMINUM CAP  
 N=451,621.40 E=2,532,107.52



CENTER, SEC. 28-9-21  
 WIS. STATE PLANE COORD. SYSTEM - SOUTH ZONE  
 FOUND CONC. MON. W/ BRASS CAP  
 N=448,883.72 E=2,529,501.57

E. 1/4 CORNER, SEC. 28-9-21  
 WIS. STATE PLANE COORD. SYSTEM - SOUTH ZONE  
 FOUND CONC. MON. W/ ALUMINUM CAP  
 N=448,966.87 E=2,532,157.87



**TRIO**  
 DESIGN & LAND SURVEYING  
 CIVIL ENGINEERING

12660 W. North Avenue  
 Building "D"  
 Brookfield, WI 53005  
 Phone: (262) 790-1480  
 Fax: (262) 790-1481

**GENERAL NOTES:**

- Indicates Set 1.270" outside diameter x 18" long Reinforcing Bar weighing 4.303 lbs. per lineal foot. All other Lot and Outlot corners are staked with 0.750" outside diameter x 18" long Reinforcing Bar weighing 1.502 lbs. per lineal foot.
- Indicates Found Monumentation (See Plan).
- All linear measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to nearest second and computed to the nearest half-second.
- All bearings are referenced to Grid North of the Wisconsin State Plane Coordinate System, South Zone (NAD-27), in which the East line of the N.E. 1/4 of Section 28, Town 9 North, Range 21 East, bears North 01°05'12" West.
- The Easements for Sanitary Sewer, Watermain, Storm Sewer and Drainage are herein granted to the City of Mequon.
- The Owners of the residential Lots within this Subdivision and any future additions to this Subdivision shall each own an equal undivided fractional interest in Outlots 1, 2, 3 and 4 of this Subdivision and designated Outlots within any future additions to this Subdivision. Ozaukee County shall not be liable for fees or special charges in the event they become the owner of any Lot or Outlot in the Subdivision by reason of tax delinquency.
- Stormwater Management Facilities are located on Outlots 1, 3 and 4 of this Subdivision. The Owners of all Lots within this Subdivision and any future additions to this Subdivision shall each be liable for an equal undivided fractional share of the cost to repair, maintain or restore said Stormwater Management Facilities within this Subdivision and in any future additions to this Subdivision. Said repairs, maintenance and restoration shall be performed by the Owners of all Lots within this Subdivision and any future additions to this Subdivision.

Attachment: Final plat (RESOLUTION 3389 : Highlander Estates Phase I Final Plat)

# HIGHLANDER ESTATES

BEING A SUBDIVISION OF A PART OF THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

### BASEMENT RESTRICTION FOR GROUNDWATER NOTE:

Although all Lots in the Subdivision have been reviewed and approved for development with single-family residential use in accordance with Section 236 Wisconsin Statutes, some Lots contain soil conditions that, due to the possible presence of groundwater near the surface, may require additional soil engineering and foundation design with regard to basement construction. It is recommended that a licensed professional engineer design a basement and foundation that will be suitable to withstand the various problems associated with saturated soil conditions on basement walls or floors or that other special measures be taken. Soil conditions should be subject to each owner's special investigation prior to construction and no specific representation is made herein.

### ACCESS RESTRICTION CLAUSE (S.T.H. "181") PER s. TRANS 233.05 (1):

As owner I hereby restrict all lots and blocks, in that no owner, possessor, user, nor licensee, nor other person shall have any right of direct vehicular ingress or egress with "N. Wauwatosa Road" (S.T.H. "181") as shown on this Plat; It being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to s.236.293, Stats., and shall be enforceable by the Department of Transportation.

### HIGHWAY TRANS. 233.08 SETBACK RESTRICTIONS:

There shall be no improvements or structures placed between the highway and the setback line.

### NOISE LEVEL RESTRICTION PER s. TRANS 233.105 (1):

The lots of this land division may experience noise at levels exceeding the levels in s. Trans 405.04, Table I. These levels are based on federal standards. The Department of Transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of any increase by the Department to the highway's through-lane capacity.

EXISTING ZONING (LOTS 1-31, 34-36):	
R-3* (COO) Single Family Residential with a Central Growth Overlay	
DESIGN CRITERIA:	
MIN. LOT WIDTH	85 FT.
MIN. LOT AREA	14,520 S.F.
MIN. FRONT SETBACK	30 FT.
MIN. SIDE SETBACK	15 FT.
MIN. REAR SETBACK	20 FT.
MIN. REAR SETBACK (NORTH LOTS)	30 FT.

EXISTING ZONING (LOTS 32 & 33):	
R-4* Suburban Residential Detached District	
DESIGN CRITERIA:	
MIN. LOT WIDTH	130 FT.
MIN. LOT AREA	32,670 S.F.
MIN. FRONT SETBACK	50 FT.
MIN. SIDE SETBACK	20 FT.
MIN. REAR SETBACK	20 FT.

### CURVE TABLE:

NO.	LOT(S)	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING	TANGENT IN	TANGENT OUT
1	C/L	275.00	35°24'51"	169.88	167.28	N15°36'33.5"E	N33°40'59"E	N01°43'52"W
	EAST	305.00	35°24'51"	188.52	185.53	N15°56'33.5"E	N33°40'59"E	N01°43'52"W
	OUTLOT 4	305.00	15°46'47"	84.00	83.73	N06°09'31.5"E	N14°02'55"E	N01°43'52"W
	38	305.00	19°38'04"	104.52	104.01	N23°51'57"E	N33°40'59"E	N14°02'55"E
	WEST	245.00	35°24'51"	151.43	148.03	N15°58'33.5"E	N33°40'59"E	N01°43'52"W
	OUTLOT 1	245.00	17°58'37"	76.87	76.56	N07°15'26.5"E	N16°14'45"E	N01°43'52"W
	1	245.00	17°28'14"	74.56	74.27	N24°57'52"E	N33°40'59"E	N16°14'45"E
2	C/L	500.00	25°37'24"	223.60	221.74	S20°52'17"W	S33°40'59"W	S08°03'35"W
	EAST	470.00	25°37'24"	210.18	208.44	S20°52'17"W	S33°40'59"W	S08°03'35"W
	36	470.00	1°03'43"	8.71	8.71	S33°09'07.5"W	S33°40'59"W	S32°37'16"W
	35	470.00	14°03'24"	115.31	115.02	S25°35'34"W	S32°37'16"W	S18°33'52"W
	34	470.00	10°30'17"	86.17	86.05	S13°18'43.5"W	S18°33'52"W	S08°03'35"W
	WEST	530.00	25°37'24"	237.02	235.05	S20°52'17"W	S33°40'59"W	S08°03'35"W
	1	530.00	6°29'54"	60.11	60.08	S30°26'02"W	S33°40'59"W	S27°11'05"W
	2	530.00	12°45'47"	118.06	117.82	S20°48'11.5"W	S27°11'05"W	S14°25'18"W
	3	530.00	6°21'43"	58.55	58.82	S11°14'26.5"W	S14°25'18"W	S06°03'35"W
3	C/L	200.00	78°21'15"	277.00	255.36	N47°44'12.5"E	N87°24'50"E	N08°03'35"E
	C/L NORTHEAST	200.00	16°16'03"	56.78	56.59	N16°11'36.5"E	N24°19'38"E	N08°03'35"E
	C/L SOUTHWEST	200.00	63°05'12"	220.22	209.26	N55°52'14"E	N87°24'50"E	N24°19'38"E
	34	230.00	6°49'38"	35.44	35.40	N12°28'24.5"E	N16°53'14"E	N08°03'35"E
	SOUTHEAST	230.00	55°31'54"	222.92	214.30	N59°36'53"E	N87°24'50"E	N31°52'56"E
	31	230.00	21°18'59"	85.57	85.08	N42°32'25.5"E	N53°11'55"E	N31°52'56"E
	30	230.00	19°02'46"	76.46	76.10	N82°43'18"E	N72°14'41"E	N53°11'55"E
	29	230.00	15°10'09"	60.89	60.72	N78°49'45.5"E	N87°24'50"E	N72°14'41"E
	NORTHWEST	170.00	78°21'15"	235.45	217.08	N47°44'12.5"E	N87°24'50"E	N08°03'35"E
	3	170.00	56°33'01"	167.79	161.06	N36°20'05.5"E	N64°36'36"E	N08°03'35"E
	4	170.00	22°48'14"	67.66	67.21	N76°00'43"E	N87°24'50"E	N64°36'36"E
4	C/L	360.00	15°53'44"	105.64	105.30	S84°37'18"E	S76°39'28"E	N87°24'50"E
	SOUTH	410.00	15°53'44"	113.98	113.62	S84°37'18"E	S76°39'28"E	N87°24'50"E
	OUTLOT 3	410.00	6°47'19"	48.58	48.55	S89°11'30.5"E	S85°47'51"E	N87°24'50"E
	26	410.00	9°08'25"	65.40	65.34	S81°13'38.5"E	S76°39'28"E	S85°47'51"E
5	C/L	400.00	33°17'40"	232.44	228.18	S86°41'44"W	N76°39'28"W	S70°02'54"W
	SOUTH	370.00	33°17'40"	215.01	211.99	S86°41'44"W	N76°39'28"W	S70°02'54"W
	25	370.00	12°11'14"	78.70	78.55	N82°46'03"W	N76°39'28"W	N68°56'40"W
	OUTLOT 3	370.00	16°30'38"	106.62	106.25	S82°54'01"W	N88°50'40"W	S74°38'42"W
	24	370.00	4°35'48"	29.69	29.68	S72°20'48"W	S74°38'42"W	S70°02'54"W
	NORTH	430.00	33°17'40"	249.87	246.37	S86°41'44"W	N76°39'28"W	S70°02'54"W
	10	430.00	13°58'52"	105.05	104.79	N83°39'22"W	N76°39'28"W	S89°20'42"W
	OUTLOT 1	430.00	11°22'38"	85.38	85.24	S83°39'23"W	S89°20'42"W	S77°58'04"W
	11	430.00	7°50'10"	59.44	59.39	S74°00'29"W	S77°58'04"W	S70°02'54"W
6	C/L	500.00	17°55'32"	158.43	155.79	N79°00'40"E	N87°58'26"E	N70°02'54"E
	SOUTH	530.00	17°55'32"	165.82	165.14	N79°00'40"E	N87°58'26"E	N70°02'54"E
	24	530.00	9°12'34"	85.20	85.10	N74°39'12.5"E	N79°15'51"E	N70°02'54"E
	23	530.00	8°42'55"	80.62	80.54	N63°36'58.5"E	N87°58'26"E	N79°15'51"E
	11	470.00	17°55'32"	147.04	146.45	N79°00'40"E	N87°58'26"E	N70°02'54"E
7	C/L	210.00	21°45'41"	79.78	79.28	S81°08'43.5"E	S70°15'53"E	N87°58'26"E
	SOUTH	240.00	21°45'41"	91.15	90.61	S81°08'43.5"E	S70°15'53"E	N87°58'26"E
	20	240.00	19°59'54"	83.77	83.34	S82°01'37"E	S72°01'40"E	N87°58'26"E
	EXTERIOR	240.00	1°45'47"	7.38	7.38	S71°08'46.5"E	S70°15'53"E	S72°01'40"E
	19	180.00	21°45'41"	68.36	67.95	S81°08'43.5"E	S70°15'53"E	N87°58'26"E

### CURVE TABLE: (Cont.)

NO.	LOT(S)	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING	TANGENT IN	TANGENT OUT
8	C/L	600.00	12°27'21"	130.44	130.18	N59°26'41.5"W	N53°13'01"W	N65°40'22"W
	34	630.00	10°56'46"	120.36	120.18	N58°41'24"W	N53°13'01"W	N64°08'47"W
	31	570.00	10°47'35"	107.37	107.22	N58°36'48.5"W	N53°13'01"W	N64°00'36"W
9	C/L	225.00	52°14'22"	205.14	198.11	N27°05'50"W	N00°58'39"W	N53°13'01"W
	NORTHEAST	255.00	52°14'22"	232.50	224.53	N27°05'50"W	N00°58'39"W	N53°13'01"W
	OUTLOT 4	255.00	4°14'08"	18.85	18.85	N51°05'57"W	N48°58'53"W	N53°13'01"W
	33	255.00	26°26'07"	117.66	116.61	N35°45'49.5"W	N22°32'46"W	N48°58'53"W
	32	255.00	21°34'07"	95.99	95.43	N11°45'42.5"W	N00°58'39"W	N22°32'46"W
	SOUTHWEST	195.00	52°14'22"	177.79	171.70	N27°05'50"W	N00°58'39"W	N53°13'01"W
	31	195.00	6°49'30"	23.23	23.21	N49°48'16"W	N46°23'31"W	N53°13'01"W
	OUTLOT 3	195.00	45°24'52"	154.56	150.55	N23°41'05"W	N00°58'39"W	N46°23'31"W
10	4	325.00	6°09'34"	34.94	34.92	N05°39'57"W	N02°35'10"W	N08°44'44"W
11	TOTAL	275.00	14°12'26"	66.19	66.01	S01°38'31"E	S05°27'42"W	S08°44'44"E
	4	275.00	2°45'33"	13.24	13.24	S07°21'57.5"E	S05°59'11"E	S08°44'44"E
	5	275.00	12°27'21"	54.85	54.86	S00°15'44.5"E	S05°27'42"W	S05°59'11"E
12	TOTAL	75.00	166°11'45"	243.73	149.78	N87°38'10.5"W	N65°22'42"E	S00°44'03"E
	6	75.00	42°04'35"	55.08	53.85	N15°34'35.5"W	N05°27'42"E	N36°36'53"W
	7	75.00	44°31'32"	58.28	56.83	N58°52'39"W	N36°36'53"W	N81°08'25"W
	OUTLOT 1	75.00	39°35'38"	51.83	50.80	S79°03'46"W	N81°08'25"W	S58°15'57"W
	8	75.00	46°42'57"	61.15	59.47	S35°54'28.5"W	S59°15'57"W	S12°33'00"W
	9	75.00	13°17'03"	17.39	17.35	S05°54'28.5"W	S12°33'00"W	S00°44'03"E
13	10	300.00	14°04'37"	73.71	73.52	N06°18'15.5"E	N13°20'34"E	N00°44'03"W
14	C/L	300.00	13°55'43"	72.93	72.75	N08°59'25.5"W	N02°01'34"W	N15°57'17"W
	12	330.00	1°22'58"	7.97	7.96	N02°43'03"W	N02°01'34"W	N03°24'32"W
15	12	75.00	37°59'41"	49.74	48.83	S15°35'18.5"W	S34°35'09"W	S03°24'32"E
16	TOTAL	75.00	269°59'27"	353.42	106.07	S79°35'25.5"W	N34°35'09"E	S59°24'18"E
	12	75.00	23°22'07"	30.59	30.38	N22°54'05.5"E	N34°35'09"E	N11°13'02"E
	13	75.00	48°51'05"	63.94	62.03	N13°12'30.5"W	N11°13'02"E	N37°38'03"W
	14	75.00	44°18'24"	58.00	56.56	N59°47'15"W	N37°38'03"W	N81°56'27"W
	15	75.00	44°18'23"	58.00	56.56	S75°54'21.5"W	N81°56'27"W	S53°45'10"W
	16	75.00	44°18'24"	58.00	56.56	S31°35'58"W	S53°45'10"W	S09°26'46"W
	17	75.00	64°51'04"	84.89	80.43	S22°58'46"E	S09°26'46"W	S55°24'18"E
17	TOTAL	75.00	53°22'44"	89.87	67.37	N28°42'56"W	N02°01'34"W	N55°24'18"W
	17	75.00	22°43'35"	29.75	29.55	N44°02'30.5"W	N32°40'43"W	N55°24'18"W
	18	75.00	30°38'09"	40.12	39.65	N17°21'08.5"W	N02°01'34"W	N32°40'43"W
18	C/L	1500.00	3°09'56"	82.88	82.86	S03°35'38"E	S02°00'40"E	S09°10'36"E
	21	1470.00	3°09'56"	81.22	81.21	S03°35'38"E	S02°00'40"E	S05°10'36"E
	20	1530.00	3°09'56"	84.53	84.52	S03°35'38"E	S02°00'40"E	S05°10'36"E
19	C/L	1800.00	3°40'06"	96.04	96.02	N03°20'33"W	N01°30'30"W	N05°10'36"W
	EAST	1530.00	3°40'06"	97.96	97.94	N03°20'33"W	N01°30'30"W	N05°10'36"W
	21	1530.00	2°06'04"	56.10	56.10	N04°07'34"W	N03°04'32"W	N05°10'36"W
	OUTLOT 3	1530.00	1°34'02"	41.86	41.85	N02°17'31"W	N01°30'30"W	N03°04'32"W
	WEST	1470.00	3°40'06"	94.12	94.10	N03°20'33"W	N01°30'30"W	N05°10'36"W
	20	1470.00	1°04'25"	27.55	27.55	N04°38'23.5"W	N04°06'11"W	N05°10'36"W
	OUTLOT 2	1470.00	2°35'41"	66.57	66.56	N02°48'20.5"W	N01°30'30"W	N04°06'11"W

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_, 20\_\_

Department of Administration



14-022-953-01

Attachment: Final plat (RESOLUTION 3389 : Highlander Estates Phase I Final Plat)

# HIGHLANDER ESTATES

BEING A SUBDIVISION OF A PART OF THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

### SURVEYOR'S CERTIFICATE:

STATE OF WISCONSIN )  
                                  ) SS  
COUNTY OF WAUKESHA )

I, Grady L. Gosser, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a part of the Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 28, Town 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the East 1/4 Corner of said Section 28; Thence North 01°05'12" West and along the East line of the said Northeast 1/4 Section and the centerline of "N. Wauwatosa Road" (S.T.H. "181"), 608.59 feet to a point; Thence South 88°13'48" West, 60.00 feet to a point on the West Right-of-Way line of said "N. Wauwatosa Road" (S.T.H. "181") and the place of beginning of lands hereinafter described;

Continuing thence South 88°13'48" West and along the North line of Certified Survey Map No. 2523, 373.00 feet to a point; Thence South 01°05'12" East along the Westerly line of said Certified Survey Map No. 2523 and being parallel to the said East line of the said Northeast 1/4 Section, 102.00 feet to a point; Thence North 73°58'48" East and along the said Westerly line, 49.50 feet to a point; Thence South 11°50'12" East and along the said Westerly line, 267.00 feet to a point; Thence South 74°52'38" West and along the said Westerly line, 77.90 feet to a point; Thence South 04°08'12" East and along the said Westerly line, 74.22 feet to a point; Thence South 88°12'22" West, 1854.37 feet to a point; Thence North 01°47'38" West, 75.00 feet to a point; Thence North 17°41'09" East, 186.55 feet to a point; Thence Northwesterly 7.38 feet along the arc of a curve, whose center lies to the Northeast, whose radius is 240.00 feet, whose central angle is 01°45'47", and whose chord bears North 71°08'46.5" West, 7.38 feet to a point; Thence North 19°44'07" East, 60.00 feet to a point; Thence North 30°10'10" East, 178.03 feet to a point; Thence North 22°00'46" West, 145.64 feet to a point; Thence North 01°43'52" West, 217.90 feet to a point on the South line of "Knightsbridge Estates Addition No. 1" (A Subdivision Plat of Record); Thence North 88°16'08" East and along the said South line of said "Knightsbridge Estates Addition No. 1" and then the South line of "Knightsbridge Estates" (A Subdivision Plat of Record), 2089.93 feet to a point on the said West Right-of-Way line of said "N. Wauwatosa Road" (S.T.H. "181"); Thence South 01°05'12" East and along the said West Right-of-Way line being parallel to and at a right angle distance of 60.00 feet from the said East line of the said Northeast 1/4 Section, 129.56 feet to a point; Thence South 88°12'25" West along the North line of Unplatted Lands and being parallel to the South line of the said Northeast 1/4 Section, 373.00 feet to a point; Thence South 01°05'12" East along the West line of said Unplatted Lands and being parallel to the said East line of the said Northeast 1/4 Section, 130.00 feet to a point; Thence North 88°12'25" East along the South line of said Unplatted Lands and being parallel to the said South line of the said Northeast 1/4 Section, 373.00 feet to a point on the said West Right-of-Way line of said "N. Wauwatosa Road" (S.T.H. "181"); Thence South 01°05'12" East and along the said West Right-of-Way line being parallel to and at a right angle distance of 60.00 feet from the said East line of the said Northeast 1/4 Section, 108.39 feet to the point of beginning of this description.

Said Parcel contains 1,528,329 Square Feet (or 35.0856 Acres) of land, more or less.

That I have made such survey, land division and map by the direction of HIGHLANDER ESTATES, LLC, owner of said lands.

That such 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 the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision Regulations of the City of Mequon, Ozaukee County, Wisconsin in surveying, dividing and mapping the same.

Dated this \_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_.

Grady L. Gosser, P.L.S.  
Professional Land Surveyor, S-2972  
TRIO ENGINEERING, LLC  
12660 W. North Avenue, Building "D"  
Brookfield, WI 53005  
Phone: (262)790-1480 Fax: (262)790-1481

### UTILITY EASEMENT PROVISIONS:

An easement for electric, natural gas, and communications service is hereby granted by

HIGHLANDER ESTATES, LLC, Grantor, to

WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC, Wisconsin corporations doing business as We Energies, Grantee,

WISCONSIN BELL, INC., d/b/a AT&T Wisconsin, a Wisconsin Corporation, Grantee, and

TIME WARNER ENTERTAINMENT COMPANY, L.P., Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantee agrees to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantee or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Buildings shall not be placed over Grantee's facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantee. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of Grantee.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

### CORPORATE OWNER'S CERTIFICATE OF DEDICATION:

HIGHLANDER ESTATES, LLC, a Wisconsin Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, certifies that said Limited Liability Company has caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat. I also certify that this plat is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection.

#### APPROVING AGENCIES:

- 1. City of Mequon

#### AGENCIES WHO MAY OBJECT:

- 1. State of Wisconsin, Department of Administration
- 2. State of Wisconsin, Department of Transportation

Witness the hand and seal of said Owner this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

HIGHLANDER ESTATES, LLC

Matthew K. Neumann, President of Neumann Companies, its Sole Member

STATE OF WISCONSIN )  
                                  ) SS  
COUNTY OF WAUKESHA )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, the above named Matthew K. Neumann, President of Neumann Companies, its Sole Member of the above named Limited Liability Company, to me known to be the person who executed the foregoing instrument, and to me known to be such President of said Limited Liability Company, and acknowledged that he executed the foregoing instrument as such officer as the deed of said Limited Liability Company, by its authority.

Print Name: \_\_\_\_\_  
Public, Waukesha County, WI  
My Commission Expires: \_\_\_\_\_

### CONSENT OF CORPORATE MORTGAGEE:

MIDLAND STATES BANK, a corporation duly organized and existing by virtue of the laws of the State of Illinois, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedicating of the land described on this Plat, and does hereby consent to the above certificate of HIGHLANDER ESTATES, LLC, owner, this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

MIDLAND STATES BANK

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, the above named \_\_\_\_\_ of the above named corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such \_\_\_\_\_ of said corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

Print Name: \_\_\_\_\_  
Public, \_\_\_\_\_ County, IL  
My Commission Expires: \_\_\_\_\_

### CERTIFICATE OF COUNTY TREASURER:

STATE OF WISCONSIN )  
                                  ) SS  
COUNTY OF OZAUKEE )

I, Karen Makoutz, being duly elected, qualified and acting Treasurer of the County of Ozaukee, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of this \_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_ on any of the land included in the Plat of "HIGHLANDER ESTATES".

Dated this \_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_.

Karen Makoutz, County Treasurer

### CERTIFICATE OF CITY TREASURER:

STATE OF WISCONSIN )  
                                  ) SS  
COUNTY OF OZAUKEE )

I, Tom Watson, being duly appointed, qualified and acting Treasurer of the City of Mequon, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or special assessments as of this \_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_ on any of the land included in the Plat of "HIGHLANDER ESTATES".

Dated this \_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_.

Tom Watson, City Treasurer

### CITY OF MEQUON CERTIFICATE:

Resolved, that the plat known as "HIGHLANDER ESTATES", being a Subdivision of a part of the Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 28, Town 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin, HIGHLANDER ESTATES, LLC, owner, having been approved by the City of Mequon Planning Commission is hereby approved conditionally by the Common Council.

APPROVED AND SIGNED:

Dated this \_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_.

Dan Abendroth, Mayor

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Common Council of the City of Mequon, and that all conditions of approval have been met as of this \_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_.

Dated this \_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_.

Caroline Fochs, Deputy City Clerk



There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats, as provided by s. 236.12, Wis. Stats.  
Certified \_\_\_\_\_, 20 \_\_\_\_  
Department of Administration

14-022-953-01

Attachment: Final plat (RESOLUTION 3389 : Highlander Estates Phase I Final Plat)



11333 N. Cedarburg Road  
 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: May 10, 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**

At the Common Council meeting on May 10, 2016, the Council took action to deny this rezoning request. Since that meeting, Alderman John Wirth has requested a formal reconsideration of the Ordinance. Should the Council approve the request to reconsider, the following is the material distributed at the Common Council meeting on May 10, 2016. A valid protest petition related to this Ordinance remains in effect.

### **May 10, 2016 Council Material**

### **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).

### **Public Input**

The City has received written correspondence from interested stakeholders both in support and

opposition related to this rezoning application. Please find attached the correspondence within the attachment titled Developer Submittal and Lakeside Public Commentary.

### **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 recommended approval on April 11, 2016, by a vote of 6-2.

#### Attachments:

Memo re Lakeside Development Rezoning Protest Petition (DOCX)  
 Narrative (PDF)  
 Developer Submittal (PDF)  
 Developer Maps (PDF)  
 Area Map No.1 (PDF)  
 LakesidePublicCommentary (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

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

**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: June 14, 2016

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on June 14, 2016.

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

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

MEMORANDUM

To: Mayor and Common Council  
 From: Brian C. Sajdak, City Attorney  
 Date: May 5, 2016  
 Re: Protest Petitions concerning Rezoning for Oriole Lane/Lakeside Development

---

As you may be aware, a protest petition has been filed with respect to the rezoning application for the Lakeside Development PUD on Oriole Lane. Protest petitions are governed by Wisconsin Statute. Specifically, Wis. Stat. § 62.23(7)(d)2m.a. provides:

In case of a protest against an amendment proposed . . . , duly signed and acknowledged by the owners of 20% or more either of the areas of the land included in such proposed amendment, or by the owners of 20% or more of the area of the land immediately adjacent extending 100 feet therefrom, or by the owners of 20% or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such amendment shall not become effective *except by the favorable vote of three-fourths of the members of the council voting* on the proposed change.

(Emphasis added). Thus, if a valid petition has been filed, any rezoning will require a three-fourths majority vote in order to become effective.

In the present case, City Planning staff and our office have reviewed the protest petition filed with respect to the rezoning application necessary for this development. Following that review, we have determined that the protest petition meets the requirements of the statute. As such, in order for the rezoning to become effective, a three-fourths majority vote will be required.

The practical impact of this provision is that it removes the need for the Mayor to vote to break any tie as such vote would still not be sufficient to pass the provision:

<u>Members Voting</u>	<u>Affirmative Votes Required to Pass</u>
8	6
7	6
6	5

Attachment: Memo re Lakeside Development Rezoning Protest Petition (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole

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 Nc  
1500 W. Market Street, Suite 2  
Mequon, Wisconsin 530  
☎ 262-241-2300 ☐ 262-241-2000  
e-mail lakeside-development@msn.com  
www

February 2, 2016

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

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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



11333 N. Cedarburg Rd 60W  
Mequon, WI 53092-1930  
Phone (262) 512-1297  
Fax (262) 238-1580

www.ci.mequon.wi.us

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:

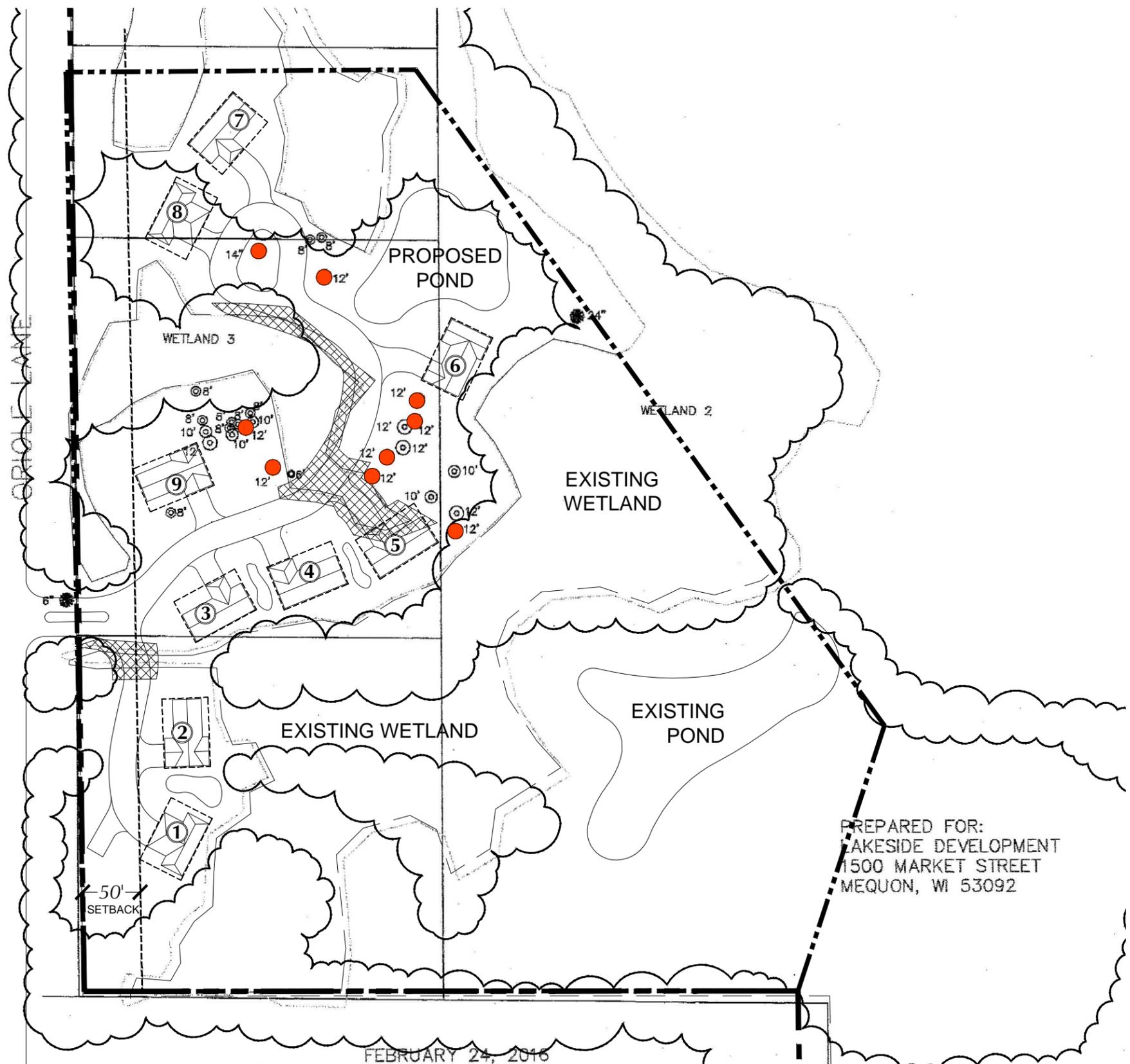
I, Ken Baker, met with Mr. Zbject numerous times at the site. I located numerous specimen trees on the site. I pointed these out to Mr. Zbject and made some suggestions as to how we could develop this property and still keep within the specimen tree ordinance. It was agreed upon that there would be no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



### SPECIMEN TREE MAP LEGEND

- ⊙ -DENOTES CEDAR (JUNIPER) TREE  
SIZE NOTED IS CANOPY DIAMETER
- -DENOTES DECIDUOUS TREE  
SIZE NOTED IS TRUNK DIAMETER (APPROX.)
- NOTE: TREES FLAGGED BY OTHERS
- SPECIMEN TREES PER MEQUON CITY FORESTER

### TREE SURVEYED BY:

FEBRUARY 24, 2016

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 14195 BEECHWOOD TRAIL • NEW BERLIN WISCONSIN 53151  
 (262)366-5749 • fax (262)797-6329  
 EMAIL: edgewoodsurveying@aol.net  
 www.edgewoodsurveying.com

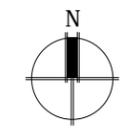
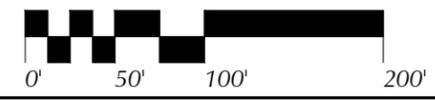
 Existing Wetland to be Mitigated  
(9,116 Sq. Ft.)

PREPARED FOR:  
 LAKESIDE DEVELOPMENT  
 1500 MARKET STREET  
 MEQUON, WI 53092

FEBRUARY 24, 2016

# ORIOLE LANE DEVELOPMENT: Site Development Plan with Tree Survey

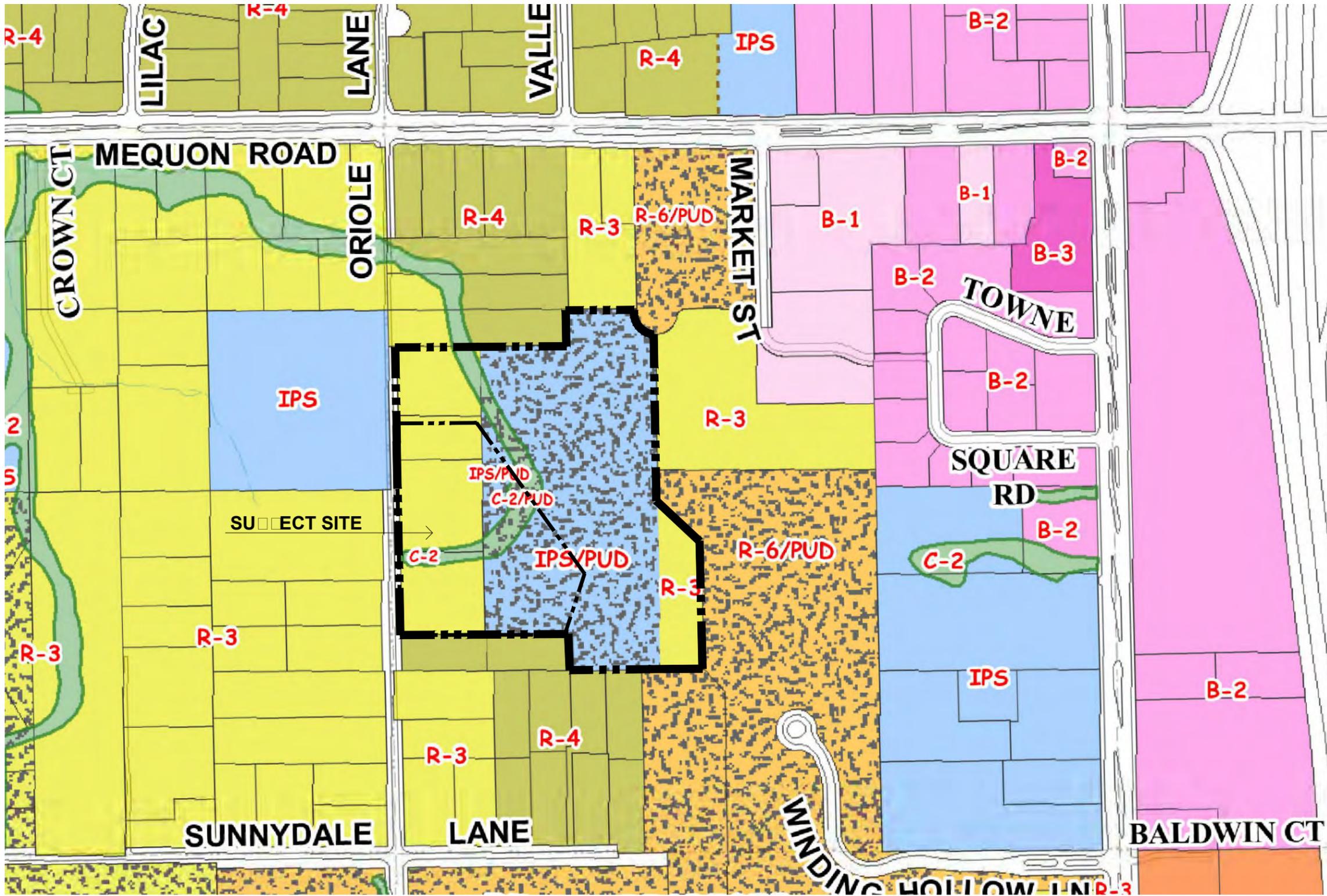
Mequon, Wisconsin



March 16, 2016



# L-8



# ORIOLE LANE DEVELOPMENT: Existing Zoning Map

Mequon, Wisconsin

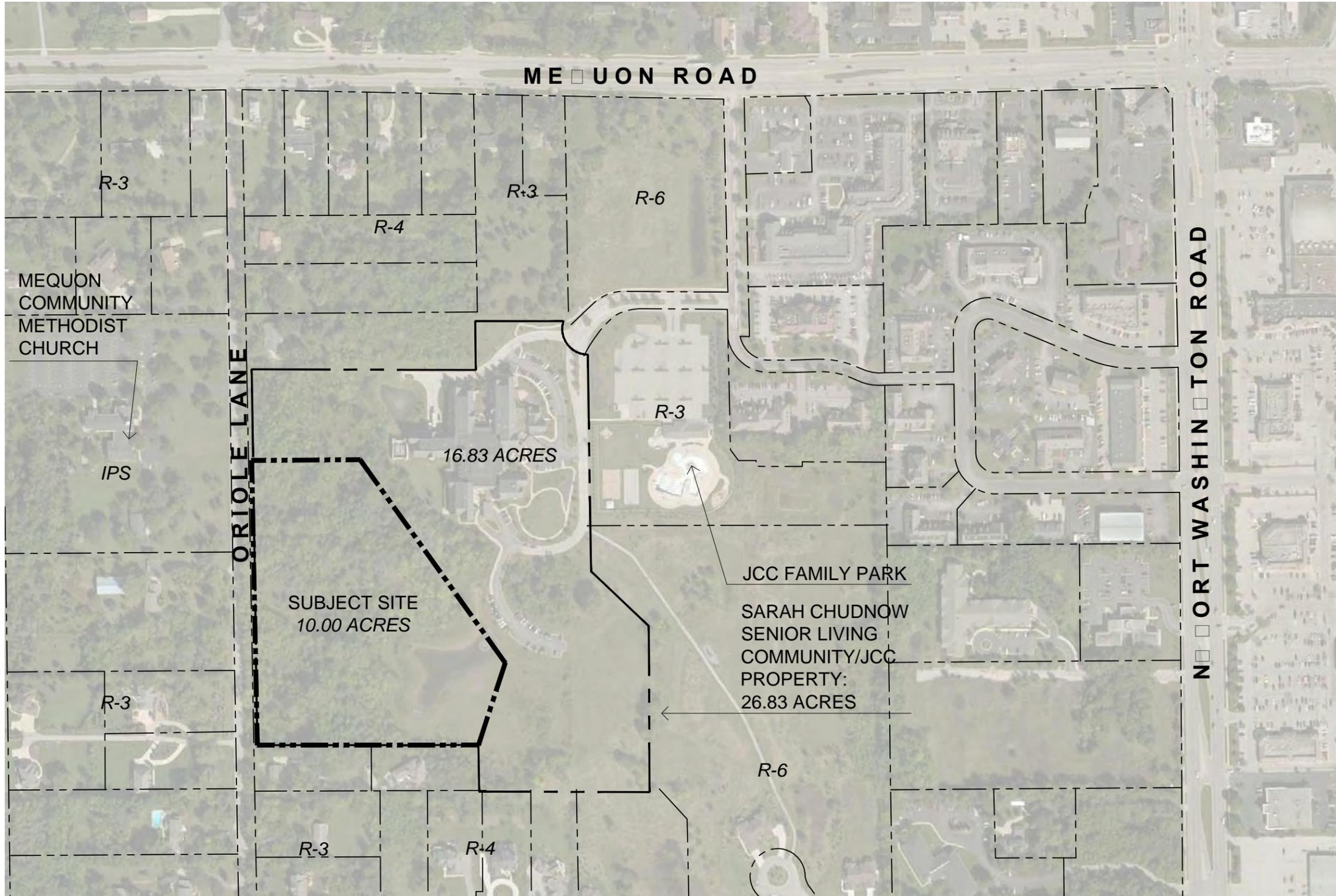


February 01, 2016



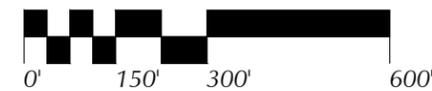
DESIGNED FOR:  
 Lakeside Development Company  
 1500 W. MARKET ST.  
 SUITE 200  
 MEQUON, WI  
 53092

# L-1



# ORIOLE LANE DEVELOPMENT: Aerial Context Plan

Mequon, Wisconsin

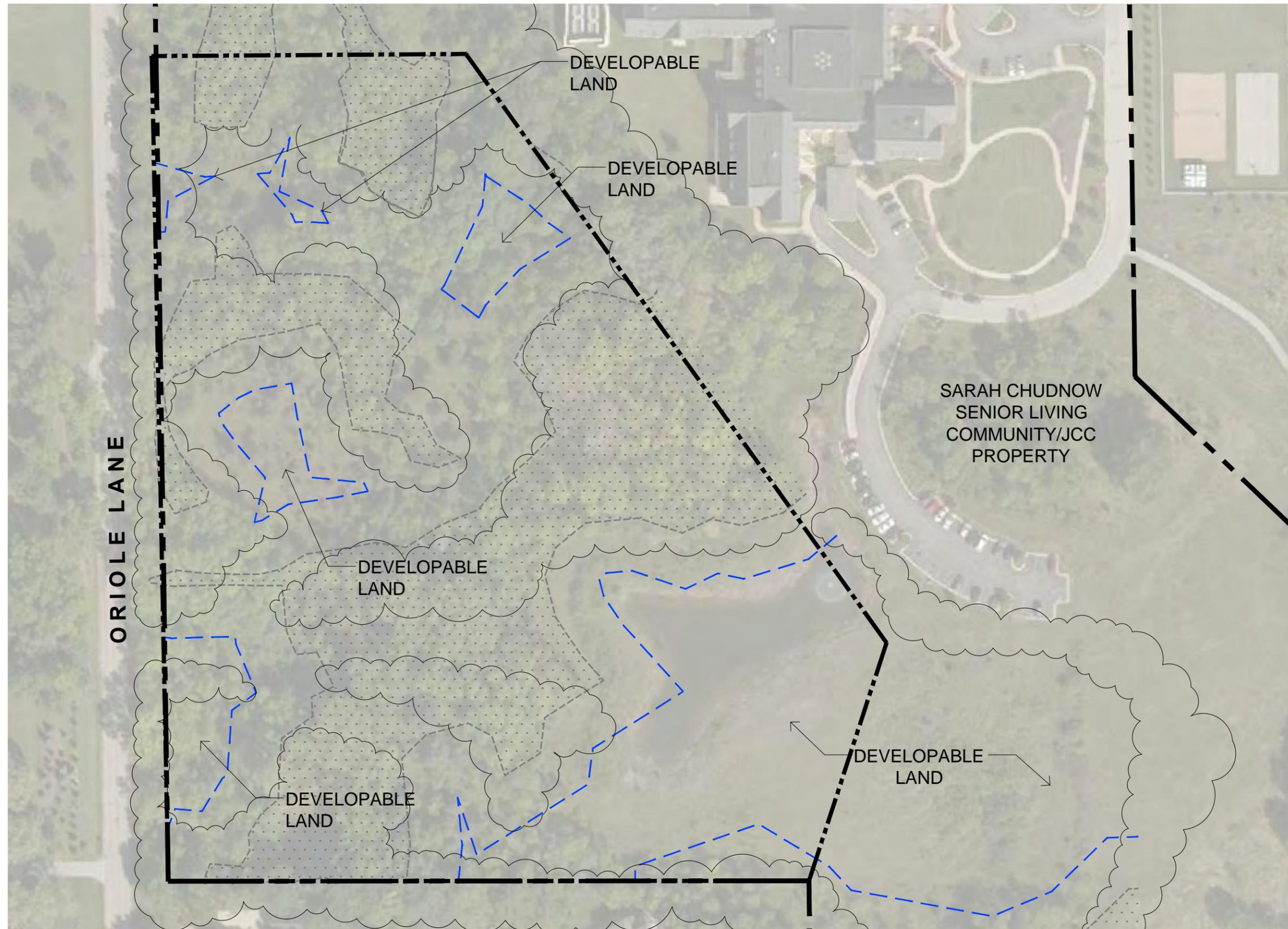


February 01, 2016



DESIGNED BY:  
  
 Lakecide 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 BY:  
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 1500 W. MARKET ST.  
 SUITE 200  
 MEQUON, WI  
 53092

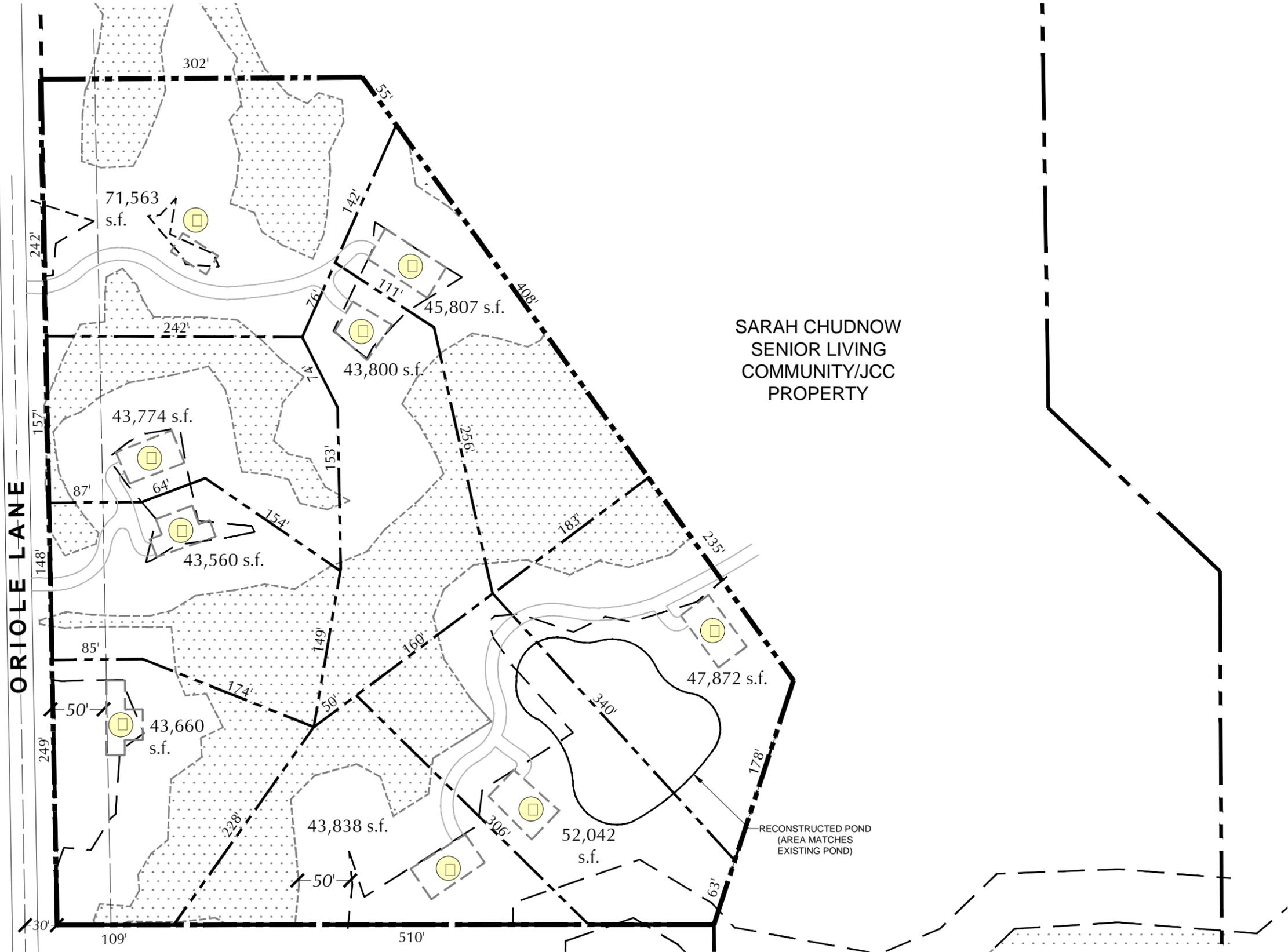
L-3

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

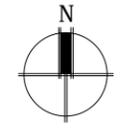
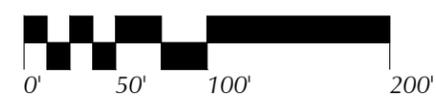


SARAH CHUDNOW  
SENIOR LIVING  
COMMUNITY/JCC  
PROPERTY

\* WETLAND DELINEATION REPORT  
PROVIDED BY TRC SOLUTIONS

ORIOLE LANE DEVELOPMENT: R-3 Yield Diagram

Mequon, Wisconsin

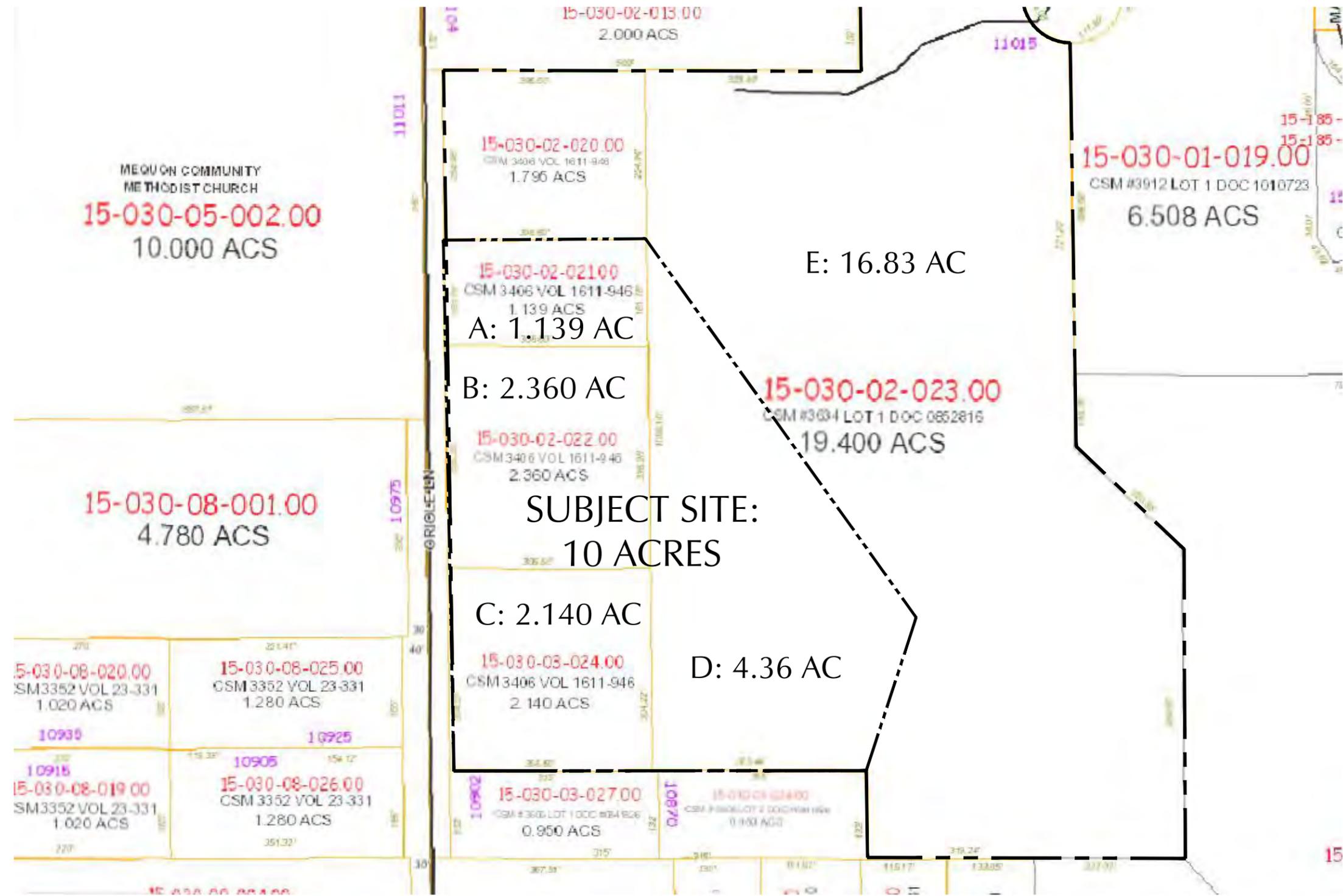


February 01, 2016



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

L-4

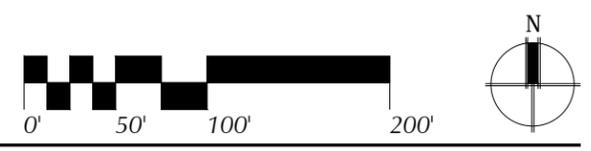


TOTAL AREA:  
26.83 ACRES

\* 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

# WETLAND MAP

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



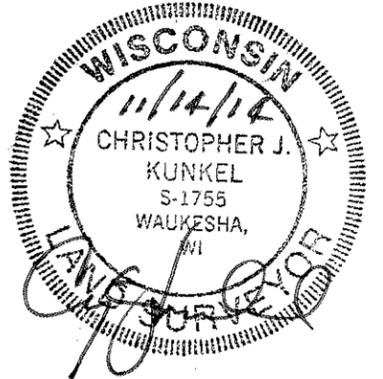
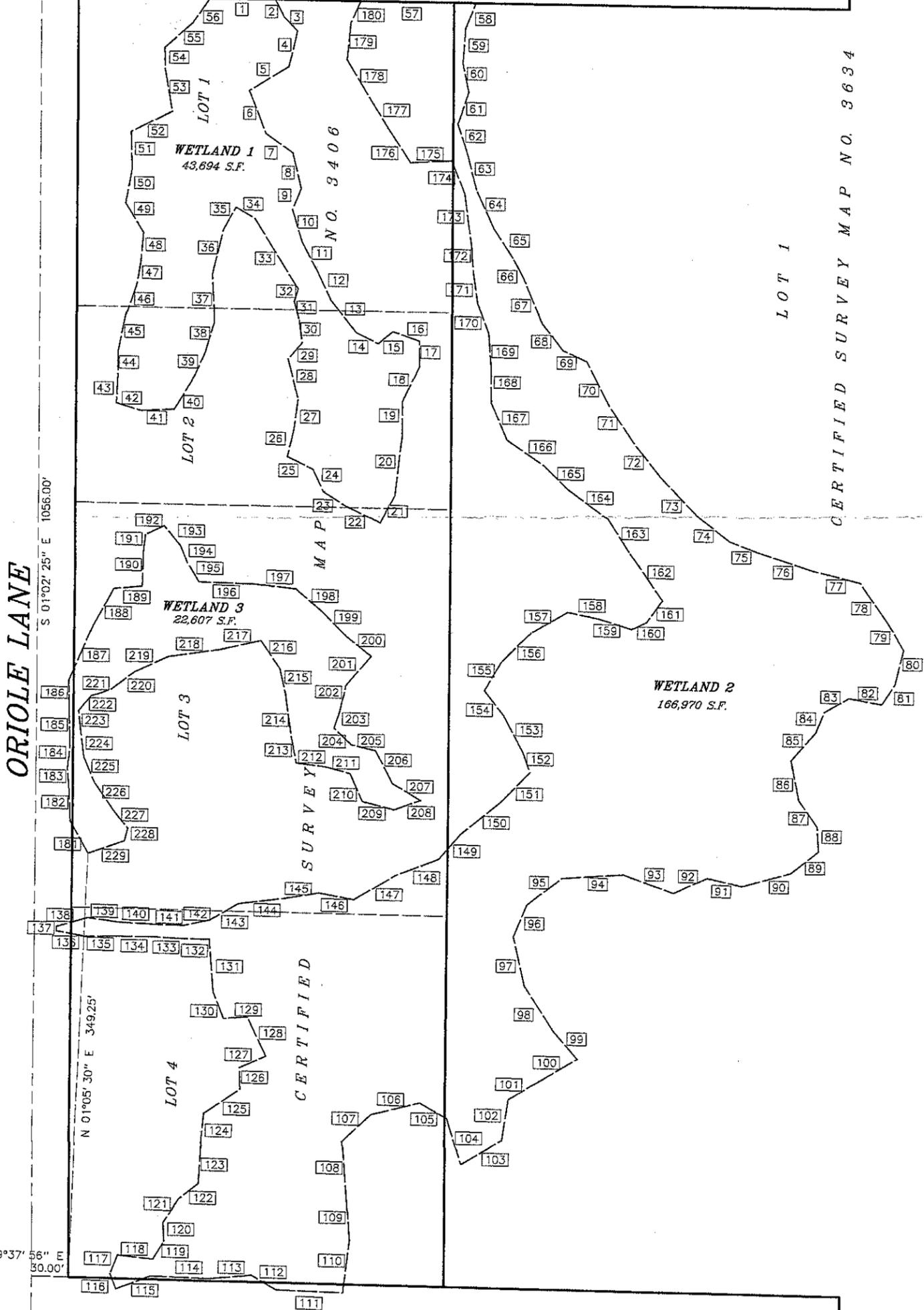
SCALE: 1"=100'



WEST LINE NE 1/4 SEC 30-9-22  
S 01°02' 25" E 803.30'

N 89°36' 20" E  
137.34'

N 89°36' 20" E  
69.98'



**EDGEWOOD SURVEYING D**

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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**

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- Figure 1 – Site Location Map
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### Appendix B: WETS Analysis / Precipitation Data

### Appendix C: Wetland Delineation Map

### Appendix D: Site Photographs

### Appendix E: Wetland Determination Data Forms

## 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.

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.

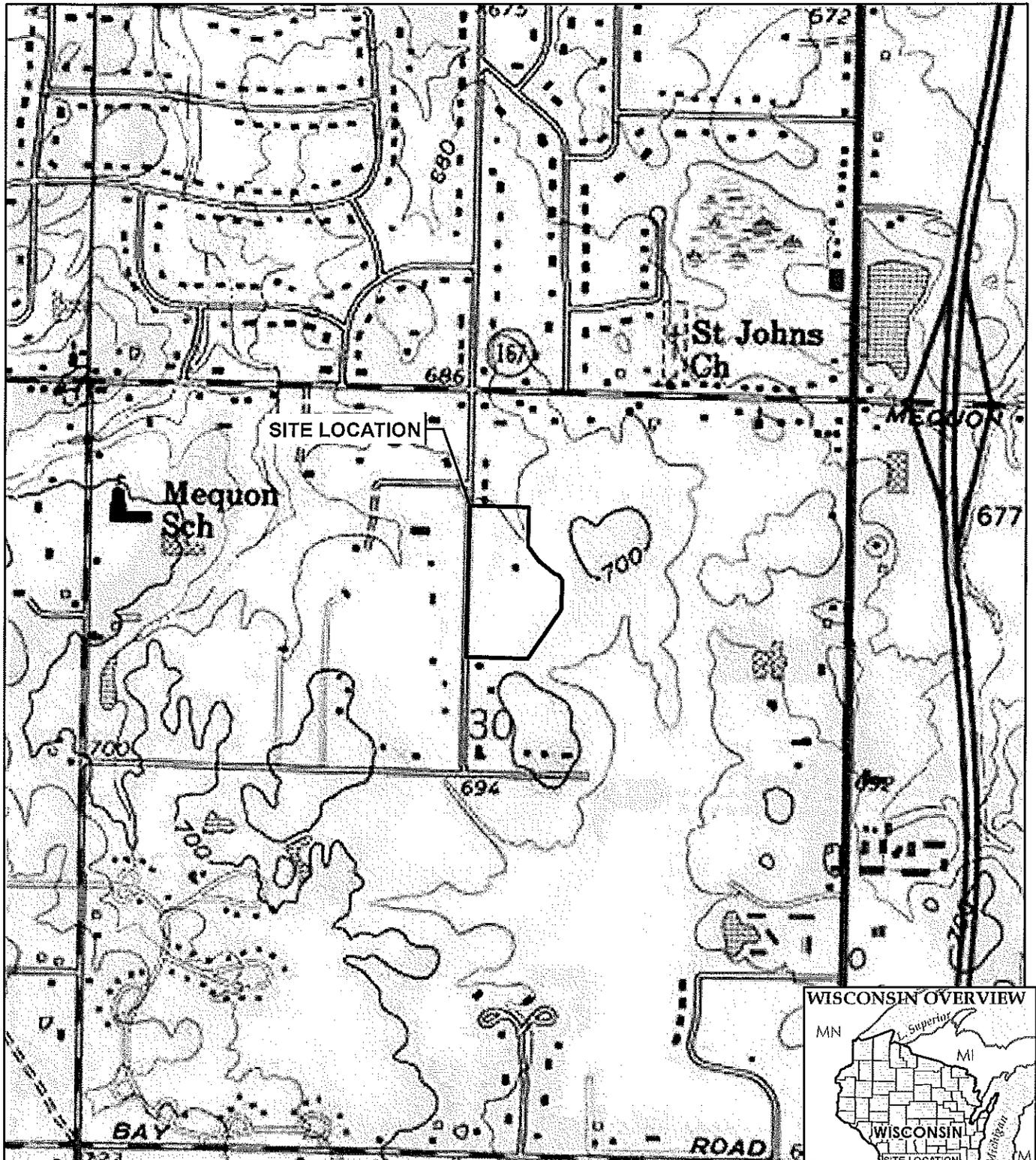
## 7.0 REFERENCES

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- Eggers, Steve D. and Donald M. Reed. 1997. Wetland Plants and Plant Communities of Minnesota and Wisconsin. 2<sup>nd</sup> Ed. U.S. Army Corps of Engineers, St. Paul District.
- Lichvar, R.W. 2014. *The National Wetland Plant List: 2014 wetland ratings*. Phytoneuron 3013-29: 1-241.
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<http://mrcc.isws.illinois.edu/CLIMATE/>
- Southeastern Wisconsin Regional Planning Commission (SEWRPC) Southeastern Wisconsin Regional Land Information: Regional Map Server  
<http://maps.sewrpc.org/regionallandinfo/regionalmapping/RegionalMaps/viewer.htm>
- Swink, Floyd, and Gerould Wilhelm. "Plants of the Chicago region." Indianapolis: Indiana Academy of Science, 1994.
- U.S. Army Corps of Engineers. 2012. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (Version 2.0)*, ed. J. S. Wakeley, R. W. Lichvar, and C. V. Noble. ERDC/EL TR-10-16. Vicksburg, MS: U.S. Army Engineer Research and Development Center.
- USDA Natural Resources Conservation Service Web Soil Survey  
<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>
- USDA NRCS Climate Analysis by County Web Site (WETS). (Web Address:  
<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.
- WI Department of Administration, WI Coastal Management Program. 1995. Basic Guide to Wisconsin's Wetlands and their Boundaries. WI Coastal Management Program, Madison, WI
- 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 (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole Lane)

TRC - GIS



BASE MAP FROM USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE SERIES.



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

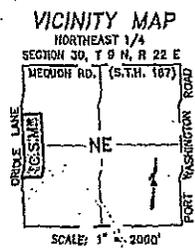
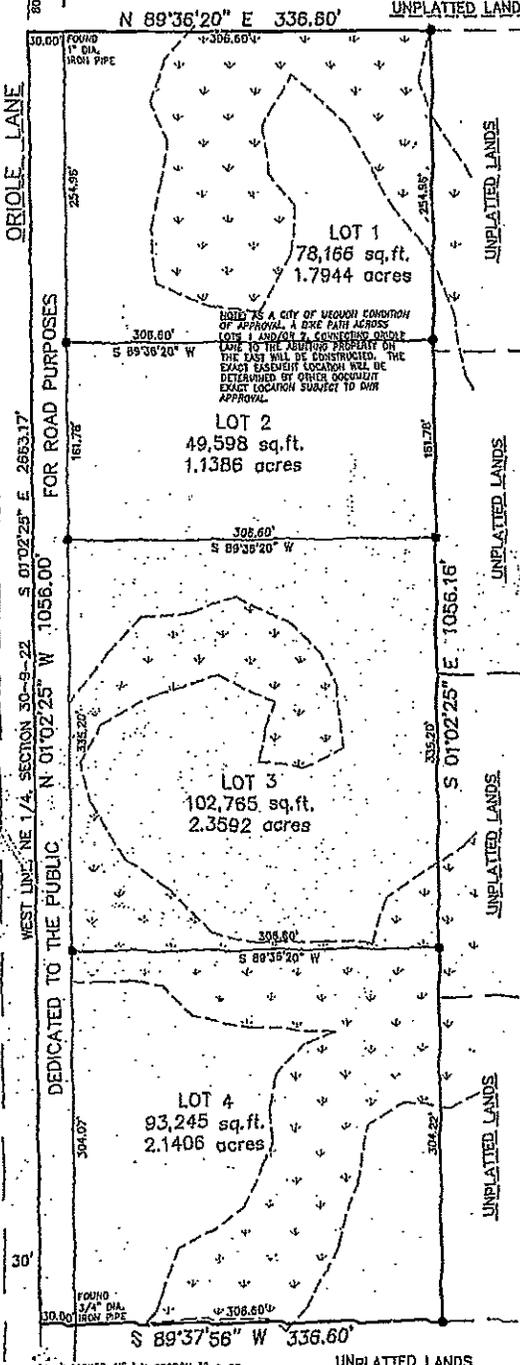
787013

3406

U-2-6-1-2-P-9-4-8

# CERTIFIED SURVEY MAP NO.

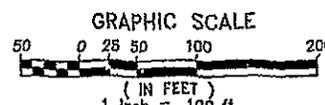
PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30,  
TOWN 9 NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN



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 262-781-0000  
 Facsimile 262-781-8468  
 8747 W. Blumond Road  
 Suite 200  
 Brookfield, WI 53005-5038  
 www.nsewi.com  
 810289/CST0111-1114

15-030-02-018.00\* 15-030-03-020.00\*  
 15-030-02-019.00\* 15-030-03-021.00\*

ORIOLE LANE  
 DEDICATED TO THE PUBLIC  
 WEST LINE NE 1/4 SECTION 30-9-22 S 01°02'25" E 2863.17'  
 FOR ROAD PURPOSES  
 N 01°02'25" W 1056.00'

CORNER, NE 1/4 SECTION 30-9-22  
 MARKED WITH BRASS CAPS  
 1 5.00' ALONG 1/4 SECTION LINES

Attachment: Developer Submittal (ORDINANCE 2016-1468 : 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:

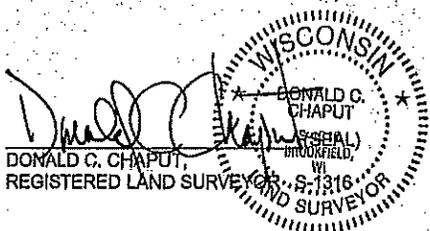
COMMENCING at the Northwest corner of said Northeast 1/4 Section; thence South 01°02'25" East along the West line of said Northeast 1/4 Section 803.30 feet to the point of beginning; thence North 89°36'20" East 336.60 feet to a point; thence South 01°02'25" East 1056.16 feet to a point; thence South 89°37'56" 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, 2007  
DATE



Attachment: Developer Submittal (ORDINANCE 2016-1468 : 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.

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:

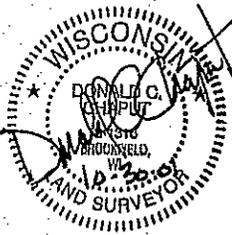
MEQUON PARK CORPORATION

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



Attachment: Developer Submittal (ORDINANCE 2016-1468 : 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 14 day of November, 2001, and  
As Amended on December 19, 2012.

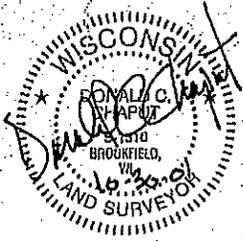
*Christine Neuman*  
\_\_\_\_\_  
CHAIRPERSON

*[Signature]*  
\_\_\_\_\_  
SECRETARY

RECORDED

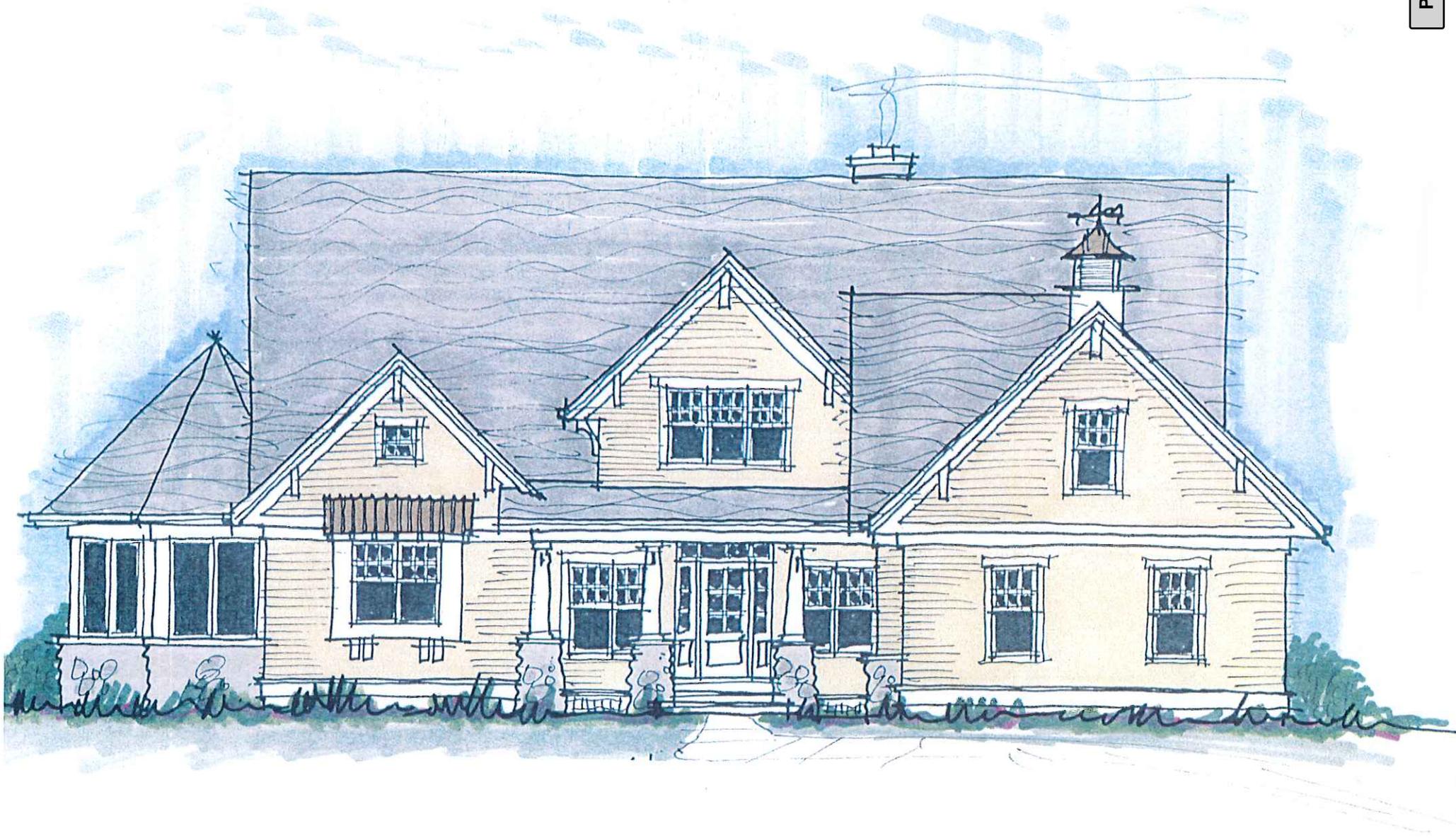
2009 JAN 15 PM 2:00

*Ronald C. Chaput*  
REGISTER OF DEEDS  
OZAUKEE COUNTY, WI



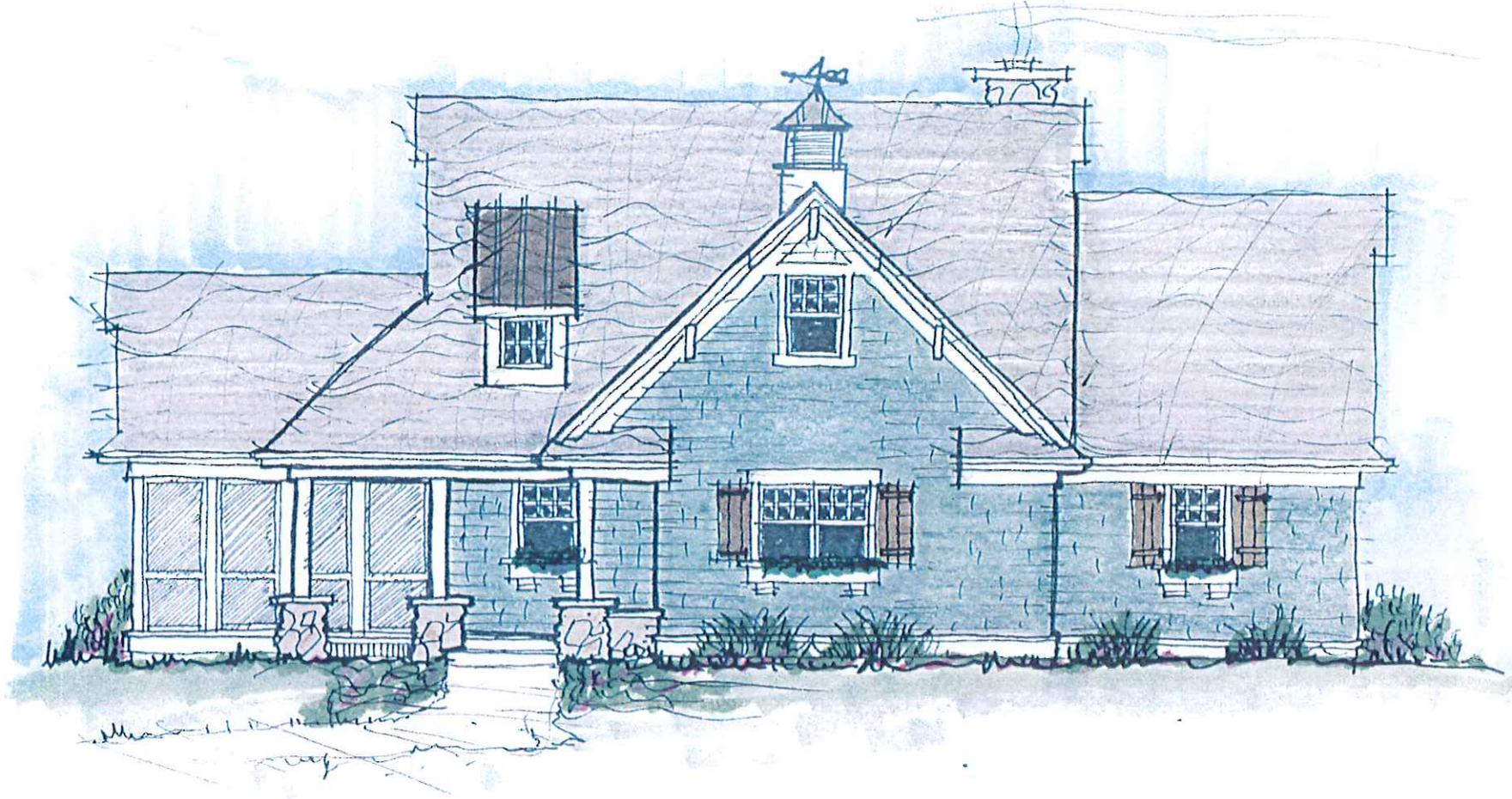
THIS INSTRUMENT WAS DRAFTED BY DONALD C. CHAPUT,  
REGISTERED LAND SURVEYOR S-1316

Attachment: Developer Submittal (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole Lane)

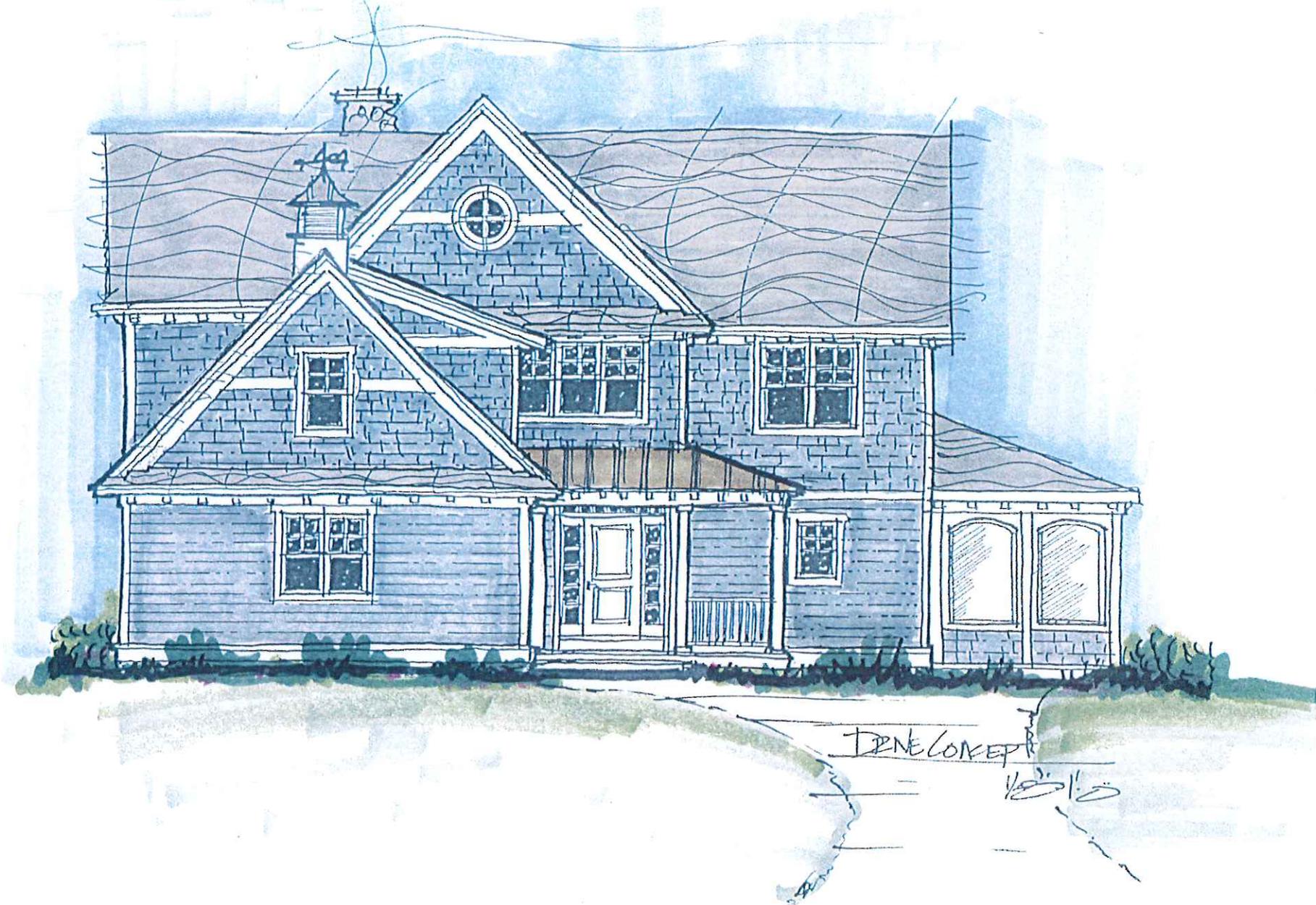




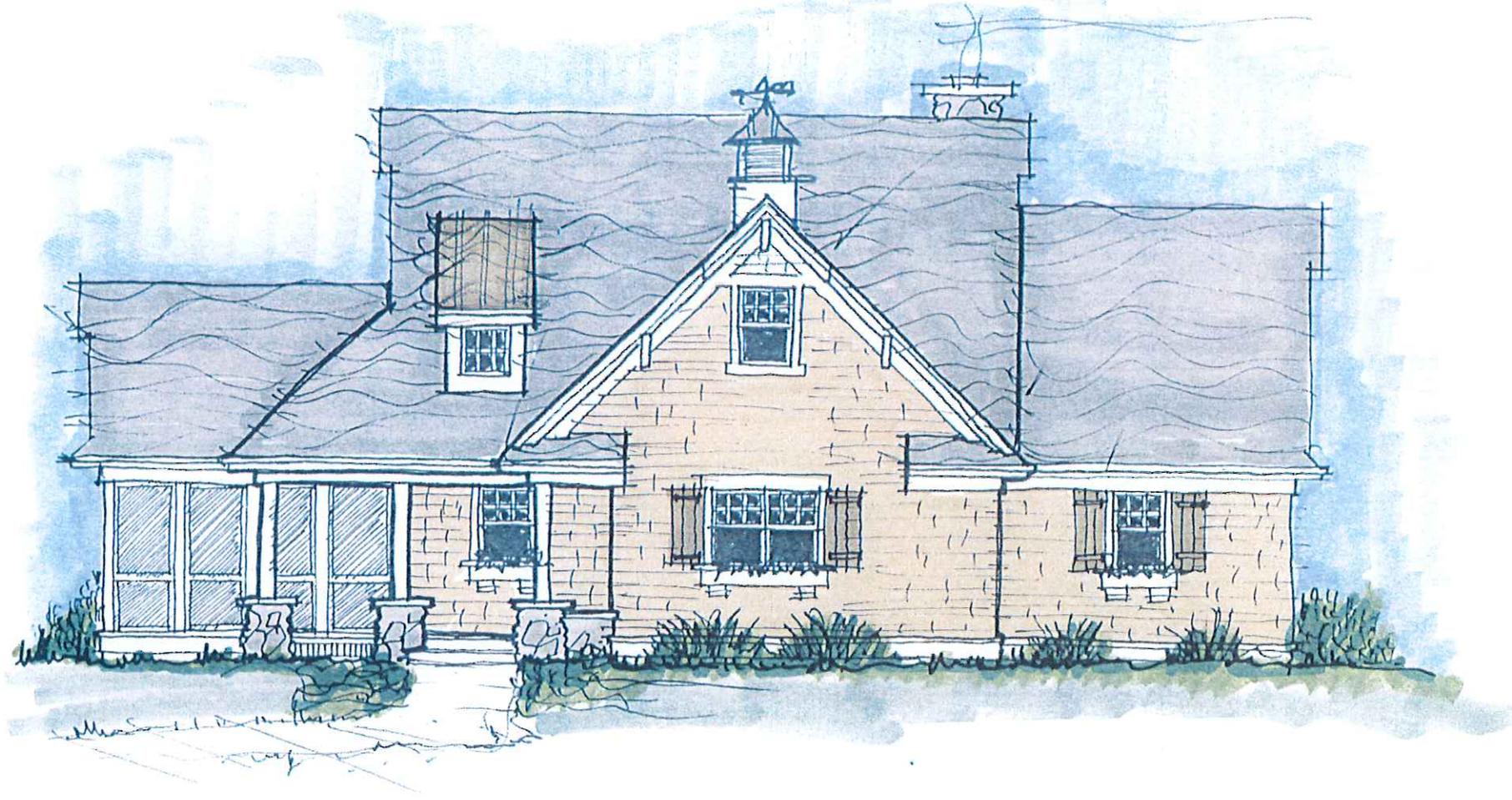
ORIOLE LANE DEVELOPMENT



ORIOLE LANE DEVELOPMENT

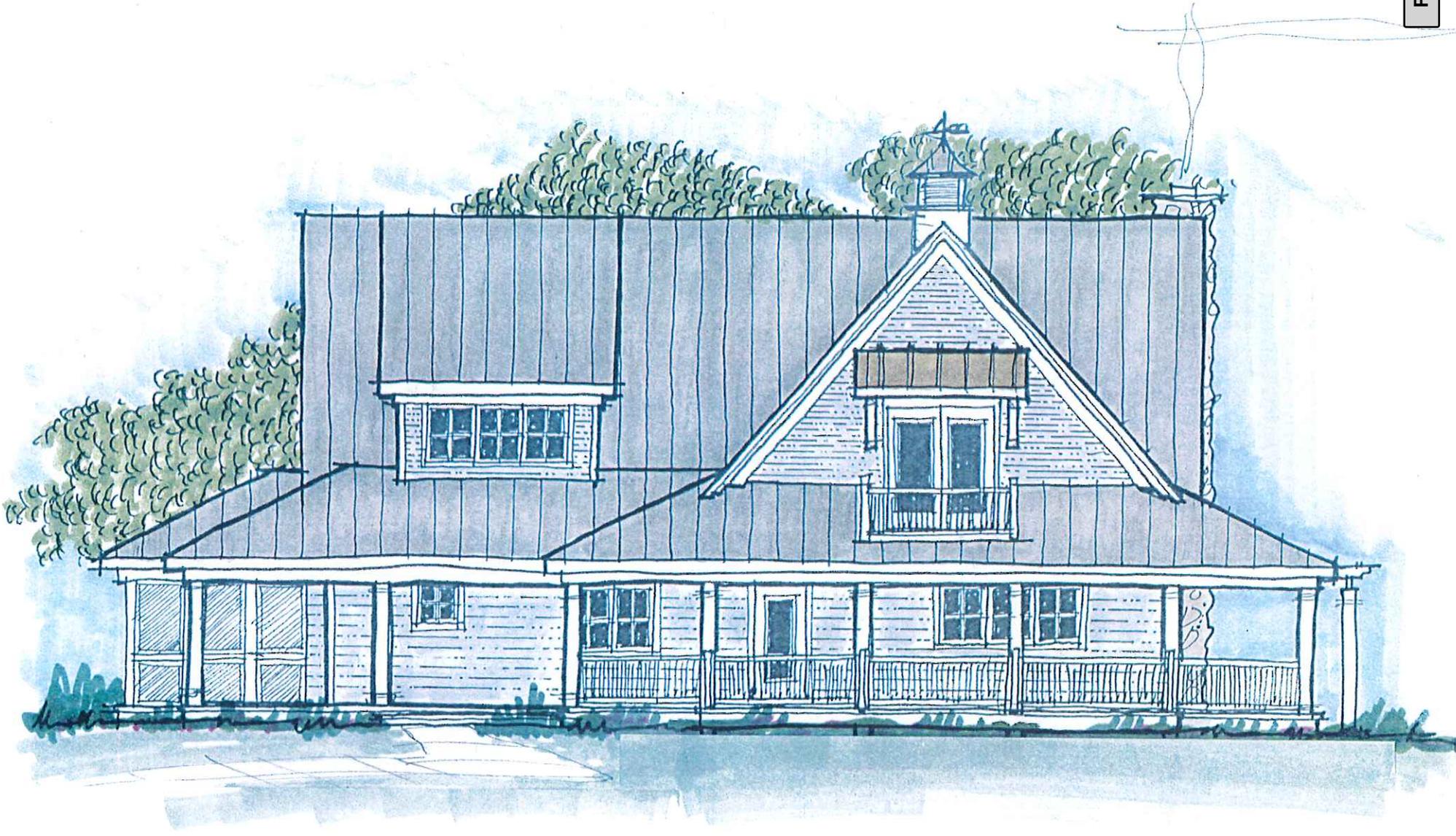


TIME CONCEPT  
1/21/10





ORIOLE LANE DEVELOPMENT



# Resident Feedback

**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

**Jac Zader**

---

**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

**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

**Kimberly Tollefson**

---

**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

**Robin Buzzell**

---

**Subject:** Proposed Development on Oriole Lane

---

**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 (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole Lane)

**Robin Buzzell**

---

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

---

**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 (ORDINANCE 2016-1468 : 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)

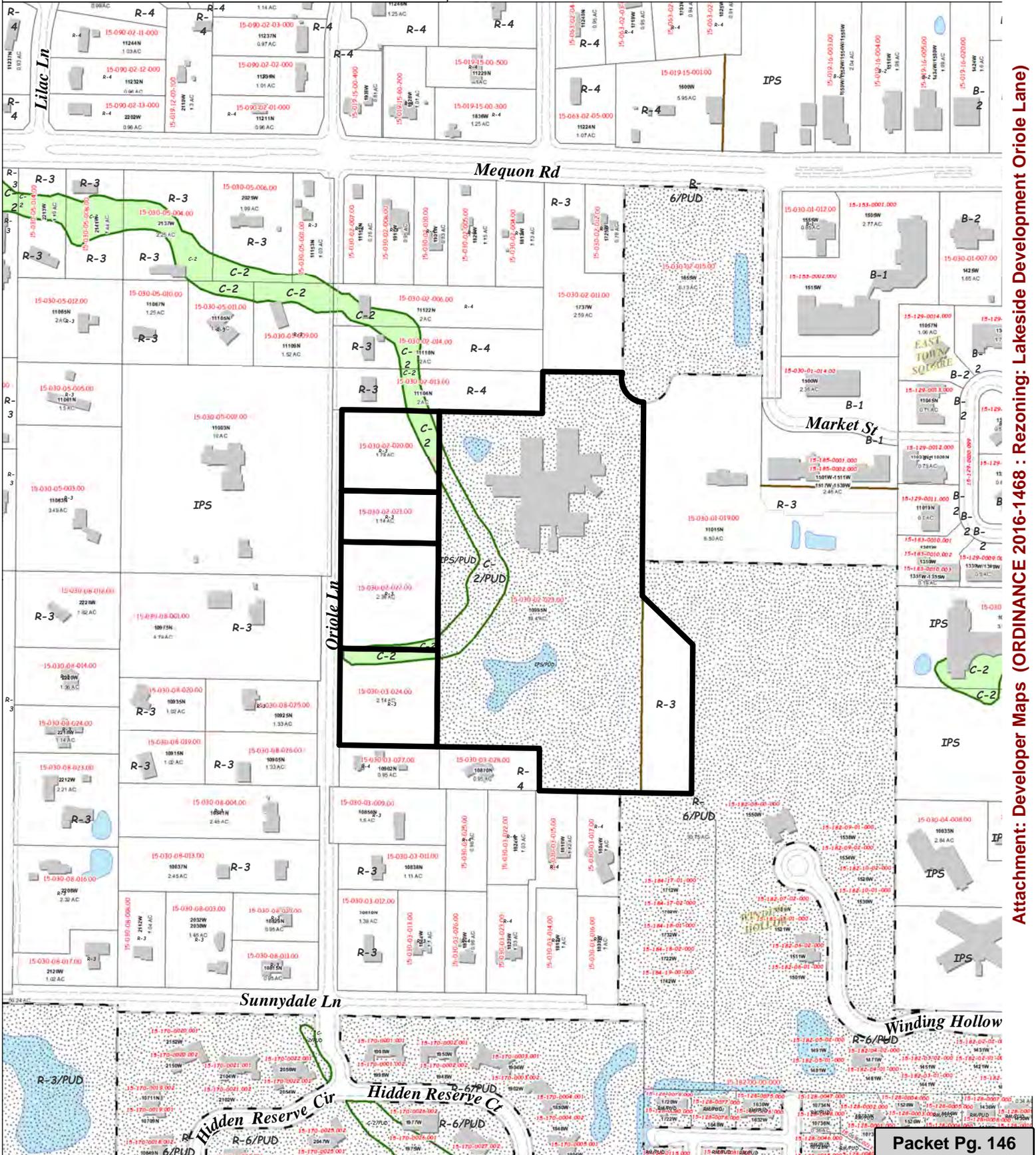
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# ITEM #11 - Tom Zabjek for Lakeside Development Company/ Oriole Lane

- 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

5.a.d



Attachment: Developer Maps (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole Lane)



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



Attachment: Area Map No.1 (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole Lane)

# Lakeside Public Commentary

**Jae Zader**

---

**From:** Harriet Resnick <hmresnick@gmail.com>  
**Sent:** Tuesday, February 02, 2016 4:19 PM  
**To:** Jae Zader  
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I reside in HIDDEN RESERVE and if you  
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Attachment: LakesidePublicCommentary (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole Lane)

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 10975 N Oriole Lane  
 Mequon, WI 53092-4913  
 H: 262-242-0788  
 M: 414-943-0788

**Robin Buzzell**

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Sincerely,

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

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

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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: LakesidePublicCommentary (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole Lane)

**Robin Buzzell**

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

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**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)

Dear Commissioners:

I cannot attend the Planning Commission meeting on the development proposed for Oriole Lane south of Mequon Road on April 11, so I wanted to make sure I shared my opinion with our local government officials.

I built a home in Huntington Park in 1987 and have watched the carefully planned expansion of the city of Mequon. After a five-year absence from Mequon, I just built another home in The Preserve in Mequon due to the quality of life Mequon offers and the careful residential and commercial planning and balance that is in place here.

Additionally, my daughter, Katie Van Laanen, is the owner of Health In Balance, who is an anchor tenant for the recently completed new development on the corner of Cedarburg and Mequon Road. For this development, we had many problems getting answers from the developer and was almost one year late getting into our space. Therefore, I am speaking from both a homeowners and business perspective. Local involvement in development is critical, that is one of the main reasons I support the Lakeside project, having just recently gone through a very bad one locally in Mequon with another developer.

I want to put my support 100% behind this project as it clearly fits in with the need for more development that is residential and Mequon's vision. I believe the quality housing that will be built by Lakeside Development will keep many empty nesters, who do not want to own traditional side-by-side housing here in Mequon.

We need good smaller single family housing in our area and what lakeside is proposing will, in part, fill that void. This whole project will lead to a significant increase in property value and taxes in our community, which will help greatly current homeowners.

Lastly, I have dealt with Tom Zabjek and Lakeside over the last several years and find them both to be of high integrity, a willingness to do high-end work and be responsive to their customers' needs. In addition, Tom is a resident of Mequon and takes pride in our community, unlike some of developers who to them it is just another project, not something that enhances our community.

I ask all of you to support this project, as it is good for Mequon and our community.

the b you for your service.

est  
11965 N Sandhill Circle  
Mequon, 53092  
414-793-4818

From: Chris Doerr [mailto:doerrcl@passagepartners.com]  
Sent: Saturday, April 02, 2016 3:51 PM  
To: Jac Zader; Kimberly Tollefson  
Subject: Lakeside Development

Dear Commissioners,

I have been a resident of Mequon for over 30 years; I currently live at 3000 W. County Line Road. However, I now spend much of my time outside of the state, and at my age, I no longer need a 6,000 square-foot house. I would like to downsize my residence but with all the amenities, appointments and attention to detail found in my current home. Equally importantly, I would like to stay in Mequon.

The home I currently live in was designed and build by Lakeside Development, as was my previous home, which was on Hidden Lake Road. Because of my prior positive experiences with Lakeside, I would be very interested in having Lakeside design and build a smaller upscale home for me in their proposed Oriole Lane development.

I have known the principles of Lakeside for over 40 years and I am confident they will develop a project in keeping with Mequon's high standards, as they did in the development of Stone Fields, The Preserve at Glen Oaks, Woodland Shores of Grafton and the Enclave in Door County. I would emphasize I have no interest in relocating to a five acre lot in western Mequon which would not be on municipal utilities and lacks the unique character of a conservancy design which is in keeping with market demands for those inclined to prefer a more rural neighborhood...with close proximity to I-43. With that, I strongly support Lakeside Development's proposed development on Oriole Lane.

Thank you!

Chris Doerr

Christopher L. Doerr  
Passage Partners, LLC  
P.O. Box 210, Grafton, WI 53024  
Shipping Address  
1341 W. Mequon Rd., Mequon, WI 53092  
Phone  
Voice: 262.387.1000  
Fax: 262.241.0101  
E-Mail: doerrcl@passagepartners.com

From: Lisa Lamb [mailto:lisawfbay@gmail.com]  
Sent: Friday, April 01, 2016 3:39 PM  
To: Kimberly Tollefson; Jac Zader  
Subject: Fwd: Lakeside Development / Oriole Lane

Mr. Zader and Ms. Tollefson

Here is a copy of an email we sent to Alderman Hawkins on February 8 expressing our concerns about the proposed rezoning and development of the 12 acres on Oriole Lane directly across from our home. We are sending this to you because we'd like to have it added to the 'Resident Feedback' section of the PCPacket030716 document so it's available for future reference. Going forward, we will be sure to include you on correspondence we send related to this matter.

To reiterate our main concern, we have serious issues with standing water and drainage on our property and are very concerned that additional disruption of the surrounding wetland will only make things worse. That acreage is not suitable for building and should be left alone. Quite honestly, approval should not have been given to build the 4 homes on our drive and our neighbors agree. We invite you to visit our property to see what we're dealing with, why we're currently suing the former owner and brokers for not disclosing our property had wetlands and how even digging a pond did not alleviate the problem.

Thank you,

Lisa Lamb and Jim Locatelli

p.s. I've attached an additional photo that was taken yesterday and yes, those are 3 ducks swimming in our front yard

**From:** Jim Locatelli [<mailto:jim@locatelllicpa.com>]  
**Sent:** Sunday, April 10, 2016 3:42 PM  
**To:** Kimberly Tollefson; Jac Zader; John Hawkins  
**Subject:** Lakeside Development Oriole Lane Proposal

Good afternoon,

I am a Mequon resident/taxpayer and own a home at 10925 N. Oriole Lane, which is immediately west and across the street from the proposed development. I am strongly opposed to the development for three primary reasons;

- The proposed development is in a significant wetland and swamp area. I purchased my home two years ago and initially viewed and inspected it in February, 2014, during a harsh winter with two feet of snow on the ground. Through deception and lies from the seller and real estate brokers, I was unaware that I was making a \$ 700,000 investment on a 1.33 acre property that contains two wetlands. I am currently in litigation with both parties in an attempt to recover a portion of my losses. Although we have a beautiful home, we essentially are unable to use the land that we purchased because it is almost constantly filled with standing water and saturated soil. Our three dogs cannot go in the front yard and sink in the soft muck of the backyard. Our beautifully landscaped yard is simply a mess and I invite you to take a look for yourselves.

Around 2002, the Mequon Planning Commission approved a proposal from Steven Peterson to develop a 5 acre parcel into a four lot mini-subdivision. Our home was created within this subdivision along with 10905, 10915 and 10935 N. Oriole Lane. Ironically, each of these homes sold within a 16 month period in 2014 and 2015. Each of our current neighbors have young children and complain about the inability of their kids to play on their property, because we all have existing wetlands. Our former neighbors at 10905 N. Oriole Lane purchased their home on 10/05/07 for \$ 857,000 and made substantial improvements to the property. They sold it on 05/14/14 for \$ 750,000, taking a loss of at least \$ 107,000. Our former neighbors at 10935 N. Oriole Lane purchased their home on 06/02/04 for \$ 770,000 and made substantial improvements. They sold it on 05/22/15 for \$ 667,000 and took a loss of at least \$ 103,000. Our former neighbors at 10915 N. Oriole Lane purchased the house on 10/01/12 in very poor condition from the by now bankrupt developer, made significant repairs and improvements to the property and sold it on 01/03/14 for a profit. In my opinion, the Planning Commission at the time made a terrible and costly (to the homeowners) mistake in allowing this 5 acre parcel to be developed.

We are very concerned that the construction of nine homes directly across the street is going to negatively affect the value of our property and negatively affect the water table and increase the standing water on our property. In your February 8, 2016 minutes, Lakeside Development's Mr. Zabjek is quoted as stating that Lakeside units "would be very upscale (\$200 - \$400sq.ft.) unit of around 2,400 – 3,000sq.ft." These numbers equate to homes costing the buyer \$ 480,000 to \$ 1,200,000. Can you forsee anyone wanting to build a million dollar home in a swamp? Seriously!!!

Lakeside's site development plan dated February 1, 2016 includes building roadways and homes over filled in wetlands. I cannot imagine any informed person spending this kind of

money on a home built on a mitigated wetland and accessing their home on roadways that are constructed on mitigated wetlands. This proposal sure sounds like significant future lawsuits just waiting to happen.

- The half mile stretch of Oriole Lane from Mequon Road to Sunnydale Lane is an open roadway without any streetlights, without any road shoulder and possessing steep culverts. It is used by avid walkers, joggers, bicyclists along with many dog walkers. There are no speed impediments to the 25 mile per hour speed limit and cars and trucks regularly roar down this street at 35 to 45 miles per hour. Without any street lights, without any road shoulder, this stretch of Oriole Lane is an accident waiting to happen. During the construction period of nine homes, heavy equipment and trucks are going to significantly add to the current danger. There literally is no place for these vehicles and equipment to park other than on the Oriole Lane roadway. Once completed, these nine homes will add presumably at least eighteen vehicles to the area, which will further compromise resident safety. This development will negatively impact the safety and significantly increase the danger of its residents. Take a drive down Oriole Lane and see for yourself!
- I realize that some of the Planning Commission members may have little or no regard to the buffer that this 10 acre parcel provides from the commercialization of Market Street and Mequon and Port Washington Roads, as well as a sanctuary for wildlife and birds. However, the somewhat rural and eclectic feel of our stretch of Oriole Lane is the reason that many of us made significant investments in our homes. This development would eliminate the buffer and sanctuary, increase roadway danger to the existing residents, potentially increase our current wetland issues and devalue our properties.

I have nothing against Lakeside Development and respect their desire to generate a profit through residential development. However, the proposed property contains too much wetland area and should never be developed. I respectfully ask that you prioritize the interests of your constituents, residents and taxpayers ahead of the interest of a developer. Thank you for your time and consideration.

Sincerely,

Jim Locatelli

James D. Locatelli, CPA  
10925 N. Oriole Lane  
Mequon, WI 53092  
[jim@locatellipcpa.com](mailto:jim@locatellipcpa.com)

From: Ellen Leeney  
 [mailto:eleeney@ameritech.net]  
 Sent: Monday, April 11, 2016  
 5:29 PM  
 To: Kimberly Tollefson; Jac Zader; John Hawkins  
 Subject: Oriole Lane Project

Hello all,

We would like to offer some thoughts about the Oriole Lane development project that is on the Planning Commission's agenda tonight.

First of all, we are quite concerned about the water and drainage issues.

We have lived at 10837 N Oriole Lane since 1999 and drive by the area in question daily and have witnessed standing water in the acreage and ditches after rains and especially in the spring when the snow melts.

There has been mention of a retention pond being placed on the acreage, but on our own property we have a large 16 foot deep pond that helps minimally with water issues on our 2.5 acre property.

Over half of our lot is wet and soggy a majority of the year, again especially in the spring.

All the residents on our street have had standing water and drainage issues despite our best attempts to correct the problem.

In order for the condo development to take place, many trees will need to be cleared.

We have noted as have our neighbors that when trees are removed from our heavy clay soil, the standing water is worse.

We recently cleared our treeline of buckthorn and other trees, which now leaves us with standing water for days after a heavy rain.

Standing water and/or a retention pond is a perfect breeding ground for mosquitoes--the last thing you need anywhere but especially by a senior living center and a large children's clinic.

With the senior living center and the CHOW clinic coming soon, it would seem to make sense to leave the acreage with its beautiful trees and wildlife and consider putting in biking/walking paths that could be used by seniors, patients and their families and nearby residents.

We would think that if this development would be built, that living right behind a large medical clinic building would not be desirable for buyers anyway.

Oriole Lane is a busy street for walkers and bicyclists but without adequate shoulders or sidewalks.

More traffic which is what we would get with this development is not what our street needs.

Again, biking and walking paths would be a great use for the acreage in question.

There are so many other open areas/lots in Mequon that could be used for nine single family condos.

We just don't see the need to put them on the Wetland acreage west of Sarah Chudnow when there are so many other options.

Respectfully,  
 Ellen Leeney and John Yang

To: Members of the City of Mequon Planning Commission Board

Here are just some of our concerns with the Lakeside Development/Oriole Lane development project. We sincerely hope that you will take them into consideration when you vote on whether or not to approve this development.

1) There is a long history of issues with standing water and drainage on and around the proposed site. The vast majority of the acreage is heavily wooded Wetland with standing water throughout most of the year. Virtually all of the surrounding properties experience notable issues with standing water and/or drainage.

We are very concerned that removal of the Wetland trees that currently soak up unknown quantities of water will result in even more standing water and problems with drainage.

The standing water is a result of the dense clay content of the soil. Nothing will change that, and any water that's displaced as a result of this development will have to go somewhere.

We are also very concerned that reshaping and filling the Wetlands will only worsen the problems with water, and there's no way to know how much digging another retention pond will actually help.

2) This acreage is the single remaining natural resource between our homes and the rapidly encroaching commercial development taking place on/near Market Street and Mequon Road. That's not to mention the mention the enormous Children's Hospital currently under construction.

We chose our homes because we value the rural feel of the area and want that to be preserved.

3) We are concerned of what impact this development would have on the existing water/sewer system. We are also worried about the road and properties that will be torn up in order to access the public water supply on the west side of Oriole Lane that's required for this development.

4) We are concerned about the increased traffic this development would bring and how it would affect our safety and quality of life. Likewise, we are concerned about our safety and quality of life during the lengthy construction period.

We have many dog walkers and bicyclists who enjoy using Oriole Lane. The road is narrow with no sidewalks or streetlights. There are steep ditches on either side that are often filled with water. As a result, pedestrians walk in the road.

The stretch of road between Mequon and Sunnydale has no stop signs. Because of that, drivers often exceed the speed limit, and drivers from outside the area use it as a short cut to avoid the light at Mequon and Range Line. Adding these homes would significantly add to the number of cars on Oriole Lane.

There is a bus stop and a church with a daycare across from the entrance of the proposed development. We believe this would present additional safety hazards, especially during the construction period.

5) This acreage is a safe haven, migratory rest stop and home for water fowl, deer, fox and many other mammals and birds. We feel that destroying their natural habitat is wrong.

**Petition Against the proposed development on Oriole Lane by Lakeside Development Company**

Lakeside Development Co. is seeking approval to develop the Wetland acreage located just south of 11104 N Oriole Lane into a residential area with 9 single family condominium homes.

While we recognize Lakeside's claim there may be a need for this type of housing, we firmly believe there are far better options available other than trying to make the Wetland acreage on Oriole Lane a workable solution.

Therefore, we the undersigned residents, living near the proposed building site, believe the development will have a negative impact for numerous reasons and are therefore **OPPOSED** to this development. We respectfully ask that our concerns and opposition be recognized by the members of the Mequon Planning Commission so they will **VOTE NO** to the development of this acreage.

Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
MARION NEBEL	<i>Marion A. Nebel</i>	11065 N Oriole	4/10/16	marionnebel@gmail.com	see attached note

I have lived on Oriole lane for 60 years. At that time there were 6 houses on all of Oriole Lane. One of those homes was moved to Grafton or Cedarburg because of the wet-land.  
 thank you, Lisa for doing something about this.  
 Marion.

Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
LISA GEROLD	<i>[Signature]</i>	11067 N Oriole	4/10/16		
ADAM SELD	<i>[Signature]</i>	11067 N Oriole (Map)	4/10/16		

Therefore, we the undersigned residents, living near the proposed building site, believe the development will have a negative impact for numerous reasons and are therefore **OPPOSED** to this development. We respectfully ask that our concerns and opposition be recognized by the members of the Mequon Planning Commission so they will **VOTE NO** to the development of this acreage.

Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
Ellen Leoney and John Yang	<i>[Signature]</i>	10837 W Oriole Lane (residents since 1999)	4/10/16	eleeney@ameritech.net	See my email

Attachment: LakesidePublicCommentary (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole Lane)

**Petition Against the proposed development on Oriole Lane by Lakeside Development Company**

Lakeside Development Co. is seeking approval to develop the Wetland acreage located just south of 11104 N Oriole Lane into a residential area with 9 single family condominium homes.

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Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
Richard Taylor	<i>[Signature]</i>	1804 W. Sunnydale Lane	4/11/16		
Kim Temkin Taylor	<i>[Signature]</i>	1804 W. Sunnydale Ln.	4/11/16		

Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
Arlene Kurzer	<i>[Signature]</i>	1104 N. Oriole Lane	4/11/16	Arlene.Kurzer@willer.com	

*I have also written to the members of the Planning Commission*

Commission so they will **VOTE NO** to the development of this acreage.

Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
OSCAR DORTIZ	<i>[Signature]</i>	10905 N Oriole LN	4-11-16		
Sara Flect	<i>[Signature]</i>	10905 N Oriole Ln Mequon	4-11-16	SaraFlect@hotmail.com	

Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
James D. ...	<i>[Signature]</i>	10925 N. Oriole Lane	4/10/16	Jim@... .com	

Attachment: LakesidePublicCommentary (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole Lane)

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✓ Therefore, we the undersigned residents, living near the proposed building site, believe the development will have a negative impact for numerous reasons and are therefore **OPPOSED** to this development. We respectfully ask that our concerns and opposition be recognized by the members of the Mequon Planning Commission so they will **VOTE NO** to the development of this acreage.

Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
FREDENTHAL	<i>[Signature]</i>	11110 N. Oriole Lane	4/10/16		✓ ABOVE
FREDENTHAL	<i>[Signature]</i>	11110 N ORIOLE LN	4/11/16		

Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
Tom Zolkowski	<i>[Signature]</i>	10810 N. Oriole	4-11-16		

Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
Judy Parrish	<i>[Signature]</i>	1824 W. Sunnydale Ln	4/11/16	Judith Eve 80 @gmail.com	thanks for your leadership, Lisa!

Attachment: LakesidePublicCommentary (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole Lane)

**Petition Against the proposed development on Oriole Lane by Lakeside Development Company**

Lakeside Development Co. is seeking approval to develop the Wetland acreage located just south of 11104 N Oriole Lane into a residential area with 9 single family condominium homes.

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Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
Lee OSten	<i>Lee OSten</i>	11105 N. Oriole Lane			
Rebecca OSten	<i>Rebecca OSten</i>	11105 N. Oriole Lane	4/10/16		
			4/10/16		

Commission so they will **VOTE NO** to the development of this acreage.

Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
Mary Ann Byrne	<i>Mary Ann Byrne</i>	10815 N. Oriole Ln	4-10-16		

Commission so they will **VOTE NO** to the development of this acreage.

Printed Name	Signature	Address	Date	Email (optional)	Comments (optional)
Lisa Lamb	<i>Lisa Lamb</i>	10925 N Oriole Ln	4/11/16		

Attachment: LakesidePublicCommentary (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole Lane)

**KENNETH J. ZGANJAR, D.D.S.**

**MEMBER**

General Dentistry for Children and Adults  
414) 355-3202 Fax (414) 355-3802  
Greenbrook Professional Building  
6051 W. Brown Deer Road, Brown Deer, WI 53223

American Dental Association  
Greater Milwaukee Dental Association  
Wisconsin Dental Association

April 25, 2016

City of Mequon  
Mayor Dan Abendroth  
11333 N. Cedarburg Road  
Mequon, WI 53092

Dear Mayor Abendroth,

I am writing to show my support for Lakeside Development Company's proposed project, The Grove.

I believe Lakeside's proposed project would greatly benefit the community and provide housing that will fill a need and keep current residents in Mequon instead of moving outside the city.

Thank you for your consideration.

Sincerely,



Kenneth J. Zganjar, D.D.S.

KJZ/seb



RECEIVED  
MAY 02 2016  
CITY ADMINISTRATOR  
MEQUON, WISCONSIN

Attachment: LakesidePublicCommentary (ORDINANCE 2016-1468 : Rezoning: Lakeside Development Oriole Lane)

April 26, 2016

City of Mequon  
Mequon Planning Commission  
Mayor Dan Abendroth  
Alderman Pam Adams  
11333 N. Cedarburg Road  
Mequon, WI 53092

Dear Mayor Abendroth and Alderman Adams,

My wife and I have lived in our home in Mequon for almost 20 years. Lakeside Development built it. They also did a remodel in 2007 and an addition in 2011. We have been very happy with our home but our children have moved on with their lives and we are in the process of downsizing.

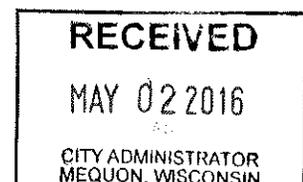
Last year we purchased a condominium in downtown Milwaukee. We would have preferred to stay in Mequon but we could not find a property that met our needs. The Lakeside development on Oriole Lane would have been of interest but didn't exist and still doesn't. If this project is approved it will add to the tax base and help to retain residents like us. It may even draw new residents to the city of Mequon.

While this project is too late for us it should receive approval from the Common Council.

Sincerely,



Greg Bultman  
10601 N. Wood Crest Ct  
Mequon, WI 53092



April 19, 2015

City of Mequon  
Mequon Planning Commission  
Mayor Dan Abendroth  
Alderman Pam Adams  
11333 N. Cedarburg Road  
Mequon, WI 53092

Dear Mayor Abendroth and Alderman Adams,

My husband and I want to stay in Mequon and are considering a smaller, well-built home. The proposed project, The Grove, by Lakeside appears to be just what we are looking for.

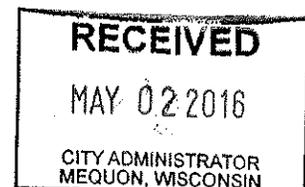
It will also provide additional housing and increase Mequon's tax base. Both of these are positive for our city.

We are in favor of the new development being presented by Lakeside and ask for your support as we are lending ours to this great project.

Regards,



Laura Epstein



April 19, 2015

City of Mequon  
 Mequon Planning Commission  
 Mayor Dan Abendroth  
 Alderman Andrew Nerbun, Common Council President  
 11333 N. Cedarburg Road  
 Mequon, WI 53092

Dear Mayor Abendroth and Alderman Nerbun,

This letter is a testimony in support of Lakeside Development Company's proposed project The Grove.

Lakeside's proposed project, in my opinion, would provide beneficial opportunities for this community by implementing newer housing, which in return would fill a need that this city is looking for; current residents who are looking to move will also be able to have the opportunity to stay in Mequon rather than look elsewhere for establishing a new residence.

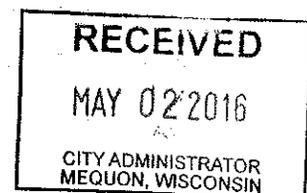
My affiliation with Lakeside Development has been for over 25 years. I would do nothing but give my full support and utmost confidence for their proposed project The Grove.

Thank you kindly for your attention to this proposal.

Sincerely,



Christopher L. Doerr





11333 N. Cedarburg Rd  
Mequon, WI 53092-1930  
Phone: 262-236-2941  
Fax: 262/242-9655

www.ci.mequon.wi.us

Common Council

**TO:** Mayor Dan Abendroth  
Mequon Common Council  
William H. Jones, Jr., City Clerk  
Caroline Fochs, Deputy City Clerk  
Kim Tollefson, Director of Community Development  
Jac Zader, Assistant Director of Community Development

**FROM:** John Wirth, Alderman, District 4

**DATE:** June 6, 2016

**SUBJECT:** Motion to Reconsider and Motion to Take from the Table,  
Proposed Ordinances Nos. 2016-1467 and 2016-1468

If I remember correctly, proposed Ordinance No. 2016-1468 was defeated and proposed Ordinance No. 2016-1467 was tabled.

Pursuant to sec. 2-30(b) of the Mequon Code of Ordinances, I intend to move the common council at the June 2016 common council meeting to reconsider proposed Ordinance No. 2016-1468. I also intend to move the common council at such meeting to take proposed Ordinance No. 2016-1467 from the table.

If I have mistakenly reversed the two proposed ordinances, I will move the common council to reconsider proposed Ordinance No. 2016-1467 and to take proposed Ordinance No. 2016-1468 from the table.

These motions are in order. The motion to reconsider satisfies the requirements of sec. 2-30(b) of the Mequon Code of Ordinances. I voted in the majority with respect to the defeated proposed ordinance, and I will bring the motion at the meeting following the meeting at which it was defeated. Motions to take a tabled matter from the table are always in order.

Please ensure that these matters are appropriately noticed for the June 2016 meeting.

I will bring these motions for the following reasons:

1. Staff was not afforded an adequate opportunity to present their reasons for supporting these proposals. The common council should hear the engineering facts related to the water issues involved in these proposals.
2. I understand that the applicant is willing to enhance, beyond the requirements of the Mequon ordinances, its water runoff improvements.



11333 N. Cedarburg Road  
 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 recommended approval on April 11, 2016, by a vote of 7-1.

Attachments:

Memo re Sarah Chudnow Rezoning Protest Petition (PDF)

Developer Submittal (PDF)

Area Map No.1 (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

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

**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: June 14, 2016

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on June 14, 2016.

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

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

## MEMORANDUM

To: Mayor and Common Council  
 From: Brian C. Sajdak, City Attorney  
 Date: May 5, 2016  
 Re: Protest Petitions concerning Rezoning/Amendment of the Sarah Chudnow PUD  
 (10995 N. Market St)

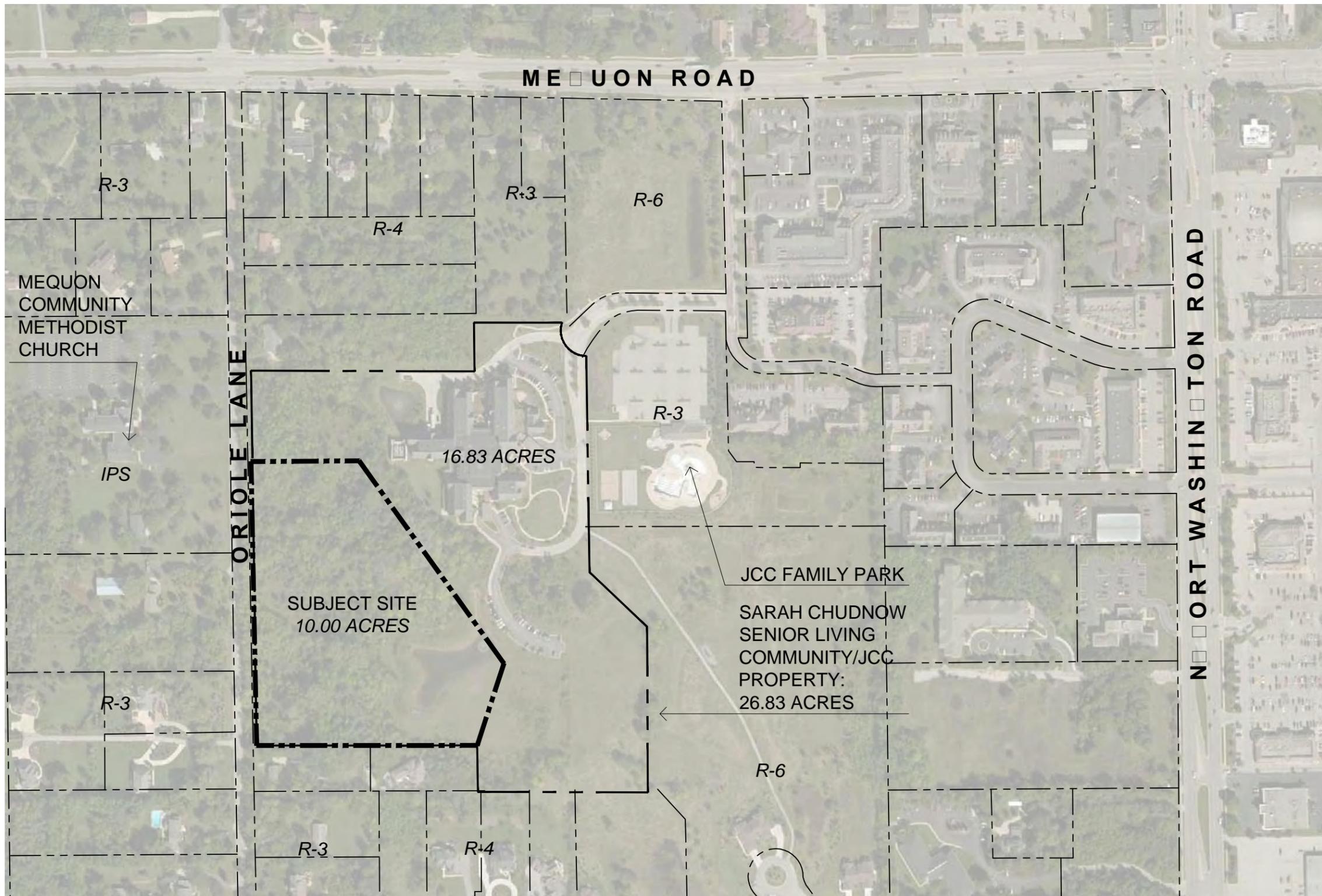
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As you may be aware, a protest petition has been filed with respect to the rezoning application for the Sarah Chudnow PUD on Market Street. Protest petitions are governed by Wisconsin Statute. Specifically, Wis. Stat. § 62.23(7)(d)2m.a. provides:

In case of a protest against an amendment proposed . . . , duly signed and acknowledged by the owners of 20% or more either of the areas of the land included in such proposed amendment, or by the owners of 20% or more of the area of the land immediately adjacent extending 100 feet therefrom, or by the owners of 20% or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, such amendment shall not become effective *except by the favorable vote of three-fourths of the members of the council voting* on the proposed change.

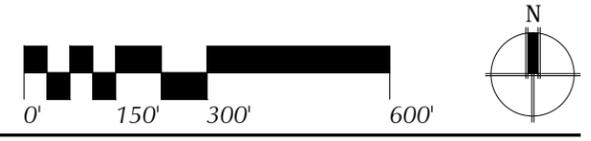
(Emphasis added). Thus, if a valid petition has been filed, any rezoning will require a three-fourths majority vote in order to become effective.

In the present case, our office has reviewed the protest petition filed with respect to the rezoning application necessary for this development. Following that review, we have determined that the protest petition does not meet the requirements of the statute. The two adjacent property owners that have filed a protest petition do not own 20% of the total area adjacent to the rezoned lands as that term is defined by statute. Accordingly, a simple majority vote would be sufficient to adopt the rezoning (PUD amendment) in this situation.



# ORIOLE LANE DEVELOPMENT: Aerial Context Plan

Mequon, Wisconsin



February 01, 2016



DESIGNED BY:  
 Lakecide 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.

- 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 (ORDINANCE 2016-1467 : 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.

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







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

www.ci.mequon.wi.us

Office of Human Resources

**TO: Common Council**  
**FROM: Jesse Thyes, Asst City Administrator/Human Resource Manager**  
**DATE: June 14, 2016**  
**SUBJECT: An Ordinance Creating Section 2-216(15) of the Mequon Code of Ordinances  
 Establishing a Paid Time Off Donation Policy**

### **Background**

The City's Personnel Manual does not provide for the donation of paid leave from one employee to another. Whereas, the Police Department's collective bargaining agreement allows for the donation of paid leave, in the form of sick time, between employees.

Over the last two-years there have been situations in which two separate regular non-represented employees of the City have experienced a medical emergency which required them to take unpaid leave as they had exhausted their annual allotment of paid time off (PTO) and other paid leave benefits.

Under the current benefits system, the City offers a Medical Leave Bank which can accumulate time off for an employee to utilize for medical reasons. The Medical Leave Bank balance is accrued through designation of unused PTO at the end of each year. However, newer employees to the organization or those employees that regularly utilize their annual allotment of PTO may not be able to accumulate a balance in their Medical Leave Bank.

To address this concern, staff is bringing forward a policy proposal which provides a mechanism for non-represented regular full-time and part-time employees to be able to voluntarily donate PTO. The proposed PTO Donation policy language is attached as Exhibit A.

### **Analysis**

The proposed policy would apply only to part-time and full-time non-represented employees. Seasonal employees, limited-term employees, interns, and represented employees would not be eligible for participation in this program. The proposed policy does not call for a change in the annual PTO allocations already set forth in Section 24.14 of the Employee Personnel Manual as adopted by Ordinance 2012-1380.

The policy proposal allows for an employee to only donate PTO to another employee. No other forms of paid leave (i.e. personal days, holidays, comp. time) may be donated. Additionally, the donated PTO may only be used for an absence for medical and/or other catastrophic emergency needs of an employee as defined under the Family Medical Leave Act (FMLA).

Other guidelines within the proposed policy place limitations on the amount of PTO that may be donated, eligibility restrictions, and accumulation restrictions. In particular, any one employee

may only donate up to 48-hours of PTO during a calendar year, and the maximum amount of donated time an employee may receive is 500 hours, which mirrors the amount of leave time allowable under FMLA guidelines.

The policy language and guidelines are based off of several statewide examples, including: Ozaukee County, the Village of Elm Grove, as well as the Cities of West Allis, Middleton, Edgerton, and Amery. The proposed policy has been reviewed by the City's labor attorney as well.

For the Committee's reference, the sick time donation provisions of the Police labor contract reads as follows:

"Section 17.08: Sick leave may be donated, one (1) employee to another, in all City departments subject to a maximum of forty-eight (48) hours per calendar year of donation by any officer. Donations shall not be less than one (1) hour and shall not be recoverable by the donating officer."

### **Fiscal Impact**

Staff acknowledges that there may be "soft cost" impacts, however there would not be a direct fiscal impact to the City. For example, if an employee with a lower wage rate were to donate time to an employee with a higher wage rate, the donation could create a cost to the City. A converse situation could create a "savings" for the City. These costs/savings would be immaterial to the overall City budget, due to limitations on participation in the PTO donation program.

### **Recommendation**

The proposed policy provides a mechanism to help employees address medical emergencies while still providing specific controls for the employer. Staff recommends approval of Ordinance 2016-1472.

Attachments:

pto donation policy\_final draft (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

ORDINANCE 2016-1472

An Ordinance Creating Section 2-216(15) of the Mequon Code of Ordinances Establishing a  
Paid Time Off Donation Policy

WHEREAS, the Common Council of the City of Mequon previously adopted a Personnel Code for certain City employees which is presently codified in Sections 2-203 through 2-237 of the Mequon Municipal Code; and

WHEREAS, the Common Council wishes to add provisions to the Personnel Code related to paid time off policies; and

WHEREAS, the Common Council finds that the adoption and maintenance of a Personnel Code 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 2-216 (15) of the Mequon Code of Ordinances is hereby created to read as follows:

(15) Donation of Paid Time-Off (PTO)

Employees who have exhausted their accumulated paid leave time may seek donations of PTO from fellow employees for the purpose of providing income continuation during an absence from work for medical and/or other catastrophic emergency needs of an employee or an employee's immediate family members as defined by the Family and Medical Leave Act. It is the intent of this policy to provide a mechanism for the voluntary donation of PTO from one employee to another.

(a) Eligibility

To be eligible, an employee:

1. Must be a regular full-time or part-time employee of the City of Mequon
2. Must have exhausted all forms of their own paid leave (i.e. PTO, comp time, medical leave bank, personal days, floating holidays, etc.)

Employees are ineligible to use this policy during any disciplinary suspension or if they are receiving or have applied to receive Worker's Compensation benefits or disability benefits.

(b) General Policies

1. Donated PTO may only be used in the event of an absence for medical and/or other catastrophic emergency needs of an employee or the employee's immediate family members as defined by the Family and Medical Leave Act, subject to approval by the employee's Supervisor.
2. Donations of PTO are voluntary.
3. Only PTO may be donated. No other form of paid leave may be donated.
4. PTO donations must be in full work day increments in accord with the hours of work set forth in Sections 24.05 (3) and (4) of the Personnel Code.
5. A maximum of 48-hours of PTO may be donated by any one employee per calendar year.
6. An employee may receive up to a maximum of 500 hours of donated PTO per a 12-month period.
7. Donations of PTO may be declined by the intended recipient at the employee's discretion.
8. Once a donation has been processed, neither the donor nor the recipient may revoke the transaction.
9. Use of donated PTO will allow for an employee to continue to accrue benefits during their leave in accord with Section 24.14(11)(c) of the Personnel Code.
10. Use of donated PTO may not be used to exceed a recipient's normally scheduled work hours per pay period.
11. If the recipient returns to regular duty prior to exhausting the donated PTO, the employee shall be allowed to retain the donated leave.
12. Unused donated PTO will not revert back to the donor.
13. Donated PTO shall be used within the same calendar year that it was received.
  - i. Donated PTO will not carry over into the following year
  - ii. Donated PTO will not accumulate into the recipients Medical Leave Bank
  - iii. Donated PTO will not be paid out in cash value upon termination, resignation, and/or retirement from City employment

## **SECTION II:**

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

**SECTION III:**

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

**SECTION IV:**

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

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

Date Approved: June 14, 2016

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on June 14, 2016.

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

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

**Section 2-216(15) of the Mequon Code of Ordinances**

(15) Donation of Paid Time-Off (PTO)

Employees who have exhausted their accumulated paid leave time may seek donations of PTO from fellow employees for the purpose of providing income continuation during an absence from work for medical and/or other catastrophic emergency needs of an employee or an employee's immediate family members as defined by the Family and Medical Leave Act. It is the intent of this policy to provide a mechanism for the voluntary donation of PTO from one employee to another.

(a) Eligibility

To be eligible, an employee:

1. Must be a regular full-time or part-time employee of the City of Mequon
2. Must have exhausted all forms of their own paid leave (i.e. PTO, comp time, medical leave bank, personal days, floating holidays, etc.)

Employees are ineligible to use this policy during any disciplinary suspension or if they are receiving or have applied to receive Worker's Compensation benefits or disability benefits.

(b) General Policies

1. Donated PTO may only be used in the event of an absence for medical and/or other catastrophic emergency needs of an employee or the employee's immediate family members as defined by the Family and Medical Leave Act, subject to approval by the employee's Supervisor.
2. Donations of PTO are voluntary.
3. Only PTO may be donated. No other form of paid leave may be donated.
4. PTO donations must be in full work day increments in accord with the hours of work set forth in Sections 24.05 (3) and (4) of the Personnel Code.
5. A maximum of 48-hours of PTO may be donated by any one employee per calendar year.
6. An employee may receive up to a maximum of 500 hours of donated PTO per a 12-month period.
7. Donations of PTO may be declined by the intended recipient at the employee's discretion.
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9. Use of donated PTO will allow for an employee to continue to accrue benefits during their leave in accord with Section 24.14(11)(c) of the Personnel Code.
10. Use of donated PTO may not be used to exceed a recipient's normally scheduled work hours per pay period.
11. If the recipient returns to regular duty prior to exhausting the donated PTO, the employee shall be allowed to retain the donated leave.
12. Unused donated PTO will not revert back to the donor.
13. Donated PTO shall be used within the same calendar year that it was received.
  - i. Donated PTO will not carry over into the following year
  - ii. Donated PTO will not accumulate into the recipients Medical Leave Bank
  - iii. Donated PTO will not be paid out in cash value upon termination/resignation/retirement from City employment



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

www.ci.mequon.wi.us

Office of City Clerk

**TO: Common Council**  
**FROM: Caroline Fochs, Deputy City Clerk**  
**DATE: June 14, 2016**  
**SUBJECT: An Ordinance Repealing Section 14-32 of the Mequon Municipal Code as it Relates to Economic Development Grants for Reserve “Class B” Liquor Licenses**

### **Background**

The City of Mequon currently has a cap of 32 Regular Liquor Licenses, and 10 Reserve Licenses. State statute dictates the number of licenses, and it also dictates the fees municipalities charge for liquor licenses. Regular “Class B” Liquor Licenses have a maximum fee of \$500, and Reserve Licenses have an initial **minimum** fee of \$10,000.

At its April 14, 2015 Common Council meeting, the Council adopted Ordinance 2015-1441 which created section 14-32 of the Mequon Municipal code regarding grants for Reserve “Class B” Liquor Licenses. In essence, this provision allowed the City to return \$9,500 of the \$10,000 reserve liquor license fee to the business owner once the business was open to the public.

### **Analysis**

One business has taken advantage of this rebate program, Café Hollander. They paid the initial \$10,000 for their license and \$9,500 was refunded to them after they opened for business on May 24, 2016. State law is however always in flux and in March 2016 new statutes were adopted taking local control away from municipalities that chose to rebate a portion of the initial fee. No portion of the fee may now be rebated or refunded effective June 1, 2016. Therefore, Mequon must now remove the previously approved rebate provision from the City Code.

### **Fiscal Impact**

Increased revenue from business owners as they apply for the \$10,000 Reserve Licenses.

### **Recommendation**

It is recommended that the Finance-Personnel Committee endorse and the Common Council adopt Ordinance 2015-1473.

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

ORDINANCE 2016-1473

An Ordinance Repealing Section 14-32 of the Mequon Municipal Code as it Relates to Economic Development Grants for Reserve "Class B" Liquor Licenses

WHEREAS, the Common Council passed Ordinance 2015-1441 on April 16, 2015; and

WHEREAS, this ordinance allowed for the rebate of Reserve Liquor License fees in the amount of \$9,500; and

WHEREAS, in March 2016 the State adopted Act 286 which prohibits municipalities from rebating or refunding any monies paid as part of the Reserve Liquor License;

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

**SECTION I:**

Section 14-32 of the Mequon Code of Ordinances is hereby repealed.

**SECTION II:**

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

**SECTION III:**

All ordinances in conflict or inconsistent with this ordinance, in whole or in part, are repealed to the extent necessary to give this ordinance full force and effect.

**SECTION IV:**

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: June 14, 2016

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on June 14, 2016.

---

William H. Jones, Jr., City Clerk

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



11333 N. Cedarburg Road  
 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: June 14, 2016**  
**SUBJECT: An Ordinance Amending the City of Mequon Zoning Map from B-1 (Neighborhood Commercial) with a Planned Unit Development (PUD) to R-4 (Single-Family Residential) to Allow for a Single-Family Home located at 4200 County Line Road**

### **Background**

The applicant is seeking a rezoning recommendation for the property located at 4200 W County Line Road. The applicant is seeking to rezone the parcel from B-1 (Neighborhood Commercial) with a PUD (Planned Unit Development Overlay) to R-4 (Residential 1-1.5 Acre). The site had contained a restaurant for over twenty years with the most recent occupant, Armon's Catering, closing at this location in 2009. The property has remained vacant and is currently for sale. In 2011, the zoning was changed from R-4 (Residential 1-1.5 Acre) to B-1 (Community Commercial) on a portion of the parcel that included the restaurant. The remaining portion of the property is currently zoned R-4.

### **Analysis**

A vacant building can have a negative impact on the value and character of the surrounding area. The restaurant has remained vacant for a number of years. There is a public interest in the rezoning, therefore allowing the building to be converted to a single-family home will result in numerous improvements to both the building and the site.

Based on the current zoning and due to the PUD overlay, the only allowable use is a restaurant. Since 2011, there has been little interest in redeveloping the site into a new restaurant. The location of the parcel significantly limits the interest in redeveloping the site for commercial operations.

The character of the area has not changed; it remains primarily a residential area. The rezoning to R-4 is consistent with the surrounding area's zoning and uses. Since the two parcels that comprise the site are a total of eight acres, a total of eight single-family homes could be developed in the future.

### **Recommendation**

The Planning Commission's recommendation is forthcoming on June 13, 2016.

Attachments:

Applicant Narrative (PDF)  
Zoning Map (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

ORDINANCE 2016-1474

An Ordinance Amending the City of Mequon Zoning Map from B-1 (Neighborhood Commercial) with a Planned Unit Development (PUD) to R-4 (Single-Family Residential) to Allow for a Single-Family Home located at 4200 County Line Road

**SECTION I:**

Following recommendation of the Planning Commission on the 13<sup>th</sup> day of June, 2016, and after due notice and hearing by the Common Council of the City of Mequon on the 12<sup>th</sup> day of July, 2016, the existing and official City of Mequon district zoning maps are hereby amended so as to change the zoning classification of certain properties to R-4 (Single-Family Residential  $\frac{3}{4}$  acre)

**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: June 14, 2016

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on June 14, 2016.

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

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

To whom it may concern,

On Friday May 6, 2016, County Line Holdings LLC (the "Owner") entered into a purchase contract with Dr. Sharon Patricia Worzalla, DDS (the "Purchaser") for the property located at 4200 W. County Line Road, Mequon, WI 530092; Tax Key Numbers 140501414002 and 140501414003 (the "Property"). This Planning Commission Application is submitted to the Planning Commission requesting a Rezoning Recommendation for the Property. This request is for a zoning change from B2 to R1.

It is the full intention of the Purchaser to extensively rehabilitate the Property and occupy it with her husband and daughter as their primary residence. While the design process has not started, the intention is to materially maintain the historic aesthetic of the Property's exterior. Below are some of the planned improvements and repairs:

- Remove all of the black top located to the South and East of the property, specifically the portions of the black top that were previously used as commercial parking;
- Repair and/or replace the roof;
- Repair and/or replace and the siding of the house;
- Paint the exterior of the house, including the two silos;
- Repair, replace and/or remove the wooden deck;
- Remove all sections of wooden fence;
- Repair and/or replace windows;
- Remove all commercial equipment (motors, vents, fans, etc.);
- Repair front walkway support wall; and
- Bring Property into compliance with building code.

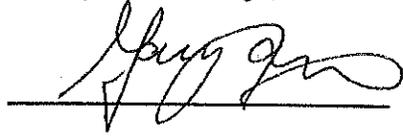
There are currently no plans to increase the footprint or number of floors of the existing building.

The Owner is executing this Planning Commission Application for the sole purpose of consenting to the Purchaser's re-zoning application, provided that any such re-zoning, if granted, shall be conditioned upon and shall not take effect until Purchaser acquires the Property from Owner.

We look forward to working with the Commission to address and remedy any concerns with the Property. Thank you for your time and consideration. Please contact us with any questions or requests for information.

(Signatures appear on the following page)

**SELLER:**  
County Line Holdings, LLC



By: Gary Taxman  
Its: Authorized Agent

Date: May 9, 2016

**BUYER:**



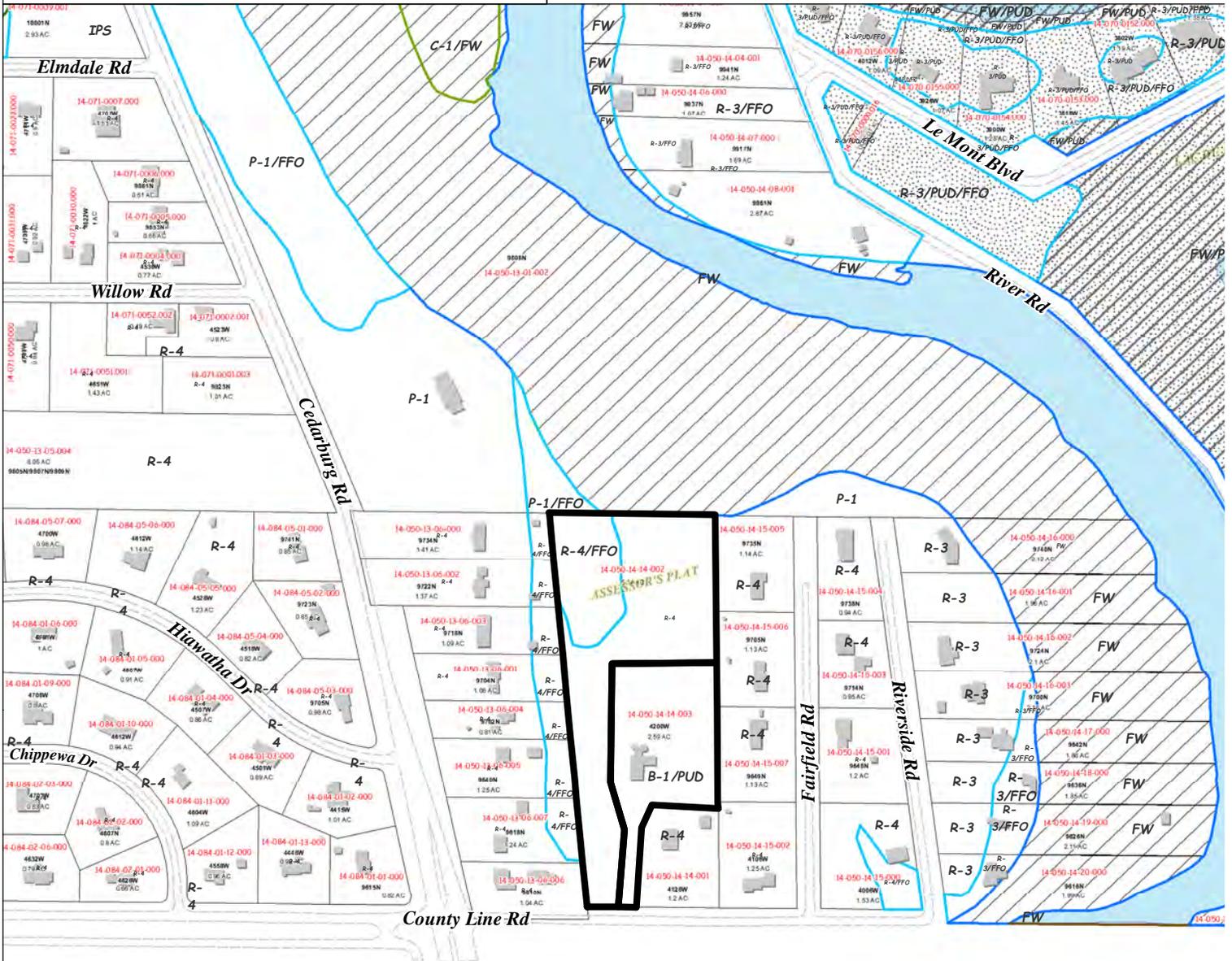
By: Dr. Sharon Patricia Worzalla, DDS

Date: May 9, 2016

Attachment: Applicant Narrative (ORDINANCE 2016-1474 : County Line Holdings Rezoning)

# County Line Holdings LLC

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		



Attachment: Zoning Map (ORDINANCE 2016-1474 : County Line Holdings Rezoning)



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

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Office of Community Development

**TO: Common Council**  
**FROM: Kim Tollefson, Director of Community Development**  
**DATE: June 14, 2016**  
**SUBJECT: A Resolution Relating to the City of Mequon's Participation In the Home Investment Partnership Program Administered by Waukesha County**

### **Background**

The HOME Consortium is a four county program established in 1998 that assists in advancing home ownership opportunities through various programs for households with income below 80% of the county's median income. The program is offered through the receipt of federal funds via Housing and Urban Development (HUD). There are no costs to the City for participating in the program. The four county participants are Ozaukee, Washington, Waukesha and Jefferson. The City of Mequon became a participant of the program in 2005. A new participation agreement is required at this time.

At the Public Welfare Committee meeting on May 10, 2016, the Committee requested information on the following items:

#### *Program Effectiveness:*

As part of this report as indicated in the table that follows, program funds are allocated in Ozaukee County. Between 1998 - 2014, 11% of the total loans have been allocated in Ozaukee County. According to the County Program Coordinator, defaults have occurred in the program however; default rates for the Down Payment Assistance Loan program are under 1%, far better than conventional loans. The HOME Consortium program does take a 2<sup>nd</sup> position on the mortgage. High loan to income ratio is required for the underwriting standards. Generally speaking, defaults only occur in a circumstance due to loss of employment or illness, and not due to poor financial choices.

#### *Participation by County Municipalities and Impact:*

Other than the Village of Belgium, all other municipalities in Ozaukee County participate. In total, there are 5 municipalities within all four counties that do not participate. These municipalities are smaller in population size, generally 2,500 or less. The HOME Consortium program dollars are based, in part, on population. The lack of participation by larger populated communities, like the City of Mequon, would impact the program as it relates to the overall program funds received by the State.

Municipalities are not required to participate. However; the HOME Consortium programs are not available for properties within the non-participating communities.

## **Analysis**

Waukesha County is the designated lead agency for the Consortium. The following lists the programs available through the HOME Consortium (see attached overview):

### **Down Payment Assistance Loan.**

This program provides a forgivable loan of up to \$5,000 for down payment or closing costs.

### **Homeowner Rehabilitation Loan.**

This program provides access to loan dollars for home repairs. Loans are provided for eligible repairs such as roofs, mechanical systems, plumbing, windows, foundations, siding and accessibility improvements.

### **Purchase-Rehabilitation Loan.**

This program is a combination of the two programs listed above. Eligible homebuyers can receive \$5,000 for down payment and up to \$17,500 for rehab costs.

### **Housing Development.**

This program assists with the construction of affordable housing units within a larger housing development project.

The attached contract is provided by Waukesha County for our partnership within the Consortium (please see attached agreement). Should the City continue its participation, the partnership is valid for three (3) years and will automatically renew. Annually, the Consortium receives funding of approximately \$1M. The program oversight is provided by a 12 member Board of Directors that is comprised of 3 members of each participating county (please see attached Board of Directors roster).

If the City of Mequon wishes to continue to participate in this program, the cooperative agreement as attached can be authorized under the resolution. Should the City of Mequon choose to no longer participate in the program, then formal action is required. Therefore, a separate resolution is provided for such action.

## **Fiscal Impact**

There is no cost to the City as a partner of this program.

## **Planning Department Recommendation**

Planning staff recommends the City's continued participation within the HOME Consortium. The City's participation in this program is identified in the City of Mequon Comprehensive Plan 2035 as a government program that allows the City to assist in promoting housing choices.

## **Public Welfare Committee Recommendation**

The Public Welfare Committee recommendation is forthcoming on June 14, 2016

## Attachments:

HOME Consortium info Ozaukee County (DOC)

Copy of 2016 HOME Board Members (PDF)

City of Mequon MUTUAL COOPERATION AGREEMENT 5.2.16 (PDF)

Resolution for Non-Participation (DOCX)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3379

A Resolution Relating to the City of Mequon's Participation In the Home Investment Partnership Program Administered by Waukesha County

WHEREAS, the U. S. Department of Housing and Urban Development has created the HOME Investment Partnership Program (HOME) to provide various housing opportunities to households with income below 80% of the metropolitan area median income; and

WHEREAS, the counties of Waukesha, Jefferson, Washington and Ozaukee and municipalities within the four counties have executed Cooperation Agreements to participate in the HOME program as part of the HOME Consortium since 1998; and

WHEREAS, Waukesha County has been designated the lead and fiscal agent for the HOME Consortium with no fiscal cost to HOME participants; and

WHEREAS, the City of Mequon is not eligible to receive such HOME funds directly but has been a program participant since 2005;

NOW THEREFORE BE IT RESOLVED that the City of Mequon in an effort to assist and benefit its low and moderate income households hereby agrees and seeks participation in the HOME Investment Partnership Program through Ozaukee County.

BE IT FURTHER AGREED that the City of Mequon is authorized to execute such documentation as necessary to effect its membership in the HOME Consortium.

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

Date Approved:

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

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

## The HOME Consortium

In 1998 Jefferson, Washington and Waukesha Counties joined together to form the HOME Consortium and become eligible to receive federal HOME program funds to support the creation and maintenance of affordable housing. In 1999, Ozaukee County agreed to participate in the Consortium. The main purposes of the HOME Consortium are to advance home ownership opportunities with a down payment assistance program, to maintain the quality of the existing housing stock through low-interest housing rehabilitation loans, and to support the development of affordable rental and homeowner housing. All programs are available to households in the participating counties that earn 80% or less of the area median income.

A 12 member Board of Directors governs the HOME Consortium. The Board is composed of three members from each of the four Counties. Waukesha County was designated the “lead agency” when the Consortium was formed. The lead agency takes full responsibility for fiscal management of the HOME funds and compliance with HOME rules and other applicable Federal regulations.

### Programs

The **Down Payment Assistance Loan (DPA)** program provides eligible home buyers with a forgivable loan of up to \$5,000 to be used for down payment and/or closing costs. Homeowners are required to attend housing counseling sessions, which are paid for through program funds. DPA loan is provided as a five-year forgivable loan, meaning that as long as the property remains the borrower’s primary residence for five years the loan is forgiven and no repayment is due. The loan is forgiven 20% for each full year.

The HOME Consortium operates a of **Homeowner Rehabilitation Loan Program** to provide low to moderate income households with access to loaned funds for modest home repairs. The loans are provided as no-interest, no monthly payment loans, that are due upon sale or title transfer of the home. Eligible repairs include roofs, mechanical systems, plumbing, windows, foundations, siding, painting and accessibility improvements.

The **Purchase—Rehabilitation Program** is a combination of the DPA and Homeowner Rehabilitation programs. Eligible homebuyers can receive up to \$5,000 for downpayment assistance, and up to \$17,500 for rehab costs. This program is designed to help with the purchase of foreclosed houses, or houses in need of immediate repair. All rehab work must be done in 6 months of purchasing the home, and the focus is on correcting code violations.

The HOME Consortium also allocates funding to **Housing Development** projects, to assist with the construction of affordable housing in the four counties of the HOME Consortium.

**Ozaukee County**

Ozaukee County has participated in the HOME Consortium since 1999. Many households have benefited from the HOME programs since that time.

<b>HOME Consortium Core Program Funds 1998—2014*</b>				
	<b>Ozaukee County</b>		<b>Total HOME Consortium</b>	
	<b>Loans</b>	<b>Households</b>	<b>Loans</b>	<b>Households</b>
DPA	<b>\$957,591</b>	<b>204</b>	\$6,560,299	1,547
Rehab Loans	<b>\$307,855</b>	<b>43</b>	\$3,061,456	496
Purchase-Rehab Loans (since 2008)	<b>\$50,111</b>	<b>4</b>	\$1,709,049	85
<b>Total</b>	<b>\$1,315,557</b>	<b>251</b>	\$11,330,804	2128

\*Loans shown do not include costs paid for by the HOME program for housing counseling fees, inspection fees, and administration fees, or specific County Allocations (discontinued program).

**Affordable Housing Development Projects**

- **Ozaukee Chapter Habitat for Humanity: \$157,100**

2007 Acquisition of land for construction of four homes in Port Washington

**Total Funds allocated to Ozaukee County projects for the development or rehabilitation of affordable housing--\$157,100.**

Attachment: HOME Consortium info Ozaukee County (RESOLUTION 3379 : Home Consortium Partner)

## 2016 HOME Board

NAME	ORGANIZATION	TELEPHONE	FAX	ADDRESS
<b>ADMINISTRATION</b>				
Kristin Silva	Waukesha County Community Development Coordinator	262-896-3370	262-896-8510	515 W. Moreland Blvd. AC320, Wauk.53188 <a href="mailto:ksilva@waukeshacounty.gov">ksilva@waukeshacounty.gov</a>
Lori Rutzinski	Waukesha County Program Assistant	262-548-7920	262-896-8510	515 W. Moreland Blvd. AC320, Wauk.53188 <a href="mailto:lrutzinski@waukeshacounty.gov">lrutzinski@waukeshacounty.gov</a>
Christina Brockish	Waukesha County	262-548-8311	262-896-8510	<a href="mailto:cbrockish@waukeshacounty.gov">cbrockish@waukeshacounty.gov</a>
Kathy Kamp	WI Partnership for Housing Dev. Inc.	(608) 258-5560 (ext. 34)	(608) 258-5565	121 S. Pinckney St. Ste. 420, Madison 53703 <a href="mailto:kathykamp@wphd.org">kathykamp@wphd.org</a>
Debbie Narus	WI Partnership for Housing Dev. Inc.	(262) 896-8170	(262) 896-8510	515 W. Moreland Blvd. AC320, Wauk.53188 <a href="mailto:debbienarus@wphd.org">debbienarus@wphd.org</a>
<b>WAUKESHA COUNTY</b>				
Duane Paulson	County Board Supervisor	(262) 542-4174		1121 Summit Avenue, Waukesha, 53188 <a href="mailto:dpaulson@waukeshacounty.gov">dpaulson@waukeshacounty.gov</a>
Joseph Birbaum	Senior VP MGIC- Retired President, Village of Oconomowoc Lake	(262) 567-7785		4750 Hewitt's Point, Oconomowoc, WI 53066 <a href="mailto:joe@birbaum.com">joe@birbaum.com</a>
Christine Howard	Assistant Vice President Associated Bank	(262) 797-7342 (W) (414) 745-6421 (Cell)		19601 W. Bluemound Rd. Brookfield, 53045 <a href="mailto:christine.howard@associatedbank.com">christine.howard@associatedbank.com</a>
Maria Watts (alternate)	Manager of Community Development WHEDA	(414) 227-4706 (W) (414) 750-4454 (Cell)		140 South 1st. Street Ste. 200 Milw. 53204 <a href="mailto:maria.watts@wheda.com">maria.watts@wheda.com</a>
<b>WASHINGTON COUNTY</b>				
Peter Sorce	Washington County Supervisor	(262) 993-4053		<a href="mailto:peter.sorce@co.washington.wi.us">peter.sorce@co.washington.wi.us</a>
Dennis Myers	Washington County Supervisor	(262)853-8214		<a href="mailto:myersd@wi.rr.com">myersd@wi.rr.com</a>
Jay Shambeau	Washington County Supervisor			<a href="mailto:jay.shambeau@co.washington.wi.us">jay.shambeau@co.washington.wi.us</a>
<b>JEFFERSON COUNTY</b>				
Ron Buchanan	Jefferson County Supervisor	920-261-8201		809 S. 9th. Watertown, WI 53094 <a href="mailto:ronbuchanan809@yahoo.com">ronbuchanan809@yahoo.com</a>
John Kannard	Jefferson County Supervisor	262-495-4618 262-470-1177		<a href="mailto:johnk@jeffersoncountywi.gov">johnk@jeffersoncountywi.gov</a>
Dick Schultz	Jefferson County Supervisor	920-563-7452 920-650-1595		<a href="mailto:wihs.exchange@sbcglobal.net">wihs.exchange@sbcglobal.net</a>
Russell Kutz (alternate)	Jefferson County Supervisor	920-674-5241		1220 Hickory Dr, Jefferson, WI 53549 <a href="mailto:russellk@jeffersoncountywi.gov">russellk@jeffersoncountywi.gov</a>
<b>OZAUKEE COUNTY</b>				
Kathleen Schilling	Executive Director Ozaukee Co. Econ. Dev. Corporation	(262) 238-7730	(262) 284-8100	121 W. Main St, Port Washington 53074 <a href="mailto:kschilling@co.ozaukee.wi.us">kschilling@co.ozaukee.wi.us</a>
Jay Schreurs	Port Washington State Bank Vice President Sr. Mortgage Loan Off.	(262) 284-4416		206 N. Franklin St, Port Washington 53074 <a href="mailto:jay.schreurs@pwsb.com">jay.schreurs@pwsb.com</a>
<b>OPEN</b>				

MUTUAL COOPERATION AGREEMENT  
UNDER  
THE NATIONAL AFFORDABLE HOUSING ACT

The HOME Consortium Program for Federal Fiscal Years 2014-2016

This Agreement is entered into between Waukesha County, a political subdivision of the State of Wisconsin (hereinafter “County”) and the City of Mequon, a municipal corporation of the State of Wisconsin (hereinafter “Municipality” and collectively “Parties”).

WHEREAS, the Cranston-Gonzalez National Affordable Housing Act of 1990(42 U.S.C. § 12701 et seq.) as amended, (hereinafter “NAHA”) provides Federal assistance for the HOME Investment Partnership Program (hereinafter “HOME Program”); and

WHEREAS, NAHA allows units of general local government to enter into a mutual cooperation agreement to form a consortium to obtain Federal funds as a participating jurisdiction under the HOME Program (hereinafter “HOME Consortium”); and

WHEREAS, the Parties have mutually developed a Consolidated Plan and Analysis of Impediments to Fair Housing Choice; and

WHEREAS, the Parties have determined that obtaining funds under the HOME Program will increase their ability to provide affordable housing, and meet other identifiable and eligible housing needs of the Municipality’s residents; and

WHEREAS, the County intends to apply to the U.S. Department of Housing and Urban Development (hereinafter “HUD”) for funds authorized under NAHA; and

WHEREAS, County and the Municipality have determined that joint action is an effective way to accomplish the purposes of NAHA; and

WHEREAS, counties in Wisconsin pursuant to § 59.01, Wis. Stats. and municipalities in Wisconsin pursuant to § 66.0301, Wis. Stats. have the necessary authority to enter into agreements of the type herein contemplated;

NOW THEREFORE, upon the consideration of the mutual promises contained herein, it is agreed between County and Municipality as follows:

## SECTION 1 – PURPOSE

- A. The purpose of this Agreement is to establish the mutual desire to cooperate to undertake, or assist in undertaking, essential community renewal and lower income housing assistance activities, by means of submitting a Consolidated Plan and Annual Action Plan for HUD HOME funds as a HOME Consortium for Federal Fiscal Years 2014, 2015, and 2016 appropriation and from any program income generated from the expenditure of such funds.
- B. Nothing contained in this Agreement shall deprive any municipality of any power of zoning, development control or other lawful authority that it presently possesses.

## SECTION 2 – CONSIDERATION

Municipality, by the execution of this Cooperation Agreement, agrees to comply with this Cooperation Agreement which enables its residents to apply for HOME funds. All funds will be used within the HOME Consortium counties. County agrees to include Municipality as part of its Annual Action Plan to be submitted to HUD under the terms and conditions of NAHA.

## SECTION 3– FUNDING

- A. The HOME Consortium shall be governed by a board of directors (hereinafter “HOME Board”). The HOME Board, by mutual agreement, shall establish “core” programs, which shall serve to benefit residents of each participating municipality and county equally. The annual distribution of “core” project funding shall continue until all allocated funds on a first come first serve basis are fully committed to eligible households.
  - a. Core programs may include, but are not limited to:  
Downpayment / Closing Cost, Housing Rehabilitation, Homebuyer Counseling, Rental Rehabilitation, Rental Assistance, Purchase / Rehab or Housing Development.
  - b. HOME regulations require that 15% of HOME funds received on an annual basis must be set-aside and utilized for HOME programs using a HUD eligible Community Development Organization (CHDO), who will either own, develop, manage or sponsor a housing project.

- B. The HOME Board shall determine the allocation of HOME funds within the HUD regulation limits for program administration to Waukesha County, as the lead agent (PJ), not to exceed 10% of the annual grant.
- C. HOME regulations require that match funds or credit shall be provided at \$0.25 for every dollar spent as part of HOME programming. This match is generally provided through pledged commitments by developers of affordable housing projects. If a match cannot be provided through development projects, it shall be the responsibility of the HOME Consortium, as a whole, to provide match funds.
- D. No participating municipality / county will need to provide any funds for the administration / operation of the HOME Program.

#### SECTION 4 – ACTIVITIES

- A. Municipality and County agree to undertake all actions necessary to assure compliance with County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. In addition, Municipality and County shall comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975, and other applicable laws.
- B. Noncompliance by Municipality with any of the provisions above may constitute noncompliance by County which may provide cause for funding sanctions or other remedial actions by HUD.
- C. Municipality shall establish and maintain appropriate record keeping and reporting of any retained program income and make such available in order to meet the monitoring and reporting responsibilities to the U.S. Department of Housing and Urban Development.
- D. Municipality shall cooperate to undertake, or assist in undertaking, community renewal, lower-income housing assistance activities, and other eligible HOME Program activities in compliance with the regulations at 24 CFR Part 92.
- E. Municipality shall take affirmative action to further fair housing in its jurisdiction. Such actions may include planning, education and outreach, and enforcement components.

- F. HOME Consortium funding is prohibited for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes County's actions to comply with its fair housing certification.
- G. Municipality shall select at least two (2) action items from the list below to affirmatively further fair housing for the duration of this Agreement. Items listed are from the 2015—2019 Analysis of Impediments to Fair Housing Choice for Waukesha County and the HOME Consortium. Municipality shall keep records documenting actions taken to affirmatively further fair housing and provide an annual report to County of such actions within 15 days of the end of the calendar year. Municipality shall obtain updated versions of the Analysis of Impediments to Fair Housing Choice when they are published every five years and select action items from the current document.

**a. Impediment #1: Zoning Regulations and Housing Mix Ratios that Reduce Opportunities for Affordable Housing Development**

1. In municipalities served by sewer service, allow for the development of new single-family and two-family homes on lots of 10,000 square feet or smaller.
2. Allow for home sizes less than 1,200 square feet.
3. In municipalities served by sewer service, allow for the development of multi-family housing at a density of at least 10 units per acre.
4. To support higher density residential development, expand sanitary sewer services consistent with adopted Regional Sewer Service Plans.
5. Adopt flexible zoning regulations such as Planned Unit Developments (PUD) and Traditional Neighborhood Developments (TND) to permit higher densities and a mix of housing types.
6. Adopt inclusionary zoning provisions, such as higher density allowances and a waiver or modification of other development standards where certain set-asides are made for affordable housing for moderate and low-income families.

7. Amend design regulations to promote flexibility in development and construction costs.

**b. Impediment #2: Lack of Fair Housing Knowledge**

1. Attend a fair housing seminar or educational opportunity.
2. Provide education or training for rental property owners and managers on the requirements of the Fair Housing Act, the definitions of protected classes, discriminatory practices, and potential consequences for non-compliance.

**c. Impediment #3: Imbalance Between Job Centers and Affordable Housing Options**

1. Encourage the development of new affordable and/or mixed-income housing near job centers by offering density bonuses, fee waivers or other incentives.

**d. Impediment #4: NIMBY/Prejudiced Attitudes**

1. Develop and integrate appropriate diversity awareness information into staff and organizational development training.
2. Create and disseminate information regarding what affordable, workforce and mixed-income housing is and what economic benefits they offer to your community, via printed materials, training sessions, website education or other methods.
3. Participate in regional housing initiatives and collaborative efforts.

**e. Impediment #5: Limited Housing Options for People with Disabilities and the Aging Population**

1. Prioritize public funding for housing developments that address the needs of people with disabilities or the elderly.
2. Adopt or promote construction design concepts such as universal design (UD) and Visit-ability standards and features in all new

housing, including consideration of providing density bonuses or other incentives to encourage such housing.

- H. Municipality, as a cooperating unit of general local government, attests that it has adopted and is enforcing:
- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
  - b. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

## SECTION 5– HOME PROGRAM ADMINISTRATION

### A. DEFINITIONS

- a. “Member” means a unit of local government or a county representing townships which signs this Agreement or a substantially similar agreement, and therefore is a member of the HOME Consortium organized to carry out eligible activities under the HOME Program.
- b. “Representative Member” means the unit of local government which acts as a representative of all Members for the purposes of this Agreement. The Representative Member shall assume responsibility for ensuring that the Consortium’s HOME Program is carried out in compliance with the requirements of 24 CFR Part 92 and 01 , the requirements of 24 CFR § 92.350 (a) (5) , and the requirements of the Consolidated Housing and Community Development Plan.
- c. Waukesha County shall be the Representative Member and shall carry out all necessary overall responsibilities for the HOME Consortium, with the cooperation of all Members, consistent with the HOME Program regulations. Waukesha County may elect with the approval of the HOME Board through a Request for Proposal designate a portion of Administration funds to another entity to administer specific HOME programs.
- d. Each Member shall submit in a timely manner to the Representative Member all information necessary for participation in the HOME Consortium. This includes, but is not limited to, all information necessary for the Consolidated

Plan, the program description and certifications (24 CFR § 92.150), written agreements executed with subrecipients, and performance reports.

- e. Each Member of the HOME Consortium shall start the HOME Program years on January 1<sup>st</sup> of each qualified year.
- f. Each participating county shall have not less than a three person representation on the HOME Board appointed by the county executive or county board chairman. Each participating county may also designate one alternative member. Representative Member, as the lead agent, with the approval of the HOME Board, is authorized to amend the HOME Consortium Agreement on behalf of the entire HOME Consortium to add new members to the HOME Consortium.

## SECTION 6 – RESTRICTIONS

- A. Neither County nor Municipality shall have a veto or other restrictive power which would in any way limit the cooperation of the Parties to this Agreement or obstruct the implementation of the approved Consolidated Plan during the period covered by this Agreement.
- B. Municipality may not receive an individual formula allocation under the HOME Program except through the HOME Consortium created by this Agreement, regardless of whether Consortium receives a HOME formula allocation in a particular year.

## SECTION 7 – DURATION OF THIS AGREEMENT

- A. This Agreement was voted on and approved by Municipality’s Common Council on May 10, 2016. Municipality clearly understands and accepts its responsibilities henceforth. This Agreement is in force for Federal fiscal years 2014, 2015 and 2016 and for such additional time as may be required for the expenditure of program income received and of funds granted through The Act and NAHA to County for such period, as defined by HUD regulations and included within HUD CPD Notice 13-04. Municipality shall not have the opportunity to terminate or withdraw from this Agreement during the period that this Agreement is in effect. This Agreement shall be in effect until the CDBG and HOME funds and program income received with respect to activities carried out during Federal fiscal years 2014, 2015 and 2016 are expended and the funded activities completed.
- B. This Agreement, in accordance with Federal regulations, provides for an automatic renewal for each successive three-year qualification period provided that the County notifies each participating unit of general local government in writing of its right not to

participate for the successive three-year qualification period by the date specified in HUD’s urban county qualification notice for the next qualification period. A Municipality electing to opt-out of a successive qualification period must notify the County in writing.

- C. Municipality and County agree to adopt any amendment to this Agreement incorporating the changes necessary to meet the requirements for cooperation agreements set forth in an Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period. Failure to adopt, execute and submit amendment requirements will void the automatic renewal provision for such qualification period.

This Agreement is executed by the respective Parties as Members of a HOME Consortium partnership. In so doing, all existing municipalities and governing bodies are agreeing to participate under the terms of the HOME Consortium partnership with any other municipality or governing body which has joined or subsequently joins the partnership.

The terms and provisions of this Agreement are fully authorized under state and local law and that this Agreement provides full legal authority for the signatory parties to undertake or assist in undertaking HOME Program Consortium activities.

County and Municipality have authorized this Agreement and attest that this Agreement is executed by the chief executive officer of each entity.

By: \_\_\_\_\_  
 Print Name \_\_\_\_\_  
 Title \_\_\_\_\_

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

By: \_\_\_\_\_  
 Print Name \_\_\_\_\_  
 Title \_\_\_\_\_

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

By: \_\_\_\_\_  
 Print Name \_\_\_\_\_  
 Title \_\_\_\_\_

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

Attachment: City of Mequon MUTUAL COOPERATION AGREEMENT 5.2.16 (RESOLUTION 3379 : Home Consortium Partner)

By: \_\_\_\_\_

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

Print Name \_\_\_\_\_

Title \_\_\_\_\_

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3379

A Resolution Relating to the City of Mequon's Participation in the Home Investment Partnership Program Administered by Waukesha County

**IT IS HEREBY RESOLVED** by the Common Council of the City of Mequon that:

The City no longer chooses to participate in the HOME Consortium, administered by Waukesha County. The City of Mequon understands that funds may be available through alternative programs directly administered by the State of Wisconsin. Further, the City of Mequon acknowledges that regardless of participation in the program, the City is still held to federal standards related to housing.

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

Date Approved: June 14, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on June 14, 2016.

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

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

Attachment: Resolution for Non-Participation (RESOLUTION 3379 : Home Consortium Partner)



11333 N. Cedarburg Road  
 Mequon, WI 53092  
 Phone: 262-236-2934  
 Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Engineering

**TO: Common Council**  
**FROM: Kristen Lundeen, Director of Public Works/City Engineer**  
**DATE: May 10, 2016**  
**SUBJECT: Resolution Approving a Transfer of Funds Within the Sanitary Sewer Capital Budgets**

### **Background**

This is an administrative item to address the reallocation of sewer capital funds from accounts where the projects are complete, to projects where additional funding is or will be required. Some of the transfers will cover the required budget authorized in Resolution 3335, which funded the 2016 Capital Improvement Program. Other transfers are anticipated to cover future years of the Capital Improvement Program. For the accounts where the project is complete, the final balance will be \$0.

Any contract awards for the use of funds from the capital budgets will be forwarded to the Sewer Utility District Commission for a recommendation and to Common Council for final action.

### **Analysis**

Staff proposes a reallocation of funds as follows:

FROM	TO	TRANSFER AMOUNT	ENDING BALANCE
Account #611799-12008 Lift Station H and C Force Main Design	Account #611799-12003 East Trunk Sewer Design	\$42,928.91	\$200,120.15
Account #611799-12018 Lift Station H Force Main Construction	Account #611799-12033 Lift Station L Force Main Construction	\$56,210.74	\$243,243.74
Account #611799-12022 Lift Station C Force Main Construction	Account #611799-12023 Cedarburg Road Interceptor	\$94,057.40	\$1,042,448.03
Account #611799-12027 Wauwatosa Road Design	Account #611799-12003 East Trunk Sewer Design	\$1,907.15	\$200,120.15

**Fiscal Impact**

This resolution addresses existing fund balance reallocation and does not result in a request for funding or budget increase.

**Recommendation**

Staff recommends that the Sewer Utility District Commission recommend and the Common Council approve Resolution 3381 approving a transfer of funds within the sanitary sewer capital budgets.

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3381

Resolution Approving a Transfer of Funds Within the Sanitary Sewer Capital Budgets

WHEREAS, the Sewer Utility District Commission has reviewed and recommended to the Common Council to transfer balances from sanitary sewer capital accounts and allocate funding to projects authorized in the 2016 Capital Improvement Program.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mequon, Ozaukee County, Wisconsin, that the amounts indicated be transferred from the designated accounts to the project allocations indicated:

Transfer the account balance of \$42,928.91 from Account #611799-12008 Lift Station H and C Design to Account #611799-12003 East Trunk Sewer Design.

Transfer the account balance of \$56,210.74 from Account #611799-12018 Lift Station H Construction to Account #611799-12033 Lift Station L Force Main Construction.

Transfer the account balance of \$94,057.40 from Account #611799-12022 Lift Station C Construction to Account #611799-12023 Cedarburg Road Interceptor.

Transfer the account balance of \$1,907.15 from Account #611799-12027 Wauwatosa Road Design to Account #611799-12003 East Trunk Sewer Design.

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

Date Approved:

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

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



11333 N. Cedarburg Road  
 Mequon, WI 53092  
 Phone: 262-236-2956  
 Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Finance

**TO: Common Council**  
**FROM: Veronica Rudychev, Asst. Finance Director**  
**DATE: June 7, 2016**  
**SUBJECT: A Resolution Approving A Transfer of Funds From The Capital Project Fund's Fire Vehicle Replacement Account to the Fire Officer Equipment Account**

### **Background**

The Fire Department has historically purchased replacement equipment for Fire Officers including, but not limited to, turn out gear, dive gear, and ice rescue suits out of the operating budget during the years which the items needed replacement. Due to the nature of the equipment and timing of the purchases, at times the equipment, although budgeted and purchased in one fiscal year, would not be invoiced and subsequently paid until the next fiscal year. This presents a hardship to the Fire Department operating budget as it shows budgetary surpluses and deficits which are at times beyond their control.

### **Analysis**

Fire Officer Equipment qualifies as a capital project purchase based on the cost and useful life of the equipment being purchased. In an effort to prevent fluctuation in the Fire Department operating budget and prevent possible deficits or surpluses in various operating budget accounts, the purchase of Fire Officer Equipment is best budgeted and accounted for in the Capital Project Fund, which is a non-lapsing fund. Therefore, staff is proposing creation of a mid-fiscal year 2016 project account for Fire Officer Equipment replacement, which is similar in scope to the Police Officer Equipment replacement account.

### **Fiscal Impact**

Since this decision is being made mid-fiscal year and no tax revenue was requested to fund the account, staff is proposing that funds in the amount of \$40,000 be transferred from the Fire Vehicle Replacement account to the newly created Fire Officer Equipment account in the Capital Projects Fund. The Fire Vehicle Replacement account received some unanticipated revenue from vehicle sales, insurance claims, and reclassification of sprinkler system fees and will be able to absorb the transfer of funds without negatively impacting the project account in future years. Future funding requests will be programmed as part of the Capital Project Fund budget.

### **Recommendation**

The attached resolution is recommended for review and approval by the Finance/Personnel Committee and the Common Council, in order to approve the transfer of \$40,000 from the Capital Project Fund's Fire Vehicle Replacement account to the Fire Officer Equipment account.

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3382

A Resolution Approving A Transfer of Funds From The Capital Project Fund's Fire Vehicle Replacement Account to the Fire Officer Equipment Account

**WHEREAS**, the purchase of Fire Officer Equipment qualifies as a Capital Project based on cost and useful life; and

**WHEREAS**, a new capital project has been established to adequately account for these purchases in fiscal year 2016; and

**WHEREAS**, funding from the Fire Vehicle Replacement capital project account has been earmarked to fund the capital project account for Fire Officer Equipment; and

**WHEREAS**, the City of Mequon Finance & Personnel Committee, after reviewing the information presented by staff, recommends a transfer of \$40,000.00 from the Capital Projects Fund Fire Vehicle Replacement account to the Fire Officer Equipment account;

**NOW THEREFORE, BE IT RESOLVED that the** Common Council of the City of Mequon, Wisconsin, approves said transfer.

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

Date Approved:

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

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



11333 N. Cedarburg Road  
 Mequon, WI 53092  
 Phone: 262-242-2530  
 Fax: 262-242-5042

www.ci.mequon.wi.us

Office of Fire/Ambulance

**TO: Common Council**  
**FROM: David Bialk, Fire Chief**  
**DATE: May 15, 2016**  
**SUBJECT: A Resolution Approving the Purchase of a Replacement Vehicle for the Mequon Fire Chief from Ewald Chevrolet, Oconomowoc, WI in the Amount of \$37,740 and Installation of Emergency Lights and Radio Package from General Fire, Milwaukee, WI in the Amount of \$10,280.**

### Background

The fire department's capital plan calls for the replacement of the fire chief's vehicle in 2016. The current chief's vehicle is a 2009 Chevy Tahoe with 92,000 miles. Once replaced the current chief's vehicle will replace a 2003 staff vehicle that was severely damaged in a March snowstorm. The 2003 staff vehicle was stopped at an intersection and struck by a SUV that was unable to stop. The City has since received \$7,200 in insurance proceeds from the loss of the vehicle.

### Analysis

The Chief's vehicle is used daily by the Fire Chief and doubles as a front line first responder during periods of maintenance for other first responder vehicles. A specification for a Chief's vehicle and part-time first responder vehicle was developed and sent out for quotes from three different vendors. A quote was included for the installation of emergency lighting, siren, radio, and computer.

### Fiscal Impact

The funds for the purchase will be coming from the fire department vehicle replacement capital account. The account currently has \$528,000 in it.

Ewald Automotive (State Bid)	\$37,740
Holz Chevrolet	\$38,245
Newman Chevrolet	\$38,963
Emergency lights and radio installation	
General Fire	\$10,280
Cost of Chevy Tahoe	\$37,740
Cost of lighting package, siren, radio and computer installation	\$10,280

Total \$48,020

**Recommendation**

The Public Safety Committee approved a staff recommendation at its meeting on May 24th, 2016 by a vote of 3-0. Accordingly, staff recommends Common Council adoption of the proposed resolution.

Attachments:

Quote Fire Department 2016 1 (PDF)

Quote Fire Department 2016 2 (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3385

A Resolution Approving the Purchase of a Replacement Vehicle for the Mequon Fire Chief from Ewald Chevrolet, Oconomowoc, WI in the Amount of \$37,740 and Installation of Emergency Lights and Radio Package from General Fire, Milwaukee, WI in the Amount of \$10,280.

**WHEREAS**, the City of Mequon Fire Department provides 24-hour fire and EMS services 365 days per year; and

**WHEREAS**, the Mequon Fire Department has a plan for scheduled replacement of fire vehicles; and

**WHEREAS**, staff requested bids on a replacement vehicles, specifically a 2016 Chevrolet Tahoe; and

**WHEREAS**, Ewald Automotive Group of Oconomowoc provided the lowest bid for the replacement of the Chevrolet Tahoe at \$37,740; and General Fire for the installation of emergency equipment at \$10,280; and

**WHEREAS**, staff recommends the purchase of the vehicle from funds set aside each year for this purpose; and

**NOW, THEREFORE BE IT RESOLVED** by the Common Council of the City of Mequon that staff is hereby directed to enter into an agreement to purchase a 2016 Chevy Tahoe from Ewald Automotive Group of Oconomowoc at their bid of \$37,740, as well as a the installation of emergency lighting from General \$10,280. Funds for these purchases will be from the Fire Equipment Capital Account 410791-730012-10014.

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

Date Approved:

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

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

**Prepared For:**  
 DAVID BIALK  
 CITY OF MEQUON FIRE DEPT  
 11300 N BUNTROCK AVE  
 MEQUON, WI 53092  
 Phone: (262) 242-2530  
 Email: dbialk@ci.mequon.wi.us



**Prepared By:**  
 SCOTT KUSSOW  
 EWALD AUTOMOTIVE GROUP, LL  
 36833 E. WISCONSIN AVE.  
 OCONOMOWOC, WI 53066  
 Phone: (262) 567-5555  
 Fax: (262) 560-1303  
 Email: skfleet@ewaldauto.com

## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### QUOTE WORKSHEET

#### QUOTE WORKSHEET - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

MSRP	\$50,000.00
Destination Charge	\$1,195.00
Optional Equipment	(\$3,057.00)
Dealer Advertising	\$0.00
PRE-TAX ADJUSTMENTS:	
STATE OF WISCONSIN MUNICIPAL DISCOUNT	(\$10,398.00)
Total Pre-Tax Adjustments	(\$10,398.00)
Taxable Price	\$37,740.00
<b>TOTAL</b>	<b>\$37,740.00</b>

Customer Signature / Date

Dealer Signature / Date

2016 CHEVROLET TAHOE 4WD SSV REVISED AGAIN TO YOUR SPECS AS DETAILED. DELIVERY CAN BE ANTICIPATED 90-120 DAYS FROM RECEIPT OF YOUR ORDER. PAYMENT TERMS ARE NET TEN DAYS.

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

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Customer File:

**Prepared For:**

DAVID BIALK  
 CITY OF MEQUON FIRE DEPT  
 11300 N BUNTROCK AVE  
 MEQUON, WI 53092  
 Phone: (262) 242-2530  
 Email: dbialk@ci.mequon.wi.us

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 EWALD AUTOMOTIVE GROUP, LL  
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 OCONOMOWOC, WI 53066  
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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### STANDARD EQUIPMENT

#### STANDARD EQUIPMENT - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

##### ENTERTAINMENT

- Audio system, AM/FM stereo with CD player and auxiliary input jack includes USB port
- Audio system feature, single-slot CD/MP3 player
- Audio system feature, 6-speaker system
- SiriusXM Satellite Radio, delete
- Bluetooth for phone personal cell phone connectivity to vehicle audio system
- OnStar with 4G LTE and built-in Wi-Fi hotspot to connect to the internet at 4G LTE speeds, includes 3GB or 3 months OnStar Data Trial (whichever comes first) (Requires (UE1) OnStar Guidance plan. Available 4G LTE Wi-Fi requires compatible mobile device, active OnStar subscription and data plan after trial)

##### EXTERIOR

- Wheels, 17" x 8" (43.2 cm x 20.3 cm) painted steel
- Tires, P265/70R17 all-terrain, blackwall
- Tire, spare P265/70R17 all-season, blackwall
- Wheel, full-size spare, 17" (43.2 cm) steel
- Tire carrier, lockable outside spare, winch-type mounted under frame at rear
- Fascia, front body-color
- Fascia, rear color-keyed
- Assist steps, Black (Deleted when (RVQ) Assist step kit, Black, LPO or (VXH) Assist step kit, Chrome, LPO are ordered.)
- Daytime Running Lamps, with automatic exterior lamp control
- Mirrors, outside heated power-adjustable, manual-folding and color keyed driver mirror includes spotter mirror
- Glass, deep-tinted (With (9C1) Police Vehicle or (5W4) Special Service Vehicle includes all windows, except light-tinted glass on windshield and driver- and front passenger-side glass)
- Wipers, front intermittent, Rainsense
- Wiper, rear intermittent with washer
- Liftgate, rear manual

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### STANDARD EQUIPMENT

#### STANDARD EQUIPMENT - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

##### INTERIOR

- Seating, front 40/20/40 split-bench, 3-passenger includes 6-way power driver and 2-way front passenger seat adjuster, driver and front passenger power lumbar control and power reclining, center fold-down armrest with storage, storage compartments in seat cushion (includes auxiliary power outlet), adjustable outboard head restraints and storage pockets (With vinyl, does not include (AG1) Driver 6-way power seat adjuster or (AG2) Front passenger 6-way power adjuster.)
- Seat trim, cloth
- Seat adjuster, driver power, multidirectional (Included and only available with (AZ3) 40/20/40 split-bench front seat.)
- Seat adjuster, front passenger 6-way power
- Seats, second row 60/40 split-folding bench, manual
- Seat, third row manual 60/40 split-folding bench, fold flat
- Floor covering, Black rubberized-vinyl
- Steering column, Tilt-Wheel
- Steering wheel, urethane
- Steering wheel controls, mounted cruise controls
- Display, driver instrument information enhanced, one color
- Warning tones headlamp on, key-in-ignition, driver and right-front passenger safety belt unfasten and turn signal on
- Door locks, power programmable with lockout protection (With (9C1) Police Vehicle or (5W4) Special Service Vehicle, Auto Lockout is disabled on Driver door.)
- Remote Keyless Entry, extended-range
- Windows, power, with Express-Down and Express-Up on front doors and lock out features
- Cruise control, electronic with set and resume speed
- Climate control, tri-zone automatic with individual climate settings for driver, right-front passenger and rear passengers (With (9C1) Police Vehicle or (5W4) Special Service Vehicle, includes dual-zone automatic, front and rear air conditioning electronic controls)
- Defogger, rear-window electric
- Power outlet, 110-volt

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### STANDARD EQUIPMENT

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#### STANDARD EQUIPMENT - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

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- Mirror, inside rearview manual day/night
- Conversation mirror
- Assist handles, all seats (With (9C1) Police Vehicle or (5W4) Special Service Vehicle, front passenger assist handle is removed when (7X7) Spot lamps are ordered.)
- Lighting, interior with dome light, driver- and passenger-side door switch with delayed entry feature, cargo lights, door handle or Remote Keyless Entry-activated illuminated entry and map lights in front and second seat positions. With (9C1) Police Vehicle or (5W4) Special Service Vehicle, interior lighting includes dome light, cargo lights, door handle or Remote Keyless Entry-activated illuminated entry and map lights in front and second seat positions
- Cargo management system
- Cargo net
- OnStar Basic plan for 5 years including limited RemoteLink mobile app services, Advanced Diagnostics and Dealer Maintenance Notification (Basic Plan available for 5 years from the date of vehicle delivery, and is transferable. Does not include Emergency, Security or Navigation services.)

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### STANDARD EQUIPMENT

#### STANDARD EQUIPMENT - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

##### MECHANICAL

- Engine, 5.3L EcoTec3 V8 with Active Fuel Management, Direct Injection and Variable Valve Timing includes aluminum block construction (355 hp [265 kW] @ 5600 rpm, 383 lb-ft of torque [518 N-m] @ 4100 rpm)
- Transmission, 6-speed automatic, electronically controlled with overdrive and tow/haul mode
- Rear axle, 3.08 ratio (Not available with (NHT) Max Trailering Package.)
- Suspension Package, Premium Smooth Ride (Not available with (NHT) Max Trailering Package.)
- GVWR, 7300 lbs. (3311 kg) (Requires 4WD model.)
- E85 FlexFuel capable
- Transfer case, active, single-speed, electronic Autotrac with rotary controls, does not include neutral. Cannot be dinghy towed (Requires 4WD model. Not available with (NHT) Max Trailering Package.)
- Differential, heavy-duty locking rear
- 4-wheel drive
- Air cleaner, high-capacity
- Cooling, external engine oil cooler, heavy-duty air-to-oil integral to driver side of radiator (With (9C1) Police Vehicle or (5W4) Special Service Vehicle includes heavy-duty oil-to-coolant integral to driver-side of radiator.)
- Cooling, auxiliary transmission oil cooler, heavy-duty air-to-oil
- Battery, 720 cold-cranking amps with 80 amp hour rating
- Alternator, 150 amps
- Trailering equipment includes trailering hitch platform, 7-wire harness with independent fused trailering circuits mated to a 7-way sealed connector and 2" trailering receiver
- Recovery hooks, 2 front, frame-mounted, Black
- Suspension, front coil-over-shock with stabilizer bar
- Suspension, rear multi-link with coil springs
- Steering, power

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### STANDARD EQUIPMENT

#### STANDARD EQUIPMENT - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

#### SAFETY

- Brakes, 4-wheel antilock, 4-wheel disc, VAC power
- StabiliTrak, stability control system with brake assist, includes traction control
- Air bags, frontal and side-impact for driver and front passenger and head curtain side-impact for all rows in outboard seating positions (Included and only available with (AZ3) 40/20/40 split-bench front seat. With (9C1) Police Vehicle or (5W4) Special Service Vehicle requires (AZ3) 40/20/40 split-bench front seat and (9U3) SEO front center seat (20% seat) delete. Always use safety belts and child restraints. Children are safer when properly secured in a rear seat in the appropriate child restraint. See the Owner's Manual for more information.)
- Automatic Occupant Sensing System sensor indicator inflatable restraint, front passenger/child presence detector
- OnStar Guidance Plan for 6 months including Automatic Crash Response, Stolen Vehicle Assistance, Roadside Assistance, Turn-by-Turn Navigation, Advanced Diagnostics and more (trial excludes Hands-Free Calling) (Visit [www.onstar.com](http://www.onstar.com) for coverage map, details and system limitations. Services may vary by model and conditions.)
- Rear Park Assist with audible warning
- Rear Vision Camera
- LATCH system (Lower Anchors and Top tethers for Children), for child safety seats; lower anchors and top tethers located in all second row seating positions, top tethers located in third row seating positions
- Tire Pressure Monitor System air pressure sensors in each tire with pressure display in Driver Information Center
- Theft deterrent, electrical, unauthorized entry

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### SELECTED MODEL & OPTIONS

#### SELECTED MODEL - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

<u>Code</u>	<u>Description</u>	<u>MSRP</u>
CK15706	2016 Chevrolet Tahoe 4WD 4dr Commercial	\$50,000.00

#### SELECTED VEHICLE COLORS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

<u>Code</u>	<u>Description</u>
-	Interior: Jet Black
-	Exterior 1: Siren Red Tintcoat
-	Exterior 2: No color has been selected.

#### SELECTED OPTIONS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

#### CATEGORY

<u>Code</u>	<u>Description</u>	<u>MSRP</u>
SUSPENSION PKG		
ZW7	SUSPENSION PACKAGE, PREMIUM SMOOTH RIDE (STD) (Not available with (NHT) Max Trailering Package.)	\$0.00
EMISSIONS		
FE9	EMISSIONS, FEDERAL REQUIREMENTS	\$0.00
ENGINE		
L83	ENGINE, 5.3L ECOTEC3 V8 WITH ACTIVE FUEL MANAGEMENT, DIRECT INJECTION AND VARIABLE VALVE TIMING includes aluminum block construction (355 hp [265 kW] @ 5600 rpm, 383 lb-ft of torque [518 N-m] @ 4100 rpm) (STD)	\$0.00
TRANSMISSION		
MYC	TRANSMISSION, 6-SPEED AUTOMATIC, ELECTRONICALLY CONTROLLED with overdrive and tow/haul mode (STD)	\$0.00
AXLE		
GU4	REAR AXLE, 3.08 RATIO (Not available with (NHT) Max Trailering Package.)	\$0.00

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 EWALD AUTOMOTIVE GROUP, LL  
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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### SELECTED MODEL & OPTIONS

#### SELECTED OPTIONS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

#### CATEGORY

<u>Code</u>	<u>Description</u>	<u>MSRP</u>
PREFERRED EQUIPMENT GROUP 1FL	COMMERCIAL PREFERRED EQUIPMENT GROUP Includes Standard Equipment *CREDIT*	\$0.00
WHEEL TYPE PZX	WHEELS, 18" X 8.5" (45.7 CM X 21.6 CM) ALUMINUM WITH HIGH-POLISHED FINISH	\$600.00
TIRES RKX	TIRES, P265/65R18 ALL-SEASON, BLACKWALL	\$0.00
SPARE TIRE RC4	TIRE, SPARE P265/70R17 ALL-SEASON, BLACKWALL (STD)	INC
PAINT SCHEME ZY1	PAINT SCHEME, SOLID APPLICATION	\$0.00
PAINT G1E	SIREN RED TINTCOAT (Additional charge.)	\$495.00
SEAT TYPE AZ3	SEATING, FRONT 40/20/40 SPLIT-BENCH, 3-PASSENGER includes 6-way power driver and 2-way front passenger seat adjuster, driver and front passenger power lumbar control and power reclining, center fold-down armrest with storage, storage compartments in seat cushion (includes auxiliary power outlet), adjustable outboard head restraints and storage pockets (With vinyl, does not include (AG1) Driver 6-way power seat adjuster or (AG2) Front passenger 6-way power adjuster.) (STD)	\$0.00
SEAT TRIM H0U	JET BLACK, CLOTH SEAT TRIM	\$0.00
RADIO IO3	AUDIO SYSTEM, AM/FM STEREO WITH CD PLAYER AND AUXILIARY INPUT JACK includes USB port (STD)	\$0.00
GVWR C6A	GVWR, 7300 LBS. (3311 KG) (Requires 4WD model.)	\$0.00
ADDITIONAL EQUIPMENT		

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### SELECTED MODEL & OPTIONS

#### SELECTED OPTIONS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

#### CATEGORY

Code	Description	MSRP
ADDITIONAL EQUIPMENT		
5W4	IDENTIFIER FOR SPECIAL SERVICE VEHICLE (Must be specified.)	-\$5,685.00
NQH	TRANSFER CASE, ACTIVE, 2-SPEED ELECTRONIC AUTOTRAC with rotary controls, includes neutral position for dinghy towing (Requires 4WD model. Included with (9C1) Police Vehicle, (5W4) Special Service Vehicle and (NHT) Maximum Trailering Package.)	INC
NZZ	FRONT UNDERBODY SHIELD (Requires 4WD models and a Fleet or Government sales order type. Included with (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	INC
K4B	BATTERY, AUXILIARY, 730 CCA	INC
—	POWER SUPPLY, 100-AMP, AUXILIARY BATTERY, REAR ELECTRICAL CENTER (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC
—	POWER SUPPLY, 50-AMP, POWER SUPPLY, AUXILIARY BATTERY passenger compartment wiring harness (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC
—	POWER SUPPLY, 120-AMP, (4) 30-AMP CIRCUIT, PRIMARY BATTERY relay controlled, passenger compartment harness wiring (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC
KW7	ALTERNATOR, 170 AMPS, HIGH OUTPUT (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC
—	LUGGAGE RACK, DELETE (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC
VQK	LPO, MOLDED SPLASH GUARDS (dealer-installed)	\$170.00
9G8	HEADLAMPS, DAYTIME RUNNING LAMPS AND AUTOMATIC HEADLAMP CONTROL DELETE deletes standard Daytime Running Lamps and automatic headlamp control features from the vehicle for police stealth surveillance (Requires (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	\$10.00

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 Customer File:

**Prepared For:**

DAVID BIALK  
 CITY OF MEQUON FIRE DEPT  
 11300 N BUNTROCK AVE  
 MEQUON, WI 53092  
 Phone: (262) 242-2530  
 Email: dbialk@ci.mequon.wi.us

**Prepared By:**

SCOTT KUSSOW  
 EWALD AUTOMOTIVE GROUP, LL  
 36833 E. WISCONSIN AVE.  
 OCONOMOWOC, WI 53066  
 Phone: (262) 567-5555  
 Fax: (262) 560-1303  
 Email: skfleet@ewaldauto.com

## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### SELECTED MODEL & OPTIONS

#### SELECTED OPTIONS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

#### CATEGORY

<u>Code</u>	<u>Description</u>	<u>MSRP</u>
ADDITIONAL EQUIPMENT		
6J7	FLASHER SYSTEM, HEADLAMP AND TAILLAMP, DRL COMPATIBLE with control wire (Requires (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	\$495.00
—	EXTERIOR ORNAMENTATION DELETE (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC
6J3	WIRING, GRILLE LAMPS AND SIREN SPEAKERS (Requires (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	\$92.00
6J4	WIRING, HORN AND SIREN CIRCUIT (Requires (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	\$41.00
—	DOOR HANDLES, BODY-COLOR (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC
UN9	RADIO SUPPRESSION PACKAGE, WITH GROUND STRAPS (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	INC
ATD	SEAT DELETE, THIRD ROW PASSENGER (Deletes rear storage compartment.) (Included with (9C1) Police Vehicle or (5W4) Special Service Vehicle.) *CREDIT*	INC
B30	FLOOR COVERING, COLOR-KEYED CARPETING	\$190.00
B58	FLOOR MATS, COLOR-KEYED CARPETED FIRST AND SECOND ROW, REMOVABLE (Included and only available with (B30) color-keyed carpeting, floor covering.)	\$0.00
VAV	LPO, ALL-WEATHER FLOOR MATS (dealer-installed) (Requires (B30) floor covering.)	\$225.00
—	INSTRUMENTATION, ANALOG with certified 140 mph speedometer, odometer with trip odometer, engine hour meter, fuel level, voltmeter, engine temperature, oil pressure and tachometer (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC
BTV	REMOTE VEHICLE START	\$300.00
—	KEY, 2-SIDED (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 436.0, Data updated 4/26/2016  
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Customer File:

**Prepared For:**

DAVID BIALK  
 CITY OF MEQUON FIRE DEPT  
 11300 N BUNTROCK AVE  
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**Prepared By:**

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 EWALD AUTOMOTIVE GROUP, LL  
 36833 E. WISCONSIN AVE.  
 OCONOMOWOC, WI 53066  
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 Fax: (262) 560-1303  
 Email: skfleet@ewaldauto.com

## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### SELECTED MODEL & OPTIONS

#### SELECTED OPTIONS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

#### CATEGORY

<u>Code</u>	<u>Description</u>	<u>MSRP</u>
<b>ADDITIONAL EQUIPMENT</b>		
—	THEFT-DETERRENT SYSTEM, VEHICLE, PASS-KEY III (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC
—	POWER OUTLETS, 4 AUXILIARY, 12-VOLT includes 1 on the instrument panel, 1 in armrest, and 2 in the cargo area (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	INC
<b>SPECIAL EQUIPMENT OPTIONS</b>		
UTQ	CONTENT THEFT ALARM DISABLE	\$10.00
VPV	SHIP THRU, PRODUCED IN ARLINGTON ASSEMBLY and shipped to Kerr Industries and onto Arlington Assembly	INC
<b>OPTIONS TOTAL</b>		<b>-\$3,057.00</b>

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 436.0, Data updated 4/26/2016  
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 Customer File:

**Prepared For:**  
 DAVID BIALK  
 CITY OF MEQUON FIRE DEPT  
 11300 N BUNTROCK AVE  
 MEQUON, WI 53092  
 Phone: (262) 242-2530  
 Email: dbialk@ci.mequon.wi.us



**Prepared By:**  
 SCOTT KUSSOW  
 EWALD AUTOMOTIVE GROUP, LL  
 36833 E. WISCONSIN AVE.  
 OCONOMOWOC, WI 53066  
 Phone: (262) 567-5555  
 Fax: (262) 560-1303  
 Email: skfleet@ewaldauto.com

2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

## **PRICING SUMMARY**

### **PRICING SUMMARY - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial**

	<u><b>MSRP</b></u>
Base Price	\$50,000.00
Total Options:	-\$3,057.00
Vehicle Subtotal	\$46,943.00
Advert/Adjustments	\$0.00
Destination Charge	\$1,195.00
<b>GRAND TOTAL</b>	<b>\$48,138.00</b>

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 436.0, Data updated 4/26/2016  
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 Customer File:

ORDER NUMBER B15212

Order Date 05/11/16

**General Fire Equipment Co., Inc**975 North Hawley Rd  
Milwaukee, WI 53213**Bid Expiration Date 08/11/16**

Required Date 05/11/16

**Phone: 414/475-0959****Bill To:**Mequon Fire Department  
11300 North Buntrock Avenue  
Mequon, WI 53092**Ship To:**Mequon Fire Department  
11300 North Buntrock Avenue  
Mequon, WI 53092**THIS IS A BID/ESTIMATE**

Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.
MEQU03	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped Back Ordered	Item Number	Unit of Measure	Unit Price		Extended Price
		Item Description (Customer Part No.)		Discount %	Tax	
1	0	<b>SQD</b> 2016 Chevy Tahoe		0.00	N	0.00
2	0	<b>WHELEN</b> Dominator Plus Light stick custom for Tahoe luggage rack 8 Lights custom set into 48" extrusion and mounted to luggage rack for a clean low profile stealth appearance Customer to choose single color choic per lighthouse.  If you decide to do the SAound-Off Version of this it would be approx the same cost but we would make the front be all red + all white for warning and scene capabilities as the rear could either be all red with either amber for directional or rear scene light plus additional back up lights.		1151.00	N	2302.00
1	0	<b>SOUETHAH0-07+</b> Sound-Off Headlight Flasher, 07+ Tahoe		79.50	N	79.50
1	0	<b>SOUENFTCDXS1206</b> Sound-Off nForce External 6 Mod Traffic Controller, 12 LED 6 Module 12 Button High Output LED Dual Color Interior Light Stick Complete w/ mounting brackets All lights Dual color: Red + White Level 2 warning(Parked) all red Level 3 warning( In drive add whites TBD) Front scene: all lights steady burn Mounted behind grill		617.40	N	617.40

Order Number **B13212**

Order Date 05/11/16

**General Fire Equipment Co., Inc**975 North Hawley Rd  
Milwaukee, WI 53213

Bid Expiration Date 08/11/16

Required Date 05/11/16

Phone: 414/475-0959

**Bill To:**Mequon Fire Department  
11300 North Buntrock Avenue  
Mequon, WI 53092**Ship To:**Mequon Fire Department  
11300 North Buntrock Avenue  
Mequon, WI 53092**THIS IS A BID/ESTIMATE**

Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.
MEQU03	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped	Item Number	Unit of Measure	Unit Price		Extended Price
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax	
2	0	<b>SOUENT3B3-</b> Sound-Off Surface Mount LED Intersection Module, Each (RED + WHITE)		150.00	N	300.00
4	0	<b>SOUEFL1B0-</b> Sound-Off Fusion LED Lite Black Housing (2/RED 2/WHITE) Mounted off running board		36.75	N	147.00
2	0	<b>SOUENFSGS2-</b> Sound-Off nForce Single Deck/Grill Mount 10-16v, 9 LED (RED SIDE REAR WINDOW)		139.50	N	279.00
2	0	<b>SOUENFDGS2-</b> Sound-Off nForce Dual Deck/Grill 9 LED Light, Red (REAR LOWER DOOR)		315.00	N	630.00
2	0	<b>EIG-E106</b> 6 lamp Hi-Output Surface Mount LED Light w/ Flasher (UNDER TAIL GATE)		78.00	N	156.00
2	0	<b>EIG-E106</b> 6 lamp Hi-Output Surface Mount LED Light w/ Flasher (OVER BRAKE LIGHT)		78.00	N	156.00
1	0	<b>ABL11.1005</b> Solid State LED Flasher, Strobe Type (TAIL FLASHER)		31.38	N	31.38
1	0	<b>CARSC-411RD</b> Carson Elite Force Dual Tone 200Watt Remote Siren/Light Sys.		673.50	N	673.50

**Order Number BT3212**

Order Date 05/11/16

**General Fire Equipment Co., Inc**975 North Hawley Rd  
Milwaukee, WI 53213**Bid Expiration Date 08/11/16**

Required Date 05/11/16

**Phone: 414/475-0959****Bill To:**Mequon Fire Department  
11300 North Buntrock Avenue  
Mequon, WI 53092**Ship To:**Mequon Fire Department  
11300 North Buntrock Avenue  
Mequon, WI 53092**THIS IS A BID/ESTIMATE**

Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.
MEQU03	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped	Item Number	Unit of Measure	Unit Price		Extended Price
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax	
2	0	<b>SOUETSS100N</b> Sound-Off 100 Watt Black Composite Speaker w/ Bail Brkt		188.50	N	377.00
2	0	<b>SOUETSS100DBKCT</b> Sound-Off Speaker Bracket , Chevy Trucks		35.00	N	70.00
1	0	<b>MISC</b> Hint laptop floor base		150.00	N	150.00
1	0	<b>JOTC-6022</b> Tahoe 28" Floor Mtg. Plate w/ Legs, 2015+		158.00	N	158.00
1	0	<b>JOTC-6691</b> Jotto Low Profile Console, 12" Faceplates		342.00	N	342.00
1	0	<b>JOT-6109</b> Face Plate 3", Orion Remote Mount		39.00	N	0.00
1	0	<b>JOT-6387</b> Face Plate 3", Carson SC-411 Light/Siren Control		100.000	N	0.00
2	0	<b>JOT-6049</b> Filler Plate, 1" Blank		14.00	N	0.00
1	0	<b>JOT-6359</b> Filler Plate, 4"		100.000	N	0.00
2	0	<b>JOTA-3816</b> Magnetic Mic Clip Assy, Single pack		38.95	N	77.90
1	0	<b>HAVC-ARM-104</b> Havis Adj. Height, Swivel & Tilt Arm Rest Flat Mount		155.45	N	155.45

Order Number **BT3212**

Order Date 05/11/16

**General Fire Equipment Co., Inc**975 North Hawley Rd  
Milwaukee, WI 53213

Bid Expiration Date 08/11/16

Required Date 05/11/16

Phone: 414/475-0959

**Bill To:**Mequon Fire Department  
11300 North Buntrock Avenue  
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Mequon, WI 53092**THIS IS A BID/ESTIMATE**

Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.
MEQU03	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped	Item Number	Unit of Measure	Unit Price		Extended Price
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax	
1	0	<b>JOTA-6205</b> Dual External Cup Holder w/ Plastic Insert		55.00	N	55.00
2	0	<b>TECE20-WCOR-1</b> Orion Surface Mt. 6" Round Red/White LED Light w/Chrome Trim		90.00	N	180.00
2	0	<b>DEL-SLRR</b> Lighted Round Rocker Switch		5.00	N	10.00
1	0	<b>MOB-EB</b> Electronic SUV Equipment Storage Box w/ Cover Low profile		344.00	N	344.00
2	0	<b>WIRCB-150-R</b> 150Amp Manual Reset Circuit Breaker		49.99	N	99.98
1	0	<b>TSTCPC-100</b> Power Distribution Center w/ Load Mgmt, Timing & Alarm		275.00	N	275.00
3	0	<b>DEL-6FB</b> 6 Gang Fuse Block W/Wire & Cover		29.95	N	89.85
1	0	<b>INS-GS</b> 1/4"-20 Black surface Mount Ground Stud		9.95	N	9.95
1	0	<b>INS-TS16</b> 16 Position Terminal Strip		8.50	N	8.50
1	0	<b>INS-TS20</b> 20 Position Terminal Strip		9.00	N	9.00

**Order Number B13212**

Order Date 05/11/16

**General Fire Equipment Co., Inc**975 North Hawley Rd  
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Mequon, WI 53092**THIS IS A BID/ESTIMATE**

Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.
MEQU03	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped	Item Number	Unit of Measure	Unit Price		Extended Price
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax	
1	0	<b>MOT-BMFFME</b> 17' Antenna Cable assy, NMO mount & FME (FM)		30.00	N	30.00
1	0	<b>MOT-RFE-6108</b> FME (M) x TNC(M) Adapter		15.00	N	15.00
1	0	<b>MOT-MMGSK</b> Antenna Base Gasket		1.75	N	1.75
1	0	<b>001</b> Labor Charges For Installation Of Equipment Into Squad		2450.00	N	2450.00
Non Taxable Subtotal						10280.16
Taxable Subtotal						0.00
Tax						0.00
<b>Total Order</b>						<b>10280.16</b>



11333 N. Cedarburg Road  
 Mequon, WI 53092  
 Phone: 262-242-3500  
 Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Public Safety Committee

**TO: Common Council**  
**FROM: Steve Graff, Chief of Police**  
**DATE: June 6, 2016**  
**SUBJECT: A Resolution Authorizing a Purchase Agreement For Replacement of Police Vehicles**

### **Background**

The Mequon Police Department has a plan for scheduling replacement of its vehicles. For the last fifteen years or so, the City has replaced marked police squads every 2 to 2.5 years, as this has routinely been the period of time where the vehicles approach or exceed 100,000 miles. The City last replaced the marked squads in late 2013. There are eight marked 2014 Chevy Impalas to replace and one unmarked car to be replaced, a 2011 Chevy Impala.

### **Analysis**

The marked police vehicles are used 24 hours per day, seven days per week. In addition to the odometer mileage, the squads endure a lot of idling and hard acceleration and braking. Over the years, the City has found that a systematic replacement of the vehicles is much more cost effective than keeping the vehicles for extended periods which leads to higher maintenance costs and the potential that not enough vehicles are available for use when major repairs are necessary (i.e. transmission failures).

The Department currently uses Chevrolet Impalas which have been reliable and less costly to maintain than the Ford Crown Victoria which were used previously. The current vehicles have an average of 83,000 miles on them. The squads average about 3,000 miles per month, so they will have 100,000 miles by the time the City receives new, fully-equipped replacement vehicles.

The police vehicle market has changed dramatically in the last several years. Chevrolet has stopped manufacturing police package Impalas that the City has used since 2000. That leaves the Chevy Caprice, Dodge Charger and Ford Interceptor (Taurus) as the only other sedans available with special police equipment packages. For many reasons, space needs being the most important, none of these vehicles fulfill the Department's required needs.

There are several SUVs available for police needs, including the Chevy Tahoe, Ford Interceptor Utility (Explorer) and Dodge Durango. Since the Department already has several Fords in its fleet and they have been very reliable and spacious, the Ford utility vehicle makes the most sense for replacing marked squads.

The new vehicles will require new equipment such as prisoner partition cages, radio consoles, plastic rear seats, and emergency light bars, sirens, etc. Previously, the City has been able to

transfer all of these items each time it has purchased new vehicles, but equipment made for Chevy Impalas will not fit in Ford SUVs. Therefore there will be a one-time cost to purchase this equipment, which will likely be transferable to new vehicles in the future.

Bids were requested from four local Ford dealers. None were able to beat the State of Wisconsin competitive bidding price of \$27,053, by Ewald Automotive Group of Oconomowoc. Two dealers did not even provide a returned bid. One specific item requested as part of the bid was a keyless entry system (remote key fob) in addition to the Fleet Key system (where all of the cars are keyed alike). Ewald Automotive Group provided a final bid of \$27,378 per vehicle; the other dealer could not offer both items and referred the Department to a third-party vendor for installation.

Dealer	Price w/o Keyless Entry	Price With Keyless Entry
Ewald Auto - Oconomowoc	\$27,053	\$27,378
Schmit Ford - Thiensville	\$27,183	Recommend 3 <sup>rd</sup> party install
Von Schledorn -Saukville	No bid received	No bid received
Schmidt Bros. - Saukville	No bid received	No bid received

Bids were requested from Baycom, TKK Electronics, and General Communications for associated equipment and installation costs. Each vendor offers different brands of equipment, so there was not one standard set of equipment to bid on. After reviewing the bids received, General Communications provided the most detailed and complete bid totaling \$73,022.70.

### **Fiscal Impact**

The replacement of the nine squads at \$27,378 each equals \$246,402. Purchase and installation of all associated equipment by General Communications is \$73,022.70. Graphics and installation by Letters and Signs is estimated at \$3,888, for a total project cost of \$323,312.70. Sufficient funds have been budgeted and set aside for the project. Staff also estimates receiving approximately \$50,000 from selling the old vehicles at auction to offset the cost of the new vehicles.

### **Recommendation**

Staff recommends the purchase of nine 2017 Ford Police Interceptor Utility SUVs from the State of Wisconsin bid dealer Ewald Automotive Group of Oconomowoc, for a total of \$246,402; and the addition, purchase and installation of additional equipment and graphics at an additional \$76,910.70 for a total project cost of \$323,312.70.

Attachments:

Replace Squads quotes\_16 06-14 (PDF)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3387

A Resolution Authorizing a Purchase Agreement For Replacement of Police Vehicles

**WHEREAS**, the City of Mequon Police Department provides 24-hour police services 365 days per year and has a plan for scheduled replacement of police vehicles; and

**WHEREAS**, staff requested bids on replacement squad cars and associated equipment; and

**WHEREAS**, Ewald Automotive Group of Oconomowoc provided the lowest bid for the replacement of the vehicles at \$27,378 and General Communications provided a bid for associated equipment and installation for \$73,022.70 and Letters and Signs estimates a cost of \$3,888 to apply the appropriate police graphics; and

**WHEREAS**, staff recommends the purchase of the vehicles from funds set aside each year for this purpose;

**NOW, THEREFORE BE IT RESOLVED** by the Common Council of the City of Mequon that staff is hereby directed to enter into a purchase agreement to replace existing police squads with Ewald Automotive Group of Oconomowoc at their bid of \$27,378 per vehicle; to purchase and install associated equipment with General Communications for \$73,022.70; and to purchase and apply graphics with Letters and Signs for \$3,888. Funds for this purchase will be sourced from the Police Vehicle Replacement Account 410786-725011-10235.

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

Date Approved:

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

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



Attachment: Replace Squads quotes\_16 06-14 (RESOLUTION 3387 : Squad Replacement Request)

Prepared For:  
Pat Pryor  
City of Mequon Police Department  
1130 N Buntrock Ave  
Mequon, WI 53092  
Phone: (262) 242-7243  
Email: ppryor@ci.mequon.wi.us

Prepared By:  
Chrissy Gensch  
Ewald Automotive Group  
5788 Hwy 60 E.  
Hartford, WI 53027  
Phone: (262) 673-9400  
Fax: (262) 673-0575  
Email: cgensch@ewaldauto.com

Direct 262-569-434

### 2017 Fleet/Non-Retail Ford Police Interceptor Utility AWD 4dr K8A

## QUOTE WORKSHEET

### QUOTE WORKSHEET - 2017 Fleet/Non-Retail K8A AWD 4dr

MSRP	\$31,510.00
Destination Charge	\$945.00
Optional Equipment	\$1,480.00
Dealer Advertising	\$0.00
PRE-TAX ADJUSTMENTS:	
STATE OF WISCONSIN MUNICIPAL DISCOUNT	(\$6,557.00)
Total Pre-Tax Adjustments	(\$6,557.00)
Taxable Price	\$27,378.00
 TOTAL	 \$27,378.00

*C. Gensch* 5/18/14  
Dealer Signature / Date

Customer Signature / Date

2017 AWD Ford Utility Interceptor to the specifications as detailed. Registration fees are not included. Delivery can be anticipated approximately 90-120 days from order. Payment terms are net 10 days.

# 27,053.00  
WITHOUT KEYLES  
REMOTE

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 438.0, Data updated 5/10/2016  
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Customer File: Aftermarket Keyless-With Fleet Key

Attachment: Replace Squads quotes\_16 06-14 (RESOLUTION 3387 : Squad Replacement Request)

CNGP530

VEHICLE ORDER CONFIRMATION

05/19/16 20:50:06

==>

Dealer: F41345

2017 EXPLORER 4-DOOR

Page: 1 of 2

Order No: 9999 Priority: G3 Ord FIN: QA999 Order Type: 5B Price Level: 725  
Ord Code: 500A Cust/Flt Name: MPD PO Number:

		RETAIL	DLR INV		RETAIL	DLR INV	
K8A	4DR AWD POLICE	\$31510	\$30407.00	✓549	FWR MIRR HTD	\$60	\$58.00
	.112.6" WB			✓59J	KEY CODE J	50	49.00
G1	SHADOW BLACK			✓60R	NOISE SUPPRESS	100	95.00
✓9	CLTH BKTS/VNL R			✓60G	RR DR/LK INOP	35	33.00
✓W	EBONY BLACK			✓85D	FRT CNSL MT DEL	NC	NC
500A	EQUIP GRP			✓86P	FRT LMP HOUSING	125	119.00
	.PREM SINGLE CD				FLEX-FUEL		
99R	.3.7L V6 TIVCT	NC	NC	✓153	FRT LICENSE BKT	NC	NC
44C	.6-SPD AUTO TRAN	NC	NC				
✓53M	SYNC SYSTEM	295	280.00	✓	TOTAL BASE AND OPTIONS	33610	30256.10
✓17T	CARGO DOME LAMP	50	49.00	✓	TOTAL	33610	30256.10
✓18D	LIFTGTE DISABLE	NC	NC				
✓18W	RR WINDOW DEL	25	24.00				
✓43D	COURTESY DISABL	20	19.00				
✓51R	DRV LED SPT LMP	395	375.00				

F1=Help

F2=Return to Order

F0=Next

F3/F12=Veh Ord Menu

S006 - MORE DATA IS AVAILABLE.

fmcdecalr@kyle-PC

QC06349

May 19, 2016 7:50:11 PM

MWAule Ford  
 Schmit Ford  
 202-242-1100  
 Thank You

27,183

\* Question on e-mail  
 kylestentz

Attachment: Replace Squads quotes\_16 06-14 (RESOLUTION 3387 : Squad Replacement Request)

CNGP530  
==>

VEHICLE ORDER CONFIRMATION

05/19/16 20:50:39

Dealer: F41345  
Page: 2 of 2

2017 EXPLORER 4-DOOR  
Order No: 9999 Priority: G3 Ord FIN: QA999 Order Type: 5B Price Level: 725  
Ord Code: 500A Cust/Flt Name: MPD PO Number:

	RETAIL	DLR INV	RETAIL	DLR INV
SP DLR ACCT ADJ		\$(1,309.00)		
SP FLT ACCT CR		(899.00)		
FUEL CHARGE		4.10		
B4A NET INV FLT OPT	NC	7.00		
DEST AND DELIV	945	945.00		
TOTAL BASE AND OPTIONS	33610	30256.10		
TOTAL	33610	30256.10		

\*THIS IS NOT AN INVOICE\*

F1=Help

F2=Return to Order

F7=Prev

F3/F12=Veh Ord Menu

QC06349

S005 - INQUIRY IS COMPLETE.  
fmcdealr@kyle-PC  
May 19, 2016 7:50:44 PM

27,183

Attachment: Replace Squads quotes\_16 06-14 (RESOLUTION 3387 : Squad Replacement Request)



**GENERAL COMMUNICATIONS**  
*your safety is our business*

2880 Commerce Park Drive, Madison, WI 53719  
 Madison Milwaukee Eau Claire  
 : 608-271-4848 P: 262-439-2000 P: 715-225-7604  
 F: 608-661-2935 F: 262-439-2009 F: 608-661-2935  
 www.gencomm.com

SAL 6.e.a

Sales Quote No: 5332  
 Date: 5/19/16  
 Account No: 2687

**Bill To:** Mequon Police Department  
 11300 North Buntrock Avenue  
 Mequon, WI 53092  
 USA

**Ship To:** Mequon Police Department  
 11300 North Buntrock Avenue  
 Mequon, WI 53092  
 USA

Sales Person	P.O. Number	Ship Method	Payment Terms	Quote Expires On
Ray Maiorano	Quote per: Sergeant Pat Pryor	Spee-Dee Delivery		6/18/16

**Notes**  
 Quote per: Sgt. Pat Pryor Email: ppyor@ci.mequon.wi.us 262-242-3500 Cell 414-254-1378 NOTE: REVISED

Item No	Description	Quantity	UM	Price	Disc	Amou
7170-0166	Gamber Vehicle Specific Console for the 2012-2016 Ford Interceptor Utility	9.00	Each	\$486.00	0.00	\$4,374.00
3130-0361	Gamber Johnson @" Blank Knockout Plate w/3 Mounting Holes for Cigarette Power Receptacles	9.00	Each	\$6.80	0.00	\$61.20
7160-0063	Gamber Johnson Cigarette Lighter Adapter Kit (includes ROHS compliant 12v receptacle and wire kit) 5 Per Vehicle	45.00	Each	\$14.70	0.00	\$661.50
7160-0431	Gamber Filler Panel Assembly - Ford Utility PI	9.00	Each	\$47.00	0.00	\$423.00
7120-0579	Gamber Hardware bag. USB Audio Cables. Use with PI Utility console box to relocate Factory USB & Aud	9.00	Each	\$21.00	0.00	\$189.00
S4702U1INT13OSB	Pro-Gard Standard transport Seat W/Poly window barrier and outboard seat belts	9.00	Each	\$1,149.00	0.00	\$10,341.00
ENFSGS2R	SoundOff nFORCE® Single Deck/Grille Mount Light, SAE Class 1, 10-16v, Black Housing, 9 LED, RED (SIDE WINDOWS & FRONT GRILL )	18.00	Each	\$93.00	0.00	\$1,674.00
ENFSGS2B	SoundOff nFORCE® Single Deck/Grille Mount Light, SAE Class 1, 10-16v, Black Housing, 9 LED, BLUE (REAR WINDOWS & FRONT GRILL)	18.00	Each	\$93.00	0.00	\$1,674.00
ENFFTSSMS6R	SoundOff Signal nFORCE® FIT Single Surface Mount Light, SAE Class 1, 10-16v,6 LED, Red (INSIDE HEADLIG FRONT HTS)	9.00	Each	\$78.00	0.00	\$702.00
ENFFTSSMS6B	SoundOff Signal nFORCE® FIT Single Surface Mount Light, SAE Class 1, 10-16v, Black Housing, Blue (INSIDE FRONT HEADLIGHTS)	9.00	Each	\$78.00	0.00	\$702.00
PNFSLHLBUV	SoundOff Bracket Kit To Install NForce Perimeter or nForce FIT Into 2016 Interceptor Utility	9.00	Each	\$15.00	0.00	\$135.00
ELUC2S010R	Sound Off Undercover Head LED insert w/Extreme Angle (Red) ( TAIL LIGHTS)	9.00	Each	\$64.00	0.00	\$576.00
ELUC2S010B	Sound Off Signal Undercover Head LED Insert w/Extreme Angle Led (Blue) (TAIL LIGHTS)	9.00	Each	\$64.00	0.00	\$576.00
ES100C	Fedsig 100 Watt DynaMax Black Siren Speaker W/Out Bracket	9.00	Each	\$210.00	0.00	\$1,890.00
SAK52	Whelen Ford Police Interceptor Utility, 2013-2016, Drivers Side Lower Grille Siren Bracket	9.00	Each	\$26.00	0.00	\$234.00
MMSU-1	Magnetic Mic Single Unit Conversion Kit	9.00	Each	\$33.00	0.00	\$297.00
ENFLB	Sound Off Signal LED N-Force 48" Lightbar (DUO, FULLY POPULATED, RED,BLUE,WHITE,AMBER)	8.00	Each	\$1,720.00	0.00	\$13,760.00
7183	Blue Sea EII 50 Amp Surface Mount Circuit Breaker	9.00	Each	\$39.00	0.00	\$351.00
16	Blue Sea EII 12-Circuit W/Cover Fuse Block	9.00	Each	\$39.00	0.00	\$351.00
S028B	Blue Sea EII 6 Gang ATC Fuse Block w/Cover	9.00	Each	\$30.00	0.00	\$270.00
GCI-REAR	GCI - Custom Rear Vehicle Harness	9.00	Each	\$198.00	0.00	\$1,782.00

Attachment: Replace Squads quotes\_16 06-14 (RESOLUTION 3387 : Squad Replacement Request)



**GENERAL COMMUNICATIONS**  
*your safety is our business*

2880 Commerce Park Drive, Madison, WI 53719  
 Madison Milwaukee Eau Claire  
 : 608-271-4848 P: 262-439-2000 P: 715-225-7604  
 F: 608-661-2935 F: 262-439-2009 F: 608-661-2935  
 www.gencomm.com

SAL **6.e.a**

Sales Quote No: 5332

Date: 5/19/16

Account No: 2687

**Bill To:** Mequon Police Department  
 11300 North Buntrock Avenue  
 Mequon, WI 53092  
 USA

**Ship To:** Mequon Police Department  
 11300 North Buntrock Avenue  
 Mequon, WI 53092  
 USA

INSTCW	Installation Labor (NEW EQUIPMENT)	9.00	Each	\$2,300.00	0.00	\$20,700.00
INSTCW	Installation Labor (REMOVAL)	9.00	Each	\$500.00	0.00	\$4,500.00
SEF	Setina Freight	1.00	Each	\$375.00	0.00	\$375.00
PGF	Pro-Gard Freight	1.00	Each	\$235.00	0.00	\$235.00
GJF	Gamber Johnson Freight	1.00	Each	\$150.00	0.00	\$150.00
PK1126ITU12SCA	Setina 10Xl Coated Poly carb W/Expanded Metal Window	9.00	Each	\$629.00	0.00	\$5,661.00
7140-0439	GAMBER JOHNSON, GE MLS II FACEPLATE (for Harris M7100)	18.00	Each	\$21.00	0.00	\$378.00

Attachment: Replace Squads quotes\_16 06-14 (RESOLUTION 3387 : Squad Replacement Request)

Returns & exchanges are accepted within 30 days of purchase and require a RMA Number. Items must be in unused condition and in original packaging. Special order items are non-returnable and may not be canceled once shipped from vendor.

<b>Subtotal</b>	\$73,022.70
<b>Discount</b>	\$0.00
<b>Freight</b>	\$0.00
<b>Sales Tax</b>	\$0.00
<b>Sales Order Total</b>	\$73,022.70



**GENERAL COMMUNICATIONS**  
*your safety is our business*

6.e.a  
**SALES QUOTE**

2880 Commerce Park Drive, Madison, WI 53719  
 Madison Milwaukee Eau Claire  
 : 608-271-4848 P: 262-439-2000 P: 715-225-7604  
 F: 608-661-2935 F: 262-439-2009 F: 608-661-2935  
 www.gencomm.com

Sales Quote No: 5399  
 Date: 4/15/16  
 Account No: 2687

**Bill To:** Mequon Police Department  
 11300 North Buntrock Avenue  
 Mequon, WI 53092  
 USA

**Ship To:** Mequon Police Department  
 Attn: Sgt. Pat Pryor  
 11300 North Buntrock Avenue  
 Mequon, WI 53092  
 USA

Sales Person	P.O. Number	Ship Method	Payment Terms	Quote Expires On
Ray Maiorano	Quote per: Sgt. Pat Pryor	Spee-Dee Delivery	NET 30 Days	5/15/16

**Notes**  
 Sgt. Pat Pryor Email: ppyor@ci.mequon.wi.us 262-242-3500 cell 414-254-1378

Item No	Description	Quantity	UM	Price	Disc	Amou
7160-0411	Gamber Console Box for Ford Int SUV 12-15 - 13" Mnt Space, Inc Internal Cup Holder & Armrest	1.00	Each	\$378.00	0.00	\$378.00
7160-0500	Gamber Johnson Motion Attachment 6" Slide Arm 360 degree	1.00	Each	\$180.00	0.00	\$180.00
GB8SP3J	Whelen Legacy Duo WeCan Lightbar - 48", Fully Populated Red/Blue W/Takedowns & Alleys (Amber)	1.00	Each	\$2,168.00	0.00	\$2,168.00
VTX609B	Whelen Vertex Series Super-LED Hide-A-Way Lightheads - Blue, 5 Year Warranty	1.00	Each	\$95.00	0.00	\$95.00
VTX609R	Whelen Vertex Series Super-LED Hide-A-Way Lightheads - Red, 5 Year Warranty	1.00	Each	\$95.00	0.00	\$95.00
IONSMB	Whelen ION Series Super-LED Universal Surface Mount Light - Blue, Black Housing	1.00	Each	\$124.00	0.00	\$124.00
IONSMR	Whelen ION Series Super-LED Universal Surface Mount Light - Red, Black Housing	1.00	Each	\$124.00	0.00	\$124.00

Returns & exchanges are accepted within 30 days of purchase and require a RMA Number. Items must be in unused condition and in original packaging. Special order items are non-returnable and may not be canceled once shipped from vendor.

<b>Subtotal</b>	\$3,164.00
<b>Discount</b>	\$0.00
<b>Freight</b>	\$0.00
<b>Sales Tax</b>	\$0.00
<b>Sales Order Total</b>	\$3,164.00

Attachment: Replace Squads quotes\_16 06-14 (RESOLUTION 3387 : Squad Replacement Request)



11333 N. Cedarburg Road  
 Mequon, WI 53092  
 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: June 14, 2016**  
**SUBJECT: A Resolution Amending A Development Agreement for Outpost Natural Foods Located At 7590 W Mequon Road For a Town Center TID Incentive**

### **Background**

Outpost Natural Foods, has submitted a request for an amendment to the incentive authorized under the Town Center TID Fast Track Formula. Under the TC TID project plan, qualifying development projects allow for receivership of a financial incentive for redevelopment efforts. The following outlines the criteria:

- New construction value of \$3M beyond the current improvement value.
- A payback period of 15 years or less.
- The eligible incentive is the cost of any demolition and site repair as well as the assessed value of the site's base improvement value.

### **Analysis**

Outpost Natural Food's application for an amendment shows the following:

- A total new construction value of \$4,266,310.
- A total actual cost to Outpost Natural Foods for eligible expenditures of \$166,815 compared to the estimated cost of \$137,517.
- A total eligible incentive under the Fast Track Formula of \$328,515 vs \$299,214 estimated at the time of the agreement.

At the time of original approval, the City considered options related the percentage split between the City and applicant. The limit of return in any given year was 30%. Due to the actual cost of expenditures, the cap of 30% will not allow Outpost Natural Foods to receive full reimbursement. The proposed amendment modifies the agreement in order to allocate full reimbursement over the course of the 13 years of installments. It is recommended that the 30% cap on any returned increment be eliminated, and rather, that a \$25,270 annual payment be scheduled. This is conditioned upon Outpost Natural Foods achieving the required minimum value of \$4.2M in any given year.

### **Fiscal Impact**

Ehlers Inc., the City's financial consultant, has reviewed the proposed amendment. The financial impact to the TID is negligible. The change of eligible incentive from \$299,214 to \$328,515 was

already accounted for when Ehlers evaluated the City's ability to close the TID early (2025) and cash flow positive.

**Economic Development Board Recommendation**

The Economic Development Board recommended approval of the amendment on May 31, 2016.

**Finance & Personnel Committee Recommendation**

The Finance & Personnel Committee recommendation is forthcoming on June 14, 2016.

Attachments:

Amendment to Development Agreement (DOC)

COMMON COUNCIL  
OF THE  
CITY OF MEQUON

RESOLUTION 3390

A Resolution Amending A Development Agreement for Outpost Natural Foods Located At 7590  
W Mequon Road For a Town Center TID Incentive

**WHEREAS**, the Common Council previously entered into a Development Agreement with  
Outpost Natural Foods for a Town Center TID Incentive; and

**WHEREAS**, based upon concerns raised by Outpost Natural Foods, and upon the  
recommendation of the Economic Development Board, the Common Council wishes to amend  
the Development Agreement to address the concerns raised; and

**WHEREAS**, the City's financial consultant, Ehlers Inc., has reviewed the proposed changes and  
opined that they will not negatively impact the financial health of TID 3;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Mayor and Common Council of  
the City of Mequon that the City agrees to the terms of the Development Agreement  
Amendment, in substantial conformity with the form appended to this Resolution, governing the  
relationship between the parties, affording certain Tax Incremental Financing incentives for the  
benefit of the Project identified and described therein, and prescribing the terms and conditions  
for the same and the administration of the Development Agreement for the benefit of Mequon  
Tax Incremental Financing District No. 3 and the public.

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are authorized and directed to  
execute the Amendment to Development Agreement substantially in the form as attached subject  
to any clerical or technical changes identified by the City Attorney.

**BE IT FURTHER RESOLVED** that the City Finance Department and/or Administration  
Department are hereby authorized and directed to allocate the costs of this agreement to TID No.  
3 as project costs of the same as allowed by law.

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

Date Approved:

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

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

AMENDMENT TO DEVELOPMENT AGREEMENT  
Draft June 7, 2016

This Amendment to Development Agreement is made as of the 14th day of June, 2016, by and among the City of Mequon, Wisconsin, a Wisconsin municipal corporation (“City”) and Outpost Natural Foods Cooperative, a Wisconsin cooperative (“Owner/Developer”).

RECITALS

- (i) Agreement. Owner/Developer and City entered into a Development Agreement dated as of August 5, 2013 (the “Development Agreement”), regarding the Outpost Natural Foods store with an address of 7590 W. Mequon Road, Mequon, Wisconsin, as more fully described on Exhibit A to the Development Agreement (“Property”). A Memorandum of the Development Agreement was recorded in the Ozaukee County Register of Deed’s Office on October 25, 2013, as Document No. 994832 (“Memorandum”). All capitalized terms not otherwise defined herein shall have the meaning in the Development Agreement.
- (ii) Completion. Owner/Developer completed construction of the Project and opened for business in May of 2014, in advance of the required Project Completion Date.
- (iii) Draft MRO. The Development Agreement contained an Exhibit H, which was the draft of the Municipal Revenue Obligation (“MRO”) which was to be finalized and formally issued, when the Project was complete and the final Project Costs were known. This Amendment is intended to finalize and adopt the final MRO, and authorize the issuance of the finalized MRO to Outpost.
- (iv) “True-up of Actual Gap Costs. The Development Agreement also contained as Exhibit D, a list of the Fast Track Incentive and Fast Track Improvements “Gap Costs” which formed the basis of the MRO amount, with formulas for adjusted finalization of those numbers in the “true-up” calculation as described in the first and third paragraphs of section 4(d)(vii) of the Development Agreement. This Amendment is intended to finalize and revise Exhibit D with actual costs, adjusted by the allowed formula.
- (v) Completion of Certification. All of the actual Project Costs were submitted to the City, and to the City’s Financial Advisor, who have certified to the completeness and correctness of those costs, as required in the first paragraph of section 4(d)(vii) of the Development Agreement.
- (vi) Correction of Formula. In the course of making the calculations for the final MRO, it became apparent to Outpost that, even though Outpost built the Project as required in the Development Agreement, in the timetable required therein, and achieved the expected assessed value of the Project, one portion of the formula for the calculation of the MRO unexpectedly operated to prevent Outpost from achieving the total amount of the MRO Outpost expected from fully complying with the Development Agreement, and Outpost has requested a small change in the formula to allow Outpost to receive the full amount of the Fast Track Incentive stated in the Development Agreement.

(vii) Reconciliation of Too Early Payment. The Development Agreement contemplated, in section 4(d)(vi), that the 13 annual payments were only to begin after the Project was completed and fully assessed; a payment in an earlier year of only partial assessment, would use up one of the 13 annual payments without giving the benefit of the full assessment. The Exhibit H MRO draft attached to the Development Agreement stated that the first payment would be made in 2016, to accomplish the same purpose, and the schedule of payments in that draft showed a first payment in 2016, for that reason. Outpost received an MRO payment in December of 2015 of \$4,209.33, based on the partially completed assessment of the Project on January 1 of 2014, therefore denying Outpost the opportunity to have the full 13 tax years of recovery which was intended in section 4(d)(vii) of the Development Agreement, and which this Amendment seeks to restore.

Therefore, in consideration of the recitals and mutual agreements herein set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Recitals. All the Recitals set forth above are confirmed.
2. Exhibit D. Revised Exhibit D attached to this Amendment, shall replace the original Exhibit D on the Development Agreement. Revised Exhibit D now shows the actual Fast Track Improvement Cost Breakdown, actual 2015 full real property assessment and actual 2015 full personal property assessment, and the recalculation of the final Incentive, based on the formulas for adjustment contained in the original Exhibit D. The original estimate of total Fast Track Incentive to be paid to Outpost over 13 years of full assessment was \$299,214 as shown in the original Exhibit D; the actual Incentive amount based on the formulas in Exhibit D is \$328,515, as shown on Revised Exhibit D, due to increases in the cost of the specific line items of costs of the Fast Track Improvements, as allowed by the “true-up” formula in the third paragraph of Section 4(d)(vii) of the Development Agreement.
3. Exhibit H. Revised Exhibit H attached to this Amendment, shall replace the original Exhibit H on the Development Agreement, and an original of this Revised Exhibit H shall be signed by the City and delivered to the Owner/Developer, as the final evidence of the Municipal Revenue Obligation for the Project, based on actual final Fast Track Improvement Costs.
4. 30% Test. The final paragraph of section 4(d)(vii) of the Development Agreement is amended to read as follows:

Notwithstanding the above, and with the exception of the final Payment, no Scheduled Payment of the Fast Track Incentive may exceed ~~30%~~ \$25,270.38 of the Available Tax Increment generated by the Property and the Personal Property, charged on the real and personal property tax bill issued in the prior year (the "30% Payment Limit"). Therefore, if there is insufficient Available Tax Increment in any year, to pay the Scheduled Payment ~~out of 30%~~ of \$25,270.38 of the Available

Tax Increment, the deficiency shall be deemed a "Shortfall" except as provided in section 12 below. If in any later year, ~~30% of the Available Tax Increment~~ is greater than the regularly Scheduled Payment of \$25,270.38, the amount in excess of the Scheduled Payment ~~but not exceeding the 30% Limit, shall~~ may be paid to Owner/Developer for the oldest Shortfall first, to the extent such amounts are available and until all Shortfalls are paid. Provided that the total Available Tax Increment generated by the Property during the term of this Agreement is in excess of the total amount of the MRO, the final year payment shall be a balloon payment equal to the total amount of the MRO less any payments made pursuant to the terms of this Agreement. Any "Shortfall" remaining, as a result of insufficient funds existing from the total Available Tax Increment collected during the term of the Agreement, as of the end of the currently scheduled life of TID No. 3 shall be discharged and extinguished, and shall cease to be an obligation of TID No. 3. No Fast Track Incentive obligation of TID No. 3, whether for Scheduled Payments ~~or~~ for any Shortfall, shall survive this Agreement.

In addition, wherever in the Agreement the term "30% Limit" is used, it shall be replaced by the term "Payment Limit."

5. 13 Full Assessment Years. The Development Agreement and MRO are amended to provide that the payment made in 2015 based on the 2014 partial assessment, shall not count as one of the 13 Scheduled Payments, and that the final Scheduled Payment shall be reduced by the \$4,209.33 received in 2015.

6. Miscellaneous. Upon adoption and signing of this Amendment, and the issuance of the revised MRO, the parties agree that there are no defaults under the Development Agreement, and the Development Agreement as amended by this Amendment, shall be deemed to be in full force and effect. Owner/Developer shall record an amendment to the Memorandum, acknowledging the execution of this Amendment.

**Dated at Mequon, Wisconsin this 14th Day of June, 2016.**

**CITY OF MEQUON**

\_\_\_\_\_  
**Daniel Abendroth, Mayor**

\_\_\_\_\_  
**William H. Jones, Jr., Clerk-Adminisitrator**

**OWNER/DEVELOPER:**

**OUTPOST NATURAL FOODS COOPERATIVE**

**By:** \_\_\_\_\_  
Pam Mehnert, General Manager

Attachment: Amendment to Development Agreement (RESOLUTION 3390 : Outpost Natural Foods DA Amendment)

**REVISED EXHIBIT D**  
**RECONCILIATION OF FAST TRACK INCENTIVE**  
**AND FAST TRACK IMPROVEMENTS “GAP COSTS”**

The Fast Track Incentive Formula shall be calculated as the sum of the Base Improvement Value plus the actual final cost of the Fast Track Improvements.

1. The Base Improvement Value is \$161,700.00  
 Composed of \$124,500 plus \$37,200, the assessed value of the improvements on the Property as of May 14, 2013, the date the City Council approved the Fast Track Incentive.

2. The Fast Track Improvements Cost Breakdown shall be the following:

	<u>Actual</u>	<u>Estimate</u>
1. Well abandonment	1,500	3,132
2. Building Demolition	20,760	21,924
3. Fill and rough grade	83,620	62,640
4. Excavate, fill with slurry, and compact bad fill	34,252	43,380
5. Asbestos Removal	2,360	2,738
6. Engineering	10,550	3,700
7. Supervision and General Contractor fee (soft costs)	<u>13,773</u>	<u>allowed</u>
Total:	\$166,815	137,514

3. The “Total Gap” is  $(\$161,700 + 166,815)$  \$328,515 299,214

4. New Development Value Actual Estimate

New Real Property value (2015 Full Assessment)	\$2,973,200	\$3,066,249
New Personal Property value (2015 Full Assessment)	<u>\$1,293,110</u>	<u>\$1,200,000</u>
Total:	\$4,266,310	\$4,266,249

5. New Improvement Value \$4,266,310 \$4,104,549  
 6. Incentive= GAP \$328,515 \$ 299,214

Initials:

\_\_\_\_\_ (for City)

\_\_\_\_\_ ( for Owner/Developer)

Attachment: Amendment to Development Agreement (RESOLUTION 3390 : Outpost Natural Foods DA Amendment)

**REVISED EXHIBIT H**  
**FORMAL MRO**  
**MUNICIPAL REVENUE OBLIGATION**

REGISTERED United States of America Up to: \$328,515.00  
No. [redacted]

State of Wisconsin  
County of Ozaukee  
City of Mequon  
Municipal Development Revenue Obligation, Series 2013

Maturity Date Issue Date  
[insert when final] [insert when final]

REGISTERED OWNER: OUTPOST NATURAL FOODS COOPERATIVE  
PRINCIPAL AMOUNT: \$328,515.00  
INTEREST RATE: 0%

THE CITY OF MEQUON, WISCONSIN (the “Municipality”), for value received, hereby acknowledges itself to owe and promises to pay to the registered owner hereinabove identified, or registered assigns as hereinafter provided, on the Maturity Date, solely from the revenues hereinafter specified, the Principal (all as defined in the Development Agreement by and between the Municipality and Outpost Natural Foods Cooperative of August 7, 2013, as amended by the Amendment to Development Agreement dated June 14, 2016) in the amounts and on the dates hereinafter provided.

The Principal Amount evidenced by this Municipal Revenue Obligation shall be paid to the Registered Owner or its registered assigns, at such times, upon such conditions, and as further provided in the Development Agreement approved as to its substance by the Mequon Common Council on May 14, 2013, and executed by the Parties on August 7, 2013, as amended by the Amendment to Development Agreement dated June 14, 2016 (together, the “Development Agreement”) by and between the Municipality, and Outpost Natural Foods Cooperative (the “Developer”). This Municipal Revenue Obligation is issued in consideration of the obligations of the City in the Development Agreement, which shall be controlling in the event there is any inconsistency between it and this certificate evidencing the Municipal Revenue Obligation, or in the event there is any ambiguity in this document. The initial Payment Schedule is attached hereto as Exhibit A, and each Payment is calculated to be 1/13th of the Principal amount hereunder. It is understood that the Payment Schedule may be modified from time to time by mutual consent of the parties to reflect the timing and pace of revenue received, as more fully described in the Development Agreement. Such subsequent modifications to the Payment Schedule shall be attached to and become part of this Municipal Revenue Obligation.

Payment of each installment of Principal shall be made on Payment Dates (as defined below) to the registered owner hereof (or its registered assigns), whose name shall appear on the registration books of the Municipality maintained by the Treasurer of the Municipality, who

Attachment: Amendment to Development Agreement (RESOLUTION 3390 : Outpost Natural Foods DA Amendment)

serves as registrar and paying agent (the “Registrar”), by check or draft of the Registrar mailed to such registered owner at his address as it appears on such registration books or at such other address as may be furnished in writing by such registered owner to the Registrar.

This Municipal Revenue Obligation has been issued to provide additions and improvements to a project owned and operated by the Developer, and is payable only from available Tax Increment herein described, which available Tax Increment has been set aside as a special fund for that purpose and identified as the “Special Redemption Fund.” This Municipal Revenue Obligation is issued pursuant to a resolution adopted on May 14, 2013, by the Common Council of the Municipality, and does not constitute an indebtedness of the Municipality within the meaning of any constitutional or statutory limitation or provision. Reference is hereby made to said resolution and to the Development Agreement or a more complete statement of the revenues from which and conditions under which this Municipal Revenue Obligation is payable and the general covenants and provisions pursuant to which this Municipal Revenue Obligation has been issued. Capitalized terms used herein shall have the meaning given to them in the Development Agreement.

Any Payments on this Municipal Revenue Obligation which are due on any Payment Date shall be payable solely from and only to the extent that the Municipality shall have received as of such Payment Date Available Tax Increment, as defined in the Development Agreement. For the purpose of this Municipal Revenue Obligation, “Available Tax Increment” means the portion of the real property taxes, and Personal Property taxes generated with respect to the Property and Personal Property, as defined in the Development Agreement, generated from the Property and Personal Property, which is remitted to the City as tax increment for TID No. 3, by July 31 of each year, commencing as of the first July 31 following Completion of Construction of the Project, pursuant to the Section 66.1105 Wis. Stats. (the “Act”). The Municipality agrees that all Available Tax Increment will be used to make Payments on this Municipal Revenue Obligation only and shall not be used to make payments on any other obligation, but subject to the exception below.

For purposes of this Municipal Revenue Obligation, a “Payment Date” shall mean September 1 of each year, commencing on September 1, 2016. Notwithstanding anything to the contrary in this Municipal Revenue Obligation, on each of the Payment Dates, the Municipality shall pay to the Owner or its registered assigns, \$25,270.38 of the Available Tax Increment, up to the scheduled Payment amount shown on Exhibit A. To the extent that on any Payment Date the Municipality is unable to make a Payment from \$25,270.38 of the Available Tax Increment at least equal to the scheduled Payment due on such date as a result of having received, as of such date, insufficient Available Tax Increment, such failure shall not constitute a default under this Municipal Revenue Obligation and, except as provided below, the Municipality shall have no obligation under this Municipal Revenue Obligation, or otherwise, to subsequently pay any such deficiency unless the deficiency is the direct result of the failure of the Municipality or the county to timely remit the proper amount of Tax Increment, in which case, such deficiency shall be paid promptly upon remittance by the County. If there is insufficient Available Tax Increment in any year, to pay the scheduled Payment of \$25,270.38 of the Available Tax Increment, it shall be deemed a “Shortfall.” If in a later year, the Available Tax Increment is greater than the regularly scheduled Payment of \$25,270.38, any remaining amounts may be paid

to Owner for any Shortfall, until all Shortfalls are paid. Notwithstanding the above, in the last two years of TID No. 3, the \$25,270.38 Limit shall not apply, so that the Owner in those years will receive the full Payment scheduled for those years, as well as any remaining Shortfall, out of the full Available Tax Increment. In the final year, there shall be a balloon payment consisting of the Scheduled Payment plus any remaining Shortfall payment provided, however, that sufficient funds exist from the total Available Tax Increment collected during the term of this Agreement. **In no case, however, shall the term of this Municipal Revenue Obligation and the Municipality's obligation to make payments hereunder, extend beyond [REDACTED], the expiration of TIF No. 3 of the Municipality. This Municipal Revenue Obligation shall terminate and the Municipality's obligation to make any payments under this Municipal Revenue Obligation shall be discharged, and the Municipality shall have no obligation and incur no liability to make any payments hereunder after [REDACTED].**

The City makes no representation or covenant, express or implied, that the Tax Increment or other revenues will be sufficient to pay, in whole or in part, that amounts which are or may become due and payable hereunder.

THIS MUNICIPAL REVENUE OBLIGATION SHALL NOT BE PAYABLE FROM OR CONSTITUTE A CHARGE UPON ANY FUNDS OF THE MUNICIPALITY, AND THE MUNICIPALITY SHALL NOT BE SUBJECT TO ANY LIABILITY HEREON OR BE DEEMED TO HAVE OBLIGATED ITSELF TO PAY HEREON FROM ANY FUNDS EXCEPT THE AVAILABLE TAX INCREMENT, AND THEN ONLY TO THE EXTENT AND IN THE MANNER HEREIN SPECIFIED.

Notwithstanding anything contained herein, amounts due pursuant to this Municipal Revenue Obligation shall not be paid to Developer unless no MRO Default (as defined in the Development Agreement) shall have occurred, and the Certificate defined in paragraph 2 of the Development Agreement has been issued, confirming that all conditions precedent of the Development Agreement have been satisfied.

As provided in the Development Agreement, this Municipal Revenue Obligation is subject to optional prepayment at the election of the Municipality, in whole or in part with written notice to the holder.

Upon sale of the Property as defined in the Development Agreement, this Municipal Revenue Obligation is transferable by the registered owner hereof in person or by his attorney duly authorized in writing at the principal office of the Registrar in Wisconsin, but only in the manner, subject to the limitations and upon payment of the charges provided in the authorizing resolution, and upon surrender and cancellation of this Municipal Revenue Obligation. Upon such transfer a new Municipal Revenue Obligation of the same installments and for the same aggregate Principal Amount will be issued to the transferee in exchange therefor. This Municipal Revenue Obligation is issuable in fully registered form only in an amount up to the Principal Amount stated herein.

The Municipality and the Registrar may deem and treat the registered owner as the absolute owner hereof for the purpose of receiving payment of or on account of Principal hereof,

and for all other purposes and neither the Municipality nor the Registrar shall be affected by any notice to the contrary.

It is hereby certified, recited and declared that all acts, conditions and things required to be done, exist, happen and be performed precedent to and in the issuance of this Municipal Revenue Obligation have been done, have existed, have happened and have been performed in due time, form and manner as required by the constitution and statutes of the State of Wisconsin.

This Municipal Revenue Obligation shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Registrar.

IN WITNESS WHEREOF the City of Mequon, Wisconsin, by its Common Council, has caused this Municipal Revenue Obligation to be executed with the duly authorized facsimile signature of its Mayor and with the duly authorized facsimile signature of its Clerk and its official seal or a facsimile thereof to be impressed or reproduced hereon, as of the [insert final date].

CITY OF MEQUON, WISCONSIN  
[SEAL]

By: \_\_\_\_\_  
Daniel Abendroth, Mayor

By: \_\_\_\_\_  
William H. Jones, Jr., Clerk

CERTIFICATE OF AUTHENTICATION

This Municipal Revenue Obligation is that described in the within-mentioned Resolution and is the Redevelopment Project Revenue Obligation, Series 2013 of the City of Mequon, Wisconsin.

CITY OF MEQUON, WISCONSIN

By: \_\_\_\_\_  
Lee Szymborski  
Treasurer and Bond Registrar

Date of Authentication:  
\_\_\_\_\_, 2016

Attachment: Amendment to Development Agreement (RESOLUTION 3390 : Outpost Natural Foods DA Amendment)

[FORM OF ASSIGNMENT]

For value received (the undersigned does) hereby sell, assign and transfer unto \_\_\_\_\_, the within-mentioned registered Municipal Revenue Obligation and hereby irrevocably constitute(s) and appoint(s) \_\_\_\_\_ attorney, to transfer the same on the books of the Bond Registrar with full power of substitution in the premises.

Bondholder

NOTE: The signature on this assignment must correspond with the name as it appear upon the face of the within Municipal Revenue Obligation in every particular, without alteration or enlargement or any change whatever.

Dated:

Signature guaranteed:

NOTE: Signature(s) must be guaranteed by an “eligible guarantor institution” meeting the requirements of the Trustee, which requirements include membership or participation in the Medallion Signature Program.

Attachment: Amendment to Development Agreement (RESOLUTION 3390 : Outpost Natural Foods DA Amendment)

EXHIBIT A  
City of Mequon, Wisconsin  
Municipal Development Revenue Obligation  
Series 2013  
Initial Payment Schedule

September 1, 2016	\$25,270.38
September 1, 2017	\$25,270.38
September 1, 2018	\$25,270.38
September 1, 2019	\$25,270.38
September 1, 2020	\$25,270.38
September 1, 2021	\$25,270.38
September 1, 2022	\$25,270.38
September 1, 2023	\$25,270.38
September 1, 2024	\$25,270.38
September 1, 2025	\$25,270.38
September 1, 2026	\$25,270.38
September 1, 2027	\$25,270.38
September 1, 2028	\$25,270.38 (less \$4,209.33 received in 2015)

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Attachment: Amendment to Development Agreement (RESOLUTION 3390 : Outpost Natural Foods DA Amendment)

<b>Architectural Board</b>		
<b>Name</b>	<b>Title</b>	<b>District</b>
Roger N. Davison	Chairman	At Large
Curtis J. Helm	Reserve Panel Member	5
Robert Meyers	Regular Member	At Large
John F. Mikkelson	Alternate Architect	At Large
John P. Myers	Reserve Panel Member	7
James Pappas	Reserve Panel Member	4
Colleen L. Pemberton	Reserve Panel Member	8
Lisa Puhl	Reserve Panel Member	3
Scott Reed	Regular Member	At Large
Bobbi Schroeder	Regular Member	At Large
Mike Wade	Member	2
James Youngquist	Reserve Panel Member	1
<b>Economic Development Board</b>		
Janette Braverman	Member	At Large
<b>Park Board</b>		
Steven Gray	Member	6

Attachment: Appointment List\_06-14-16 (1664 : Mayoral Appointments)