

CITY OF MEQUON
COMMON COUNCIL
Regular Meeting
July 8, 2014

Mayor Abendroth called the meeting of the Common Council to order at 8:50 PM with the Pledge of Allegiance and the roll call.

PRESENT: Aldermen Strzelczyk, Pukaite, Mayr, Leszczynski, Gierl, Hawkins, Nerbun, Adams; City Administrator/Clerk Szymborski, City Attorney DeStefanis, Deputy City Clerk Fochs, Community Development Director Tollefson, Community Development Assistant Director Zader; Director of Public Works/City Engineer Lundeen, Deputy Director of Public Works/Asst. City Engineer Jahncke; Assistant Administrator Thyges; Finance Director Watson; Administrative Assistant Prosser; press and interested public

ABSENT: None

1) **Public Hearings:**

- a) Moved by Alderman Strzelczyk, seconded by Alderman Nerbun to open a public hearing to discuss **ORDINANCE 2014-1424** - Amendment to the City of Mequon Zoning Map for a 4.92 acre property located at 10448 N Port Washington Road to allow for a rezoning change from B-4 (Business park) to B-4 with a PUD (Business Park with a Planned Unit Development Overlay). The motion passed by voice acclamation.

There being no one wishing to speak, moved by Alderman Nerbun, seconded by Alderman Hawkins to close the public hearing. The motion passed by voice acclamation.

- 2) **Personal appearances and public comment:** The following citizen spoke regarding a recent News Graphics Article, community conversation and community survey: Bridget King.

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

- a) **Mayor:** The Mayor thanked City Clerk/Administrator Szymborski for his 15 years of service and wished him good luck in his new position.
- b) **City Administrator:** Caroline Fochs, the new Deputy City Clerk was welcomed. Szymborski reflected on his tenure as City Administrator, Mequon's spirit and thanked his management team and all current and past elected officials.

4) **Consent Agenda:**

- a) Common Council meeting minutes of June 10, 2014
b) Architectural Board meeting minutes of May 12, 2014
c) Bureau of Permits and Inspections Report for May 2014
d) Finance-Personnel Committee meeting minutes of June 10, 2014
e) Fire Department Report for May 2014
f) Mequon Festivals Committee meeting minutes of June 9, 2014
g) Park Board meeting minutes of April 16, 2014

- h) Planning Commission meeting minutes of May 12, 2014
- i) Police and Fire Commission meeting minutes of March 13, 2014
- j) **RESOLUTION 3239** – Approving a transfer of funds within the Sanitary Sewer Capital Budgets

Moved by Alderman Mayr, seconded by Alderman Adams to approve the consent agenda.

The motion passed by voice acclamation.

- 5) **Convene as Committee of the Whole:** There being no objection, the Mayor declared the Council convened as the Committee of the Whole (9:08 PM).

- a) Item for Discussion: Review of a draft master Open Space Easement for the Ville du Parc area.

Attorney DeStefanis handed out a revised page 4 because Section A.5, pertaining to the area marked Recreational, was inadvertently omitted. Intent is to circulate plan to various homeowner' associations and country club land owner. Agenda packet on the website will be updated. Discussion ensued on defining "outdoor recreational facility" uses. Building construction would be limited per floodway ordinances. DeStefanis clarified the procedure to affirm/deny conditional uses. Conditional uses are as specified in the zoning code by the Common Council. When a particular conditional use is requested, Planning Commission must evaluate the effects on the surrounding neighborhood. If harmful effects cannot be mitigated by the imposition of conditions then it can be denied; if harmful effects can be mitigated by the imposition of conditions then it becomes incumbent of the Planning Commission to impose the condition(s) and approve the conditional use. Planning Commission will be included in the approval process.

- b) **Reconvene as Common Council:** There being no objection, the Mayor declared the Committee of the Whole reconvened as the Common Council (9:24 PM).

6) **Ordinances:**

- a) Moved by Alderman Mayr, seconded by Alderman Pukaite to remove from the table **ORDINANCE 2014-1422** – An amendment to the Planned Unit Development (PUD) (2014-1413) as it relates to the architectural design standards in Whispering Knoll subdivision located at Wauwatosa Road and Donges Bay Road including a property west and north of 10565 N Wauwatosa Road, a portion of 10631 N Wauwatosa Road and a portion of 7626 W Donges Bay Road. The motion passed by voice acclamation.

Director Tollefson stated that the original developers remain owners of a portion of the property; other developers are interested.

Moved by Alderman Mayr, seconded by Alderman Adams to deny **ORDINANCE 2014-1422**.

The motion passed upon roll call vote (7/1):

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

Opposed: Leszczynski

- b) Moved by Alderman Hawkins, seconded by Alderman Nerbun to approve **ORDINANCE 2014-1424**—Amendment to the City of Mequon Zoning Map for a 4.92 acre property located at 10448 N. Port Washington Road to allow for a zoning change from B-4 (Business Park) to B-4 with a PUD (Business Park with a Planned Unit Development Overlay).

The motion passed by voice acclamation.

7) **Resolutions:**

- a) Moved by Alderman Adams, seconded by Alderman Nerbun to approve **RESOLUTION 3235**—Approving a transfer of funds from the General Fund to the Debt Service Fund.

The motion passed upon roll call vote (8/0):

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

Opposed: None

- 8) **Specified Unfinished:** None

- 9) **Presentation of Petitions, Memorials, and/or Remonstrance's and Communications:**
None

- 10) **Specified Miscellaneous New Business:** None

- 11) **Convene to Closed Session:** Moved by Alderman Strzelczyk, seconded by Alderman Nerbun to adjourn to closed session at 9:28 PM pursuant to Section 19.85(1)(e), Wisconsin State Statutes, deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Land Acquisition);

and Section 19.85(1)(c), Wisconsin State Statutes, considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (Personnel).

The motion passed by roll upon roll call vote (7/0):

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

Opposed: None

Note: Hawkins stepped away briefly.

- 12) **Adjourn:** There was a motion, second and vote to adjourn.

Jesse Thyges, Acting City Administrator/City Clerk