



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

www.ci.mequon.wi.us

Office of the City Clerk
Taped and Televised

COMMON COUNCIL
Regular Meeting
Wednesday, August 10, 2016
7:30 PM
Christine Nuernberg Hall

Agenda

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

2) Public Hearing:

- a) **2016-1475** - An Ordinance Amending the City of Mequon Land Use Plan Map from Neighborhood Commercial to Residential 1-1.5 Acres to Allow for a Single-Family Home Located at 4200 County Line Road **Recommended by Planning Commission June 13, 2016; First Reading at Common Council July 12, 2016.**

3) Personal Appearances and Public Comment:

Citizens wishing to address the Council on any matter **not** on the agenda may do so at this time. If you desire to be heard on agenda items, you may be heard when that item is considered on the agenda. Please speak into the microphone at the podium. The time limitation is **FIVE** minutes. **To speak or to have your opinion recorded, please complete a registration slip found at the back of the room and submit it to the clerk.**

4) Public Officials' Reports:

- a) Mayor
b) City Administrator

5) Consent Agenda:

- a) Common Council meeting minutes of June 14 and July 12, 2016
b) Architectural Board meeting minutes of June 13, 2016
c) Economic Development Board meeting minutes of May 31, 2016
d) Finance-Personnel Committee meeting minutes of June 14, 2016
e) Fire Department Reports June and July 2016
f) Mequon Festivals Committee meeting minutes of June 6, 2016
g) Planning Commission meeting minutes of May 9 and June 13, 2016
h) Public Welfare Committee meeting minutes of June 14, 2016
i) Public Works Committee meeting minutes of June 14 and June 16, 2016
j) Sewer Utility District Commission meeting minutes of May 17, 2016
k) Zoning Enforcement and Site Compliance Report through August 1, 2016

- 1) **RESOLUTION 3394** - A Resolution Approving the Enclave at Mequon Preserve Phase I Final Plat for 17 Lots Located at 10729-10839 N. Wauwatosa Road. **Recommended by Planning Commission July 25, 2016.**

6) Committee of the Whole:

- a) Approval of the June 7 and June 19, 2016 meeting minutes
- b) Overview of Proposed Architecture Related to Shaffer Development's Town Center Planned Unit Development
- c) Policy Discussion Related to Text Amendments for the Town Center Zoning District
- d) **Reconvene as Common Council**

7) Ordinances:

- a) **ORDINANCE 2016-1475** - An Ordinance Amending the City of Mequon Land Use Plan Map from Neighborhood Commercial to Residential 1 - 1.5 Acres To Allow for a Single-Family Home Located at 4200 County Line Road. **Recommended by Planning Commission June 13, 2016; First Reading at Common Council July 12, 2016.**
- b) **ORDINANCE 2016-1476** - An Ordinance Approving a Rezoning to Town Center with a Planned Unit Development and the Land Use Plan Map for the Properties Located at 6200 & 6300 W. Mequon Road and 11300-11350 N. Buntrock Avenue. **Recommended by Planning Commission July 25, 2016; First Reading.**
- c) **ORDINANCE 2016-1477** - An Ordinance Creating § 2-137(b)(9) of the Mequon Municipal Code Relating to the Imposition of an Affirmative Duty Upon Officials to Act with Honesty in Their Dealings with the Public. **Recommendation forthcoming by Public Welfare Committee August 10, 2016; First Reading.**

8) Resolutions:

- a) **RESOLUTION 3384** - A Resolution Approving a Transfer of Funds from the Capital Project Fund's Urban Forestry Account to the Emerald Ash Borer Account. **Recommendation forthcoming by Finance-Personnel Committee August 10, 2016.**
- b) **RESOLUTION 3395** - A Resolution Canceling the Special Assessment Against Benefited Property (The Enclave at Mequon Preserve) in Connection with Completion of the Wauwatosa Road Sanitary Sewer Expansion Project. **Recommendation forthcoming by Public Works Committee August 10, 2016.**
- c) **RESOLUTION 3396** - A Resolution Levying Reallocated Special Assessments Against Benefited Property (The Enclave at Mequon Preserve) in Connection with Completion of the Wauwatosa Road Sanitary Sewer Expansion Project. **Recommendation forthcoming by Public Works Committee August 10, 2016.**

- d) **RESOLUTION 3397** - Adoption of a Resolution Awarding the Mequon Nature Preserve Permeable Parking Lot Paving Contract to Willkomm Excavating, Inc., Union Grove, Wisconsin, in the Amount of \$144,894. **Recommendation forthcoming by Public Works Committee August 10, 2016.**
- e) **RESOLUTION 3398** - A Resolution Approving the Award of a Contract for the Lift Station L Force Main Relay Project to Advance Construction, Inc. of Green Bay, Wisconsin in the Amount of \$91,111. **Recommendation forthcoming by Sewer Utility District Commission August 10, 2016.**

9) Specified Unfinished Business:

None.

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

None.

11) Specified Miscellaneous New Business:

None.

12) Closed Session:

- a) Convene into closed session pursuant to Section 19.85(1)(e), Wisconsin State Statutes, to deliberate or negotiate 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 (Possible road right of way acquisition in Central Growth area)

13) Adjourn

Dated: August 4, 2016 /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.



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

draft

Minutes

- 1) Mayor Dan Abendroth called the meeting to order at 7:32 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

2) **Personal Appearances and Public Comment:**

None.

3) **Public officials' reports:**

- a) Mayor

None.

- b) City Administrator

Mr. Jones announced that Assistant City Administrator Jesse Thyes had been hired as the

Village of Grafton's new Administrator beginning July 11th. He thanked Mr. Thyges for his 2 ½ years of service and wished him good luck in his new position.

4) Consent Agenda:

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Strzelczyk

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| AYES: Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams |
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- a) Common Council meeting minutes of May 10, 2016
- b) Architectural Board meeting minutes of April 11, 2016
- c) Board of Appeals 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.
- s) **RESOLUTION 3386** - Granting of Easement to WE Energies: 10800 North Industrial Drive.
- 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.

It was noted that the City received a grade of A on the Wisconsin DNR Report NR208 and that the City will work with the developer to add more screening on Oak Shore. The amended final plat was approved.

- 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.

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.
- i) Request to reconsider action of May 10, 2016 in which Common Council denied ORDINANCE 2016-1468.

RESULT: Approved by Roll Call Vote [6 to 2]
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Pukaite

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

Attorney Sajdak explained that the motion to reconsider effectively eliminates the vote on the motion so that the motion that was voted on is once again pending before the Council. Council could vote again, amend, or table.

Director Tollefson provided an overview. The rezoning includes a Planned Unit Development (PUD) overlay request that is required as part of our ordinances as it relates to a conservation subdivision. The PUD process affords the Council the opportunity to place conditions on the rezoning request. The protest petition is still in effect.

Director Lundeen summarized the drainage issues: Generally speaking, the area along Oriole Lane drains north and west to the river. Low topography, high river levels, numerous wetland areas contribute to wet/flooding conditions for an extended period of time after small and large wet weather events. This ordinance triggered many residents to register drainage issues with the City, and through investigation staff has not yet found any obstruction or anything under the City's drainage policy that indicates an issue that needs to be addressed by a public project. If there will be development on just the existing lots they would be subject to grading plans and would likely have driveway culverts to comply with storm water controls. The requirement of a storm water management plan would depend on whether the development moves forward as a land division (up to six lots) or as a PUD. Land divisions typically don't meet the threshold to require storm water management plans; whereas a PUD would require a storm water management plan. The City's storm water ordinance regulates the rate of discharge not the volume of discharge compared to pre-development conditions. It does not require improvement to any of the downstream conditions.

The following citizens opposed **ORDINANCE 2016-1468** but did not wish to speak: Nicholas Meyer, Arlene Kurzer, Janet Ehn, Laura Meyer, Jane and Quinn Martin.

The following citizens spoke in opposition to **ORDINANCE 2016-1468**: Robert A. Kieckhefer, Sarah Fleet, Adam Gerol, Lisa Lamb, Jim Locatelli, Josef Erlich, Julie Carpenter.

They expressed concerns about the possible alteration to or elimination of wetland area, sewer capacity levels, increased traffic, lack of hydrologist study in the packet, flood risks, lack of solutions to sewer backups during rain events, manpower shortage to monitor and follow up on problems that are created by every development, accumulative effects of numerous sump pumps on the wetland, potential conflict of interest for Alderman Wirth, lack of confidence in Lakeside Development's capabilities to develop the property, lack of DNR approval regarding wetland setbacks and flood risks.

The following citizen spoke in opposition to both **ORDINANCE 2016-1467** and **ORDINANCE 2016-1468**: Nancy Kaufman.

Alderman Wirth addressed the conflict of interest suggestion by stating that just because his firm does work with real estate developers does not mean there is a conflict of interest. He does not have any relationship with Mr. Zabjek, the President of Lakeside Development.

The following citizen spoke in support of **ORDINANCE 2016-1468**: Thomas Zabjek.

The proposed engineering to manage the water is more extensive than if individual home owners would build or if a land division occurred. It cannot be guaranteed that the proposed development would mitigate the water problem but the alternatives could cause a greater problem.

Director Lundeen explained the process for ensuring all the conditions put on the project are verified. There is no storm water management plan at this point. As design would move forward a storm water management plan would be generated; it would be approved at staff level through a consultant; MMSD would review for compliance with City ordinances and Chapter 13; and then ultimately be approved. Once approved for construction, a drainage escrow of 125% of the cost of the storm water facilities must be deposited with the City until the storm water management facilities are certified that they conform to the original design; permit also required for erosion control, weekly inspections and within 24 hours of each storm water event by the developer and the City, permit must remain on site until the site is a minimum of 70% vegetated or at the point where erosion should no longer occur.

Discussion ensued by Council. The East Trunk sewer project will be done in the near future and that should address the sewer issues. If the land is developed into just four or six lots then there will be no storm management plan and the area could be worse off. The City's storm water ordinance does not regulate the quantity of water. The residents know their neighborhood and they prefer fewer lots to be developed. A storm management plan would assure there is at least an effort to keep the water from flowing too fast off the area's properties. It was concerning that the second half of the Wetland Delineation Report has not been received from the developers. There will be a Public Works Committee meeting On Thursday, June 16th to address drainage issues and residents are encouraged to attend.

Alderman Wirth proposed an amendment to the ordinance. Once the storm water management plan is finished, but before it goes to MMSD for review, the Council should have the opportunity

to approve it, thereby assuring the plan exceeds the level of management required by ordinances. Director Lundeen expressed concerns about qualitative metric to be set without having a full understanding of what the requirements of a storm water management plan are at this point. It is difficult to quantify what “substantial” improvement means. This plan of action is not precedent setting; a similar special requirement has been asked of a developer in the past. In that instance, the quantitative portion came after the storm water management plan was generated and then they defined by storm event what the additional percentage of reduction would be beyond what was required for the site. Alderman Adams expressed concerns that the Council is not qualified to judge the quantitative qualities of a storm management plan.

Attorney Sajdak clarified that if Council decides to have a contingent rezoning then the protest petition would still be in place. If the amendment is just a further requirement then the standard, majority vote would be required. Council wants to keep the protest petition still in effect. Director Tollefson suggested to develop the storm water management plan per current ordinances and standards to define the baseline documentation, then have staff determine what could be done above and beyond that was feasible and have that plan returned to Council. Engineering staff could then evaluate the baseline plus improvements which hopefully would satisfy the Council.

Motion to amend **ORDINANCE 2016-1468** to require the Developer to return to Council with a storm water management plan that meets the current ordinance and standards in order to identify the baseline improvements.

RESULT: **Approved with Amendments [6 to 2]**
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Pukaite

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

- 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.

ORDINANCE 2016-1467 was left on the table.

RESULT: **No Vote**

Mayor Abendroth took a 5 minute break and President Strzelczyk continued.

- c) **ORDINANCE 2016-1472** - An Ordinance Creating Section 2-216(15) of the Mequon Code of Ordinances Establishing a Paid Time Off Donation Policy.

RESULT: **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.

Attachment: ACCELA 06-14-16_CC (1788 : Common Council meeting minutes of June 14 and July 12, 2016)

RESULT: 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.

RESULT: First Reading

Mayor Abendroth returned.

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. Public Welfare Committee made no recommendation to the Council.

Moved by Alderman Pukaite, seconded by Alderman Nerbun to approve **RESOLUTION 3379** without the Committee recommendation.

Director Tollefson stated that there are currently seven loans within the City. Alderman Pukaite stressed that this is a county-wide program and there is a need in the county to assist lower income individuals. Tollefson stated that Mequon has participated in the four-county program since 2005. The City’s agreement is up for renewal and Council needs to take action to renew or dissolve our participation in the program. Lack of participation by municipalities, especially larger populated ones, would have an impact and reduction in funding for the four-county program. Of the four counties, only five municipalities do not participate, however, they are communities of 2,500 or less residents. The program offers down payment assistance with loans, home owner rehab, purchase and rehab loans as well as housing development. Ozaukee County has received approximately \$1M in the program. If Mequon would have any housing program it ought to be a loan program as successful as this one.

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

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| AYES: Strzelczyk, Pukaite, Mayr, Wirth, Gierl, Hawkins, Nerbun, Adams |
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- b) **RESOLUTION 3381** - Resolution Approving a Transfer of Funds Within the Sanitary Sewer Capital Budgets.

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

Attachment: ACCELA 06-14-16_CC (1788 : Common Council meeting minutes of June 14 and July 12, 2016)

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

- 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.

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

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

- 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.

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

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

- e) **RESOLUTION 3387** - A Resolution Authorizing a Purchase Agreement For Replacement of Police Vehicles.

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

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

- 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.

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

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

7) Specified Unfinished Business:

None.

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

None.

9) Specified Miscellaneous New Business:

- a. Mayoral Appointments.

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

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

10) Adjourn

- a) Adjourn at 9:46 PM.

RESULT: Approved by Voice Acclamation [Unanimous]
MOVER: Alderman Wirth
SECONDER: Alderman Nerbun

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



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**COMMON COUNCIL
Regular Meeting
Tuesday, July 12, 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; Deputy City Clerk Fochs; City Attorney Sajdak; Community Development Director Tollefson; City Engineer/Public Works Director Lundeen; Police Chief Graff; Attorney John E. Machulak, Machulak, Robertson & Sodos, S.C.; Jonathan Ingalls, Territory Sales Manager for Action Target; press and interested public.

2) Public Hearing:

- a) **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: 1 - 1.5 Acres) to Allow for a Single-Family Home Located at 4200 County Line Road **Recommended by Planning Commission June 13, 2016; First Reading at Common Council June 14, 2016.**

Motion to open public hearing for **ORDINANCE 2016-1474**

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Strzelczyk

Attachment: ACCELA 07-12-16_CC (1788 : Common Council meeting minutes of June 14 and July 12, 2016)

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

Motion to close public hearing for **ORDINANCE 2016-1474**.

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Strzelczyk

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

3) Personal Appearances and Public Comment:

None.

4) Public Officials' Reports:

a) Mayor

The Mayor announced that the UW Sea Grant Institute is hosting a public meeting regarding lake bluff erosion, changing Lake Michigan water levels and coastal bluff management on July, 27, 2016, from 5:00 - 7:00 pm at Reuter Pavilion at Rotary Park. All are welcome.

b) City Administrator

There will be an appliance, electronics and textiles recycling event on Saturday, July 16, 2016, from 9:00 - 1:00 PM behind the Public Safety Building.

5) Consent Agenda:

Alderman Adams requested the removal of Item a - Common Council meeting minutes of June 14, 2016 and Item m - **RESOLUTION 3393** - A Resolution to petition the Office of the Commissioner of Railroads for Railroad Crossing Improvements on the Wisconsin Central Rail Line. Alderman Strzelczyk requested the removal of Item f - Planning Commission minutes of May 9, 2016.

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

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

- a) Common Council meeting minutes of June 14, 2016
- b) Architectural Board meeting minutes of May 9, 2016
- c) Ethics Board meeting minutes of September 24, 2015
- d) Finance-Personnel Committee meeting minutes of May 10, 2016
- e) Mequon/Thiensville Bike Pedestrian Commission meeting minutes of April 1, 2016
- f) Planning Commission minutes of May 9, 2016
- g) Public Safety Committee meeting minutes of May 24 and June 14, 2016
- h) Public Welfare Committee meeting minutes of May 10, 2016

Attachment: ACCELA 07-12-16_CC (1788 : Common Council meeting minutes of June 14 and July 12, 2016)

- i) Public Works Committee meeting minutes of May 10, 2016
- j) River Advisory Committee meeting minutes of April 14, 2016
- k) Zoning Enforcement and Site Compliance Report through July 1, 2016
- l) Acceptance of the FY2015 Comprehensive Annual Financial Report
- m) **RESOLUTION 3393** - A Resolution to Petition the Office of the Commissioner of Railroads for Railroad Crossing Improvements on the Wisconsin Central Rail Line.

Moved by Alderman Wirth, seconded by Alderman Adams to table Common Council meeting minutes of June 14, 2016.

Alderman Adams requested review of the audio tape from the June 14, 2016 Common Council meeting to confirm how the motion to amend **ORDINANCE 2016-1468** was worded.

RESULT: Approved by Voice Acclamation [Unanimous]
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Adams

Moved by Alderman Wirth, seconded by Alderman Mayr to table Planning Commission meeting minutes of May 9, 2016.

Alderman Strzelczyk requested the minutes clarify that the Aldermanic Representative is a shared position and that the alderman not at the meeting should not be labeled "absent". Likewise, Alternate Member Stoker was not in attendance and should not be labeled "absent".

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

Motion to approve **RESOLUTION 3393** - A Resolution to Petition the Office of the Commissioner of Railroads for Railroad Crossing Improvements on the Wisconsin Central Rail Line.

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

Alderman Adams requested that an ambassador of the City deliver this petition to the Office of the Commissioner of Railroads for emphasis. Administrator Jones stated that staff will take a look at confirming receipt of our petition and resolution and will report back to Public Works Committee and Council.

6) Specified Miscellaneous New Business in Which the Council May Take Action:

- a) Confirmation Under 58-88(d) of a Conditional Use Grant to Allow An Indoor Shooting Range for the Property Located at 9653 N. Granville Road.

A Conditional Use Grant was previously approved by Planning Commission; however, two Aldermen have requested that this matter come before the Common Council for review and Confirmation. Director Tollefson summarized the process for allowing indoor shooting

ranges dating back to fall 2015. At that time the applicants' proposal was not for a specific location and did not address the type of operation or business plan they were preparing to put forward. After review, staff determined that the B-5 and B-6 (both Industrial) zoning districts would be an appropriate location for this use. B-4 (Business Park) was not supported by Council as a potential location. In June 2016 the Planning Commission supported unanimously the Conditional Use Grant for the applicants' exact business operation at 9653 N. Granville Road. Public notification followed the standard procedures, that being notifying residents within 1/4 mile from the location. The process requires staff to evaluate the proposal against the standards and criteria of the text amendment, but also to go one step further to evaluate endangerment to the public's health, safety and welfare, injurious value to adjoining properties, harmony within area of proposed location, and conformity with comprehensive plan.

As a Conditional Use Grant the Council is to evaluate what, if any, potential negative impacts there are for the operations of this use at this location. If Council determines there are potential negative impacts, then Council must decide what, if any, reasonable conditions can be placed on the operations to help mitigate those negative impacts and subsequently recommend approval with conditions. If it is determined that no reasonable conditions can help mitigate the negative impacts then denial can be recommended.

Attorney Machulak summarized the process to-date for his clients. The proposed shooting range far exceeds standards outlined in the Conditional Use Grant. He questioned the function of the Common Council tonight, given that the Planning Commission approved it unanimously.

Mayor Abendroth confirmed that Common Council is adhering to the zoning code which states that Conditional Use Grant approvals shall require Common Council confirmation upon written request of two aldermen.

The following citizens oppose the Confirmation of the Conditional Use Grant but do not wish to speak: Greg Sniadach, Samira Blackwell, Andrew Binversie, Debbie Bishop, Alan Bishop, Cheryl Figg, Debra Hansher, Ewald Toldt, Ewald Land Design, Vicki & Kyle Oberdorf, Shirley Huxhold, Michael Piku, and Ruchira Varshnay.

The following citizens spoke in opposition of confirming the Conditional Use Grant: Mary Maier, David Levey, Mary Moore, Steve Carpenter, Steve Licata, Rick Elkert, Stephen Franzoi, Dawn M. Rablin-Binversie, Bryan Rech, Rich Reider, Karen Toldt, Carol Piku, Jeffrey Hansher, Jamie Reider, Linda Schmale, and Sherrea Jones.

They expressed concerns over the public's notification, proximity to highly populated subdivision and Lemke Park, location in increasingly higher crime area, effects on traffic and police presence in the area, assurance that patrons will be only responsible gun users, remote location, restrictions of gun and ammunition sales, security during and after business hours, attraction for an undesirable population, construction of the range relative to sound, safety and lead issues, vagueness of conditional use permit, omission of NRA guidelines in conditional use permit, lead cleanup in the future, potential to detract from the quality of life in Mequon, potential for decreased property values, supervision of children on-site, screening

process for users, assurances that people under the influence will not be permitted, video monitoring, lack of transparency by the City during the process, extent of staff training, and concern of mass shooting.

The following citizens spoke in favor of confirming the Conditional Use Grant: David Delahunt, John Richmond, Sue Armacost, John Leszczynski, Brian Cooper, Amy Resnick, Emil Meucci, A. Bruce Duncan, Henry Hile, Bob Walerstein, and Tim Cullen.

They stated that all of the conditions requested by the City of the applicants regarding the proposal have been agreed to and all will be monitored by the City before the opening and throughout its operation, all the by-products of shooting would be controlled (i.e. shell casings, noise, lead or steel shots), it would provide the ability to learn and practice gun safety, and a niche would be filled.

The following citizens favor the confirmation of the Conditional use Grant but did not wish to speak: Diane Heisler; Peter Heisler, Jean Schranka, David Mueller, Mitchell Perry, Jaspal Dhaliwal, Cindy Larson, Ranjit Dhaliwal, Chuck Schmidt, and Bette Duncan.

Alderman Wirth stated that a gun range is inconsistent with the kind of rural community Mequon has been and wants to be. He questioned the notice requirement; however, he confirmed that staff complied with all statutory notice requirements. Should notices have additionally gone to residents outside the 1/4 mile radius? He requested the Council's confirmation so that the people could have an opportunity to be heard. This meeting is not to decide if an indoor shooting range should be allowed in Mequon; this meeting is to decide if this specific proposed indoor gun range is appropriate for this specific location. He proposed the following amendments to the Conditional Use Grant: 1) Gun fire shall not be audible at the borders of the property, 2) Require applicant to install a hedgerow along property line with closest neighbor, 3) Add that operation standards will comply with the method of operations that were proposed and any changes need approval, and 4) Clarify Item 1 in the Conditional Use Grant as ensure that the 3rd party consultant will inspect and ensure compliance with all the operations requirements as set forth.

Further Council discussion ensued about NRA requirements vs. Federal requirements, noise abatement, landscaping, results of outreach to other communities who have shooting ranges, emphasis on resident's safety, adherence to all requirements proposed by City, safety of ranges, 3rd party consultant duties, background check procedures, due process as it relates to Conditional Use Grants, 24/7 video surveillance system. At this point, nothing is being rezoned and the text amendment prohibits gun sales and outdoor activities. Any changes to the text amendment would need Council approval. Mr. Ingall of Action Target, gave an overview of the range, including air cycling, containment of rounds, bullet traps, and lane dividers.

Moved by Alderman Mayr, seconded by Alderman Gierl to confirm the Conditional Use Grant, including the four additional conditions proposed by Alderman Wirth.

Alderman Wirth added three more amendments to the Conditional Use Grant: 1) include installation of inside and outside security cameras, 2) include background check requirement, and 3) specify/use the regulatory agency that has the greater requirements.

Alderman Mayr said he would accept that as a friendly amendment.

RESULT: Approved as Amended [6 TO 2]
MOVED BY: Alderman Mayr
SECONDED BY: Alderman Gierl

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

7) Ordinances:

- a) **ORDINANCE 2016-1471** - An Ordinance Amending Section 2-204 of the Mequon Municipal Code as it Relates to Identifying and Defining Department Heads.

RESULT: Approved by Roll Call Vote [7 to 1]
MOVED BY: Alderman Pukaite
SECONDED BY: Alderman Mayr

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

- b) **ORDINANCE 2016-1472** - An Ordinance Creating Section 2-216(15) of the Mequon Code of Ordinances Establishing a Paid Time Off Donation Policy.

Finance-Personnel Committee has requested to review this ordinance again at the end of 2018 to make sure there is not a negative economic impact.

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

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

- c) **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.

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

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

- d) **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: 1 - 1.5 Acres) to Allow for a Single-Family Home Located at 4200 County Line Road.

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

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

- e) **ORDINANCE 2016-1475** - An Ordinance Amending the City of Mequon Land Use Plan Map from Neighborhood Commercial to Residential 1 - 1.5 Acres To Allow for a Single-Family Home Located at 4200 County Line Road.

RESULT: First Reading

8) Resolutions:

- a) **RESOLUTION 3378** - A Resolution Designating Caroline Fochs to the Position of City Clerk.

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

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

- b) **RESOLUTION 3391** - A Resolution Approving the Award of a Contract for the Mequon/Thiensville Sanitary Interceptor Sewer Rehabilitation Project to Michels Pipe Services, a Division of Michels Corporation of Brownsville, Wisconsin in the Amount of \$698,286.

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

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

- c) **RESOLUTION 3392** - A Resolution Approving Award of the Following in Connection with the Demolition of Logemann Center: A) A Contract for Tower Demolition and Antenna Relocation to General Communications in the Amount of \$10,800; B) A Contract for Asbestos Abatement to Braxton Environmental Services in the Amount of \$11,470; C) A Contract for Building Demolition to Shoreline Contracting Services in the Amount of \$79,638.

The Public Works Committee did not recommend this resolution.

The following citizen opposed this resolution: John Leszczynski. He proposed getting a property appraisal and/or request Requests for Proposals (RFPs) in order to ascertain whether options are available. He has a development proposal to present to staff and the cost to demolish the Logemann Center and create 17 parking spots is excessive. The parking issues are not the City's problem; the developers should step up to resolve the problem.

Attachment: ACCELA 07-12-16_CC (1788 : Common Council meeting minutes of June 14 and July 12, 2016)

Council discussion ensued on the RFP idea and timeline of that process, value of Logemann, previous directive of Committee of the Whole, utility costs, timing of possible demolition, current and potential zoning of Logemann, site constraints related to access, value of property, and potential for future bids to demolish could be higher.

Motion to deny **RESOLUTION 3392.**

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

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

9) Specified Unfinished Business:

None.

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

None.

11) Closed Session:

- a) Motion to convene into closed session at 10:45 PM 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).

RESULT: Approved by Roll Call Vote [Unanimous]
MOVED BY: Alderman Strzelczyk
SECONDED BY: Alderman Gierl

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

12) Adjourn at 11:05 PM.

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

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

| | | | | |
|----|--------------------|-------------------------------|---------------------------------------|----------------------|
| 2) | Dist. 4 6:35 pm | <u>Detached Garage</u> | Nicole Pettis 10019 N. Meadow Lane | Cont: Gear Grove |
| | | | Subd: Cedar Acres | Arch: Patrick Wesley |

Moved to Approve: Mattingly
 Seconded by: Meyers
 Approved: Yes
 Vote: 6-0

Conditions: Plans approved as submitted with the following conditions:
 1. Roof pitch of 5-12
 2. Horizontal siding to be used.

| | | | | |
|----|--------------------|---|---|---------------------|
| 3) | Dist. 6 6:45 pm | <u>Resubmittal:</u> Garage Addition | Patrick & Barbara Peterka 10924 N. Westview Lane | Cont: Avenue Design |
| | | | Subd: Scenic Heights #1 | Arch: N/A |

Moved to Approve: Davison
 Seconded by: Schroeder
 Approved: Yes
 Vote: 5-0

Conditions: Resubmitted plan showing the addition of brickwork and double hung windows was approved.

| | | | | |
|----|--------------------|--|--|----------------------------|
| 4) | Dist. 7 6:55 pm | <u>Exterior Changes:</u> Roof Gable & Windows | Michael & Martha Tsuchihashi 636 W. McIntosh Lane | Cont: Janssen Exteriors |
| | | | Subd: Orchard Highlands | Arch: Lakeside Development |

Moved to Approve: Davison
 Seconded by: Meyers
 Approved: Yes
 Vote: 5-0

Conditions: Plans approved as submitted.

Attachment: Arch Brd minutes_ 06-13-16 (1758 : Architectural Board meeting minutes of June 13, 2016)

| | | | | |
|----|--------------------|--|--|---|
| 5) | Dist. 7 7:05 pm | Resubmittal: Addition: Garage & Front Porch | Louie & Jean Maier 9862 N. Range Line Road Subd: N/A | Cont: Lakeside Development Arch: N/A |
|----|--------------------|--|--|---|

Moved to Approve: Meyers
 Seconded by: Myers
 Approved: Yes
 Vote: 5-0

Conditions: Plans were approved as resubmitted.

| | | | | |
|----|--------------------|--|---|--|
| 6) | Dist. 8 7:15 pm | Re-Submittal: New Single Family Residence – Changes to rear elevation | David & Judy Eager 10648 N. Woodcrest Drive Subd: The Pines | Cont: Henderson Group Arch: Henderson Group |
|----|--------------------|--|---|--|

Moved to Approve: Nordgren
 Seconded by: Davison
 Approved: Yes
 Vote: 6-0

Conditions: Plans were approved as resubmitted.

| | | | | |
|----|--------------------|--|--|---|
| 7) | Dist. 8 7:20 pm | Addition: Second Floor & Interior Remodel | David & Jennifer Hadcock 11348 N. Lakeview Place Subd: N/A | Cont: Auchter Construction Arch: N/A |
|----|--------------------|--|--|---|

Moved to Approve: Nordgren
 Seconded by: Meyers
 Approved: Yes
 Vote: 6-0

Conditions: Plans were approved as submitted with the condition that all materials to match existing.

Attachment: Arch Brd minutes_ 06-13-16 (1758 : Architectural Board meeting minutes of June 13, 2016)

| | | | | |
|----|--------------------|--|--|--|
| 8) | Dist. 8 7:30 pm | Resubmittal: New Single Family Residence – Added a fireplace on rear elevation | Peter & Julie Melbinger-Wagner 10380 N. Wildwood Court Subd: Wildwood Preserve | Cont: Regency Builders Arch: Regency Builders |
|----|--------------------|--|--|--|

Moved to Approve: Nordgren
 Seconded by: Schroeder
 Approved: Yes
 Vote: 6-0

Conditions: Plans were approved as resubmitted.

| | | | | |
|----|--------------------|--|---|------------------------------------|
| 9) | Dist. 8 7:35 pm | New: Single Family Residence | Diane Strauss 12410 N. Lake Shore Drive Subd: N/A | Cont: TBD Arch: Vetter Denk |
|----|--------------------|--|---|------------------------------------|

Moved to Approve: Nordgren
 Seconded by: Schroeder
 Approved: Yes
 Vote: 6-0

Conditions: Plans were approved as submitted.

| | | | | |
|-----|--------------------|---|--|------------------------------------|
| 10) | Dist. 8 7:40 pm | Resubmittal: New Single Family Residence – Changes to footprint | Steve & Michelle Bersell 10108 N. Sheridan Drive Subd: Fairy Chasm | Cont: TBD Arch: Vetter Denk |
|-----|--------------------|---|--|------------------------------------|

Moved to Approve: Davison
 Seconded by: Myers
 Approved: Yes
 Vote: 5-0

Conditions: Plans were approved as resubmitted.

Attachment: Arch Brd minutes_ 06-13-16 (1758 : Architectural Board meeting minutes of June 13, 2016)

| | | | | |
|-----|--------------------|---|--|---------------------------|
| 11) | Dist. 1 7:45 pm | New: Single Family Residence | Steven Mayer & Jennifer Schuh 13500 N. Silver Fox Drive | Cont: Victory Homes of WI |
| | | | Subd: Fox Farms | Arch: Dave Plum |

Moved to Approve: Youngquist
 Seconded by: Schroeder
 Approved: Yes
 Vote: 6-0

Conditions: Plans were approved as submitted.

| | | | | |
|-----|--------------------|-----------------|--|----------------------|
| 12) | Dist. 1 7:50 pm | Pavilion | Mequon Lakes Rev. Trust 7224 W. Highland Road | Cont: TBD |
| | | | Subd: N/A | Arch: Wade Weissmann |

Moved to Approve: Youngquist
 Seconded by: Davison
 Approved: Yes
 Vote: 6-0

Conditions: Plans were approved as submitted contingent on formal building plans approved by Building Inspector.

| | | | | |
|-----|--------------------|---|--|---------------------|
| 13) | Dist. 2 8:00 pm | Resubmittal: New Single Family Residence – Changes to front porch & window changes on rear elevation | Ali & Ayesha Maria-Kahn 11230 N. Justin Drive | Cont: Moore Designs |
| | | | Subd: Stonefields | Arch: Brian Breit |

Moved to Approve: Weich
 Seconded by: Schroeder
 Approved: Yes
 Vote: 6-0

Conditions: Plans approved as resubmitted.

Attachment: Arch Brd minutes_ 06-13-16 (1758 : Architectural Board meeting minutes of June 13, 2016)

| | | | | |
|-----|--------------------|---|--|---|
| 14) | Dist. 3 8:05 pm | New: Single Family Residence | Lisa Anderson 12180 N. Farmdale Road Subd: N/A | Cont: Homeowner Arch: Design Group 3 |
|-----|--------------------|---|--|---|

Moved to Approve: Meyers
 Seconded by: Davison
 Approved: Yes
 Vote: 5-0

Conditions: Plans were approved as submitted.

| | | | | |
|-----|--------------------|---|--|---|
| 15) | Dist. 3 8:10 pm | Addition: Master Bedroom Suite | Paul & Melissa Decker 11560 N. Vega Avenue Subd: Solar Heights | Cont: Decker Construction Arch: Michael Remsik |
|-----|--------------------|---|--|---|

Moved to Approve: Davison
 Seconded by: Meyers
 Approved: Yes
 Vote: 5-0

Conditions: Plans were approved as submitted with the following conditions:
 1. There must be a pair of double hung windows on East Elevation (casement only shown on drawing).
 2. All windows to be double hung.

| | | | | |
|-----|--------------------|------------------------|--|--|
| 16) | Dist. 3 8:20 pm | Garage Addition | Jerred & Jessica Weiss 11358 N. Glenwood Drive Subd: Solar Heights | Cont: Klam Construction Arch: Klam Construction |
|-----|--------------------|------------------------|--|--|

Moved to Approve: Mikkelson
 Seconded by: Schroeder
 Approved: Yes
 Vote: 5-0

Conditions: Plans approved as submitted with the following conditions:
 1. Material of home to be vinyl or hardy plank siding.
 2. Addition of double hung window on East Elevation next to door.

Attachment: Arch Brd minutes_ 06-13-16 (1758 : Architectural Board meeting minutes of June 13, 2016)

| | | | | |
|-----|--------------------|---|---|---------------------------|
| 17) | Dist. 3 8:30 pm | New: Single Family Residence | Jason & Kristina Simpson 8801 W. Hawks Glen Circle | Cont: Victory Homes of WI |
| | | | Subd: Hawks Glen | Arch: Dave Plum |

Moved to Approve: Schroeder
 Seconded by: Myers
 Approved: Yes
 Vote: 5-0

Conditions: Plans were approved as submitted.

| | | | | |
|-----|--------------------|-----------------------------------|---|---------------------------|
| 18) | Dist. 3 8:35 pm | New: Side by Side Condo | Highlander Partners, LLC 7235/7237 W. Heron Pond Dr. | Cont: Inland Construction |
| | | | Subd: Heron Pond | Arch: Waterborne Design |

Moved to Approve: Davison
 Seconded by: Schroeder
 Approved: Yes
 Vote: 5-0

Conditions: Plans were approved as submitted.

Attachment: Arch Brd minutes_ 06-13-16 (1758 : Architectural Board meeting minutes of June 13, 2016)



11333 N Cedarburg Road
 Mequon, WI 53092
 P: 262-236-2902
 F: 262-242-9655
www.ci.mequon.wi.us

Department of Community Development

**Economic Development Board
 May 31st 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,
 Alt. John Wirth, Alt. Connie Pukaite

Staff and City Representatives Present:

Kim Tollefson, Director of Community Development

2. Approval of meeting minutes from May 31, 2016

Mr. Baka moved to approve the minutes as written.

Mr. Safran seconded the motion.

A voice vote was called. All voted aye (5-0)

3. TIF No.3: Town Center Incentive Request for Outpost Natural Foods located at 7590 W. Mequon Road.

Pam Menhert, General Manager of Outpost
 Nancy Hagerty, real estate agent from Michael Best

Ms. Tollefson stated that Outpost Natural Foods received a TC TIF incentive under the fast track formula. At the time of the approval it was similar to the other actions in that a % split was arrived at so that the City captured some of the increment to the TIF district while the business owner receives the other portion of the increment. At the time, the split was a 30-70 split; 30% of the tax increment would be returned to Outpost. The Development Agreement (“DA”) allowed for a true up of the costs. The estimated costs for the site repair are evaluated along with any demolition or remediation as well as an estimated project value; the tax base not only created from the real estate but also from the personal property taxes is factored in. Those numbers have been true up now that the project has been completed. Outpost identified that at the 30% split they would never receive full reimbursement of the dollars they were eligible to receive in return for the clean-up of the site. This was a variable that was looked at at the time. The EDB debated whether the split should be 30-70 or 25-75. The distinction between these two with the numbers presented at the time, at the 25% split it suggested that Outpost would not have receive full reimbursement and this was a key decision factor that the EDB made in terms of recommending the 30% split to the Common Council. All DA have language that state that at the end of the structured payments if there would be a shortfall then the project development team forgoes those monies. In this particular case, with the true up of the dollars, the difference is about \$30,000 between the original numbers and what they would now be eligible for now. An amendment was drafted to address this issue

and allow for repayment. In any given year as long as the \$30,000 is not exceeded, than the reimbursement could be established. The structure allows for equal payments for the life of the TIF; through 2028.

Ms. Hagerty stated they want to accomplish three things today (exhibit D of the packet):

- 1) Create a MRO, which is the IOU from the City to the developer. This form needs to be created.
- 2) A payment was given to Outpost a year early based on a partial assessment, not the full assessment; they were shorted and would like this to be made up on the back end.
- 3) The payment is supposed to be \$25,270 (page 2 of drafted assessment).

She stated that the estimated fast track total is \$299,214 and the actual was \$328,515 that was to be reimbursed. The total is divided by 13 years and then one payment was to be received every 13 years until that amount was reached, subject to that 30%. Outpost is actually receiving \$18,000 a year. Over the life of the TIF they will receive \$81,000 less than was promised. Instead of a \$4M building they would have to have built a \$5.6M building to reach full payment. They want to ensure that get the total costs covered. On page 4 of the DA there is language that states that the 30% limitation exists but that in the 13th payment that a balloon can be granted in the final year if needed. They are worried that if they wait until the 13th year that they will not receive the full payment. She asked whether the City intended for Outpost to receive the full \$328,515. She feels that it was just not calculated correctly.

Ms. Tollefson stated that the percentage split could be adjusted if needed. She stated that the % split was analyzed. She feels that there was the intent to get the full reimbursement paid by the end of the life of the TIF. She stated that another variable may be that at the time, the fast track was just being initiated into the TC TIF and had discounted in this fast track formula the ability to get the 5% or 10% incentive because the financial health of the TIF was unknown. This may be a reason that it is not flushing out in this case. The 30-70 split is a lower % than some of the other TC TIF incentives. (Dermond is at 42% and The Reserve is also in the 40's). Those property values are much higher. There is not a standard split percentage established, it is evaluated by each case.

Ms. Hagerty stated that if the City states that the MRO is approved and the amendment with the math accounted for that states the actual cost divided by the 13 years, they would be delighted.

Ald. Wirth stated that the EDB makes a recommendation on the change of the overall policy and does not review the MRO.

Ms. Tollefson explained that the role of the EDB is to reconcile that the intent of the fast track formula is met. There is flexibility within the parameters of the DA standards. The actual true up is what it is and the intention was to pay the full reimbursement. Outpost is performing and meeting all the standards requested. There have been other development projects incentives that have allowed for flexibility in the % split. She suggests that the change to the % be made and Elhers can assist in formulating the correct %.

Ald. Wirth made a motion to approve per staff recommendations.

Ms. Rosenberg seconded the motion.

Mr. Safran questioned why there was not any costs allowed for general contractor supervision fees. He wonders if that was missed and he wants to make sure that future projects have that included.

4. Staff Updates

The upcoming Planning Commission meeting for June 13th agenda items:

- Text amendment to allow indoor sport shooting range. It will be in a B-5 zoning on Granville Road in an existing building. There is a substantial amount of construction that needs to be done to the building for a shooting range build out.
- 4200 County Line Road rezoning recommendation back to single family zoning for a single family home. There will also be a PUD there to control the use.
- Café Hollander approval for festoon lighting there. Their lighting goes above the code lighting.

Ms. Tollefson stated that she has had many community members come in to comment how much they love the building. There have been many compliments from residents who previously disliked the project. They love the all the outdoor spaces there.

Mr. Baka stated that the parking is really issue and will especially be when the cold weather comes.

Ms. Tollefson stated that the goal is for the site to be self-sustaining. As the development in TC grows, there will be more opportunities to park and walk. The city has a responsible for the streetscape to be made more comfortable and accommodating. There are 400 parking stalls in the immediate area; public parking, civil parking and on street parking.

Ald. Pukaite stated that the parking is a serious problem. She stated that she is hearing from the tenants that their customers are complaining; especially the health service businesses. The parking is not for a single restaurant but for multiple businesses.

Ald. Wirth stated that he doesn't think people will park across the street and walk across Mequon Road. He stated that the parking needs to be addressed for future developments.

There was a discussion about possible parking solutions; parking structure.

- Neumann Companies – Highlander Estates final plat approval for Phase I - 36 of 111 total lots.
- River Center (Piggly Wiggly) building and site plan amendment. They started construction before receiving approvals. There are two different roof styles and materials, staff is not supportive of these material choices.
- Sommers has a minor lighting request for their parking lot
- River Club Estates final plat approval

5. Announcements

The next meeting is scheduled for either May 24th or May 31st.

The meeting adjourned 8:49 am.



11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2941
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of the City Administrator

FINANCE-PERSONNEL COMMITTEE

Tuesday, June 14, 2016

6:15 PM

North Conference Room

Minutes

1. Call to Order

Present:

Alderman Andrew Nerbun
Alderman Robert Strzelczyk
Alderman John Wirth
Mayor Dan Abendroth

Also Present: City Administrator Jones, Assistant City Administrator Thyes, Finance Director Watson, Police Chief Graff, Fire Chief Bialk, Deputy City Clerk Fochs, Assistant Finance Director Rudychev, City Attorney Sajdak, Executive Assistant Prosser, Steve Henke, CPA-Baker Tilly Virchow Krause, Press

2. Approve minutes from the May 10, 2016 meeting

RESULT: Accepted [Unanimous]
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Nerbun

AYES: Alderman Nerbun, Alderman Strzelczyk, Alderman Wirth

3. License applications

a. June 2016 Licenses

Jerome L. Cannady's license renewal was denied as recommended.

RESULT: Approved [Unanimous]
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Strzelczyk

AYES: Alderman Nerbun, Alderman Strzelczyk, Alderman Wirth

b. 2016 Waste Hauler Permits

Staff was asked to find out what information on the waste hauler permit application is

Attachment: F & P minutes_06-14-2016 (1805 : Finance-Personnel Committee meeting minutes of June 14, 2016)

required to be completed by the waste hauler.

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

AYES: Alderman Nerbun, Alderman Strzelczyk, Alderman Wirth

4. Vouchers for payment

a. May Voucher Approval

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

AYES: Alderman Nerbun, Alderman Strzelczyk, Alderman Wirth

5. Resolutions

Action requested: review and recommend approval

a. **RESOLUTION 3390** A Resolution Amending A Development Agreement for Outpost Natural Foods Located At 7590 W Mequon Road For a Town Center TID Incentive

Community Development Director Tollefson stated Outpost Natural Foods has submitted a request for an amendment to the incentive authorized under the Town Center TID Fast Track Formula. Ms. Tollefson pointed out, under the Town Center TID project plan, qualifying development projects allow for receivership of a financial incentive for redevelopment efforts based on a set of criteria. Ms. Tollefson went on to say, at the time the original development agreement was approved, the City considered options related to the percentage split between the City and applicant pointing out the limit of return in any given year was 30%. Ms. Tollefson stated due to the actual cost of expenditures, the cap of 30% would not allow Outpost Natural Foods to receive full reimbursement. Ms. Tollefson noted the proposed amendment modifies the agreement in order to allocate full reimbursement over the course of thirteen years of installments. Ms. Tollefson stated it is recommended that the 30% cap on any returned increment be eliminated, and rather that a \$25,270 annual payment is scheduled, with the condition that Outpost Natural Foods achieves the required minimum value of \$4.25M in any given year. Ms. Tollefson noted the Economic Development Board did review the amendment to the original agreement at the end of May and agreed to support the modification.

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

AYES: Alderman Nerbun, Alderman Strzelczyk, Alderman Wirth

b. 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

Assistant Finance Director Rudychev stated staff is recommending a transfer of funds from the Capital Project Fund's Fire Vehicle Replacement Account to a newly created Fire Officer Equipment Account in the Capital Projects Fund. Ms. Rudychev noted the new account will afford the Fire Department with the opportunity to plan long term for purchases instead of using the department's operating budget. Ms. Rudychev pointed out, 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 year. Ms. Rudychev went on to say, since the request 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 new Fire Officer Equipment account in the Capital Projects Fund. Ms. Rudychev pointed out the Fire Vehicle Replacement account will be able to absorb the transfer of funds without negatively impacting the project account due to unanticipated revenue from vehicle sales, insurance claims and reclassification of sprinkler system fees.

Mayor Abendroth requested a future discussion regarding the impact of the increase in call volume to the Fire Department's operating budget.

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

AYES: Alderman Nerbun, Alderman Strzelczyk, Alderman Wirth

6. Discussion

Action requested: review and possible action

a. Presentation of Comprehensive Annual Financial Report for the Year Ended December 31, 2015 by Baker Tilly Virchow Krause, LLP

Finance Director Watson introduced Steve Henke from Baker Tilly Virchow Krause. Mr. Henke provided a summary of the two reports that were distributed to the Committee; the *Comprehensive Annual Financial Report for the Year Ended December 31, 2015* and the report, *Communication To Those Charged with Governance and Management As of the and For the Year Ended December 31, 2015*. Mr. Henke stated the objective of the audit is to express an opinion on the City's financial statements. Mr. Henke went on to say, the report; *Communication To Those Charged with Governance and Management As of the and For the Year Ended December 31, 2015* includes all communications required under professional standards, as well as, comments and recommendations resulting from the audit and information applicable to future audits. Mr. Henke stated 2015 was a break-even year for the City. Mr. Henke noted the unassigned fund balance is just over 15% which is over the City's minimum fund balance policy of 10-15%. Mr. Henke pointed out the activities of the Enterprise Funds which consists of the Water and Sewer Utilities are very consistent with prior years and noted as the year ended only \$68,000 of the fund balance versus the

anticipated \$300,000 was used. Mr. Henke concluded his presentation stating, revenue sources exceeded the budget, expenditures were less than 1% across all functions, and according to the state statutory debt limit the city is at 14% of its capacity. Alderman Wirth recommended a future discussion on the City's account receivable policy.

7. Ordinances

Action requested: review and recommend approval

a. **ORDINANCE 2016-1472** An Ordinance Creating Section 2-216(15) of the Mequon Code of Ordinances Establishing a Paid Time Off Donation Policy

Assistant City Administrator Thyges stated a proposal to introduce a paid time off donation policy is before the Committee. Mr. Thyges stated the proposal is in response to two separate situations where non-represented employees have experienced medical emergencies or a member of their family, and as a result have exhausted their allotment of paid time off and other paid leave benefits. Mr. Thyges noted the policy would apply to only part time and full time non-represented employees. Mr. Thyges pointed out the employees that would not be subject to the program would be limited time employees (LTE) and represented employees. Mr. Thyges stated the policy does not call for a change in annual PTO allotment already set forth in Section 24.14 of the Employee Personnel Manual as adopted by Ordinance 2012-1380. Mr. Thyges went on to explain the guidelines and limitations of the policy with the Committee noting that the policy does provide a mechanism to help employees address medical emergencies while providing very specific controls to the City as an employer. Mr. Thyges informed the Committee the proposed donation policy has been reviewed by the City's labor attorney. Alderman Wirth recommended adding a sunset to the ordinance of December 31, 2018.

RESULT: Approved by Voice Acclamation [Unanimous]
MOVED BY: Alderman Strzelczyk
SECONDED BY: Alderman Wirth

AYES: Alderman Nerbun, Alderman Strzelczyk, Alderman Wirth

b. **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

Deputy Clerk Fochs stated in April, 2015 the Council adopted Ordinance 2015-1441 which created section 14-32 of the Mequon Municipal code regarding grants for Reserve "Class B" Liquor Licenses. Ms. Fochs went on to say, the 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. Ms. Fochs pointed out state statutes were recently adopted taking local control away from municipalities that chose to rebate a portion of the initial fee. Ms. Fochs noted 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.

RESULT: Approved by Voice Acclamation [Unanimous]
MOVED BY: Alderman Wirth

SECONDED BY: Alderman Strzelczyk

AYES: Alderman Nerbun, Alderman Strzelczyk, Alderman Wirth

8. Adjourn

The meeting of the Finance & Personnel Committee was adjourned at 7:15 PM.

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

MOVED BY: Alderman Wirth

SECONDED BY: Alderman Nerbun

AYES: Alderman Nerbun, Alderman Strzelczyk, Alderman Wirth

Mequon Fire Department

Monthly Report - June 2016



Calls for Service

| Call Type | June 2016 | YTD 2016 | YTD 2015 |
|-----------|-----------|----------|----------|
| EMS | 129 | 814 | 663 |
| Fire | 29 | 228 | 220 |
| Total | 158 | 1,042 | 883 |

| | | | |
|--------------------------|---|----|---|
| Interfacility Transports | 6 | 32 | 0 |
|--------------------------|---|----|---|

Response Times

| Call Type | Average Response Time |
|-----------------|-----------------------|
| First Responder | 4:56 |
| Ambulance | 8:27 |
| Fire | 7:49 |

Fire Calls

| Type/Cause | Number |
|--|-----------|
| Fire (structure, car or vegetation) | 1 |
| Rescue/EMS (water/ice rescue or search for lost person) | 10 |
| Hazardous Condition (no fire, chemical/electrical problem, gas leak) | 2 |
| Service Call (smoke removal, mutual aid standby) | 1 |
| 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) | 10 |
| Severe Weather | 0 |
| Monthly Total | 29 |

EMS Calls – By Dispatch Reason/Most Common

| Type/Cause | Number |
|-----------------------|--------|
| Fall Victim | 14 |
| Breathing Problem | 8 |
| Unconscious Person | 6 |
| Lift Assist | 5 |
| Stroke/CVA | 3 |
| Sick | 11 |
| Traffic Accident | 15 |
| Altered Mental Status | 6 |
| Chest Pain | 9 |
| Seizures | 5 |

Monthly Training

| Type | Average Attendance |
|------------------|--------------------|
| Fire/EMS | 34 |
| Dive/Tech Rescue | 10 |

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 | 10 |
| Burn Permits Issued | 47 |
| Fire Inspections | 232 |

Mequon Fire Department

Monthly Report - July 2016



Calls for Service

| Call Type | July 2016 | YTD 2016 | YTD 2015 |
|-----------|-----------|----------|----------|
| EMS | 139 | 952 | 783 |
| Fire | 31 | 259 | 262 |
| Total | 170 | 1211 | 1045 |

| | | | |
|--------------------------|---|----|---|
| Interfacility Transports | 4 | 39 | - |
|--------------------------|---|----|---|

Response Times

| Call Type | Average Response Time |
|-----------------|-----------------------|
| First Responder | 5:02 |
| Ambulance | 8:14 |
| Fire | 10:09 |

Fire Calls

| Type/Cause | Number |
|--|-----------|
| Fire (structure, car or vegetation) | 6 |
| Rescue/EMS (water/ice rescue or search for lost person) | 4 |
| Hazardous Condition (no fire, chemical/electrical problem, gas leak) | 3 |
| Service Call (smoke removal, mutual aid standby) | 2 |
| 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) | 10 |
| Severe Weather | 1 |
| Monthly Total | 31 |

EMS Calls – By Dispatch Reason/Most Common

| Type/Cause | Number |
|-----------------------|--------|
| Fall Victim | 24 |
| Breathing Problem | 7 |
| Unconscious Person | 7 |
| Lift Assist | 6 |
| Stroke/CVA | 5 |
| Sick | 8 |
| Traffic Accident | 10 |
| Altered Mental Status | 7 |
| Chest Pain | 9 |
| Seizures | 7 |

Monthly Training

| Type | Average Attendance |
|------------------|--------------------|
| Fire/EMS | 38 |
| Dive/Tech Rescue | 10 |

Community Education

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

Administrative

| Activity | Number |
|---------------------|--------|
| False Alarm Charges | 8 |
| Burn Permits Issued | 25 |
| Fire Inspections | 14 |



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
June 6, 2016
Meeting Minutes**

Members Present: Alderman Pam Adams, Sue Dorszynski, Kirsten Hildebrand, Lynn Jarman, Bridget King, Al McIlwraith, Committee Chair Vanessa Nerbun,

Also Present: Executive Assistant Prosser

The meeting was called to order by Vanessa Nerbun, Committee Chair, at 6:35 PM.

Approve minutes of the May 9, 2016 meeting

Action: Motion to approve the meeting minutes of May 9, 2016. (McIlwraith/King)

Result: Motion passed by voice acclamation.

Staff Updates

Executive Assistant Prosser informed the Committee that the Mequon Festivals Committee web page on the City's website has been updated to include the music schedule, and names of the participating food/beverage vendors and artists. Ms. Prosser reported that Taste of Mequon was promoted in the May 25th City E-News. The Committee received a copy of the Ozaukee County Tourism publication which lists the two events organized by the Committee in the 2016 calendar.

Participants/Applications

The Committee received an update on the number of participant applications received to date. Currently there are eleven food/beverage vendors and seven artists participating. Vanessa Nerbun provided an update on the food/beverage vendors she has contacted since the last meeting.

Kirsten Hildebrand mentioned Glaze Pottery will be provide a clown; however this year they would like to sell ice cream instead of doing a craft. Lina Prosser will send Glaze a food/beverage vendor application.

The Committee went on to discuss what other types of vendors to contact. Several of the suggestions made were; a farmer's market, a bakery and catering service. Al McIlwraith will contact Larry's Market to see if they would be interested in participating. Kirsten Hildebrand has a contact for a bakery vendor.

Vanessa Nerbun provided an update on the recent meeting with Dave Hagemeyer, owner of Supercuts, to discuss how the Town Center businesses and members of the Committee can work together to promote each other on the day of the event.

Vanessa stated one idea that came up in their discussion is to do a passport promotion as a way to drive traffic to the Town Center and Taste of Mequon. Vanessa mentioned Dave Hagemeyer offered to assist with the promotion. Vanessa noted the topic of renting another shuttle for the day came up in their discussions. Vanessa stated a second shuttle would help with the increased flow of traffic on the day of the event. Committee members went on to discuss a second shuttle. A consensus was reached among the committee members that a second shuttle running from Homestead High School would be beneficial;

Mequon Festivals Committee Meeting Minutes
Meeting Minutes: June 6, 2016
Minutes Approved: July 11, 2016

however they did not agree that the cost for a second shuttle should be covered by the Committee. Vanessa will follow up with the Town Center partners to see if they would agree to pay for a second shuttle.

Sponsors

Vanessa asked Committee members to communicate with her directly on the progress of the sponsors they have been asked to contact.

2016 Budget

Budget Update

A budget update was provided to the Committee.

Site & Facilities Management

Lina Prosser provided the Committee with the cost to rent port-a-johns and a 20 yd. dumpster. Ms. Prosser noted the same rate as last year would apply.

Action: Motion to approve allocating the dollars for site equipment (King/McIlwraith)

Result: Motion passed by voice acclamation.

Children's Area Update

Kirsten Hildebrand discussed Christian Life's opportunity to provide an entertainment ride, Aqua Ball Adventures. Other participants in the children's area include; Magician Kirk Patrick, Splash, Mequon Nature Preserve, and Grace 242. Vanessa noted a contract has been received from JC Inflatable, LLC and it is under review by the City's insurance company and city attorney.

Action: Motion to approve the contract for Magician Kirk Patrick in the amount of \$250 (Dorszynski/McIlwraith)

Result: Motion passed by voice acclamation.

Future Agenda Items

Make 'n Take Art (Bridget)

Next Meeting Date and Time

The next meeting of the Mequon Festivals Committee will be held on Monday, July 11 at 6:00 PM.

Adjourn

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

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

Respectfully submitted,

CITY OF MEQUON – MEQUON FESTIVALS COMMITTEE

Lina Prosser, Executive Assistant



11333 N. Cedarburg Road
 Mequon, WI 53092
 262-236-2904
 Fax: 262-242-9655

www.ci.mequon.wi.us

Department of Community Development
 Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, May 9, 2016
7:00 PM
Christine Nuernberg Hall

Minutes

- 1) Chairman Dan Abendroth called the meeting to order at 7:00 PM with the Pledge of Allegiance and the roll call.

Present:

Chairman Dan Abendroth
 Alderman Pam Adams
 Commissioner Martin Choren
 Commissioner John Mason
 Commissioner Brian Parrish
 Alternate LeRoy Bessler
 Commissioner James Schaefer
 Commissioner Rebecca Schaefer
 Commissioner Rick Lemke
 Alderman Robert Strzelczyk -- **Excused**
 Alternate John Stoker -- **Excused**

Ald. Strzelczyk and Ald. Adams share the aldermanic seat and coordinate attendance at the meetings.

- b) Planning Commission Minutes from April 11, 2016

| | |
|------------------|---|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Brian Parrish |
| SECONDER: | R. Schaefer, Commissioner |
| AYES: | Abendroth, Adams, Mason, Parrish, Bessler, R. Schaefer, J. Schaefer, Lemke |
| EXCUSED: | Strzelczyk, Stoker |

Motion to open Public Hearing

Resident Steve Helfer spoke and stated he is opposed to the CUG because he is a longtime resident and customer at East Town Hair which is being asked to close down due to the new tenant Cyclebar opening for business. He is not opposed to this business operating in Mequon,

he just prefers it was located elsewhere so that the barber shop would not be negatively affected and need to close down.

Mayor Abendroth stated that the Mequon Pavilion shopping center owner is making this decision regarding its tenants and not the City.

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

| | |
|-----------------|--|
| AYES: | Abendroth, Adams, Mason, Parrish, Bessler, R. Schaefer, J. Schaefer, Lemke, Choren |
| EXCUSED: | Strzelczyk, Stoker |

Motion to close Public Hearing

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

MOVED BY: Commissioner Parrish

SECONDED BY: Commissioner J. Schaefer

| | |
|-----------------|--|
| AYES: | Abendroth, Adams, Mason, Parrish, Bessler, R. Schaefer, J. Schaefer, Lemke, Choren |
| EXCUSED: | Strzelczyk, Stoker |

2) Consent/Public Hearing

Brixmor SE I, LLC for CycleBar. The applicant is seeking conditional use grant approval to operate an indoor cycling fitness studio for the property located at 11104 N. Port Washington Rd (Mequon Pavilions).

RESULT: **Approved with conditions [Unanimous]**

MOVED BY: Commissioner J. Schaefer

SECONDED BY: Commissioner Mason

| | |
|-----------------|--|
| AYES: | Abendroth, Adams, Mason, Parrish, Bessler, R. Schaefer, J. Schaefer, Lemke, Choren |
| EXCUSED: | Strzelczyk, Stoker |

3) Consent/Regular Business

Life Homes, Inc. The applicant is seeking fill permit approval in excess of 1,000 cubic yards (specific request is 2,500 c.y.) for the property located at 12813 N. Highland Court.

Commissioner Bessler asked about the purpose of the fill. He also asked for confirmation that the fill would not divert water to the neighbor.

Deputy Dir. Of Engineering, James Keegan, indicated that the fill will be used to build up the grade around the house. He stated that the mound system needs the fill to be raised around the house and due to the presence of ground water, the homeowner wants the home raised. Deputy

Attachment: Planning Comm minutes_05-09-16 (1779 : Planning Commission meeting minutes of May 9 and June 13, 2016)

Dir. Keegan confirmed that the grading for the lot has been reviewed and the proposed grading is in accordance with the master grading plan.

Commissioner Becky Schaefer asked if the other lots in that subdivision also brought in a large amount of fill.

Deputy Dir. Keegan answered that this house is located at a much lower level in the subdivision. The west half of the lot is a natural wetland and there is a berm between this part of the lot and the wetland. It is graded to the west. The lot directly to the north is not built on and Highland Road is to the south. The lot is 11 acres.

Ald. Adams asked for confirmation that once a lot is platted that it is the job of the City to help make it buildable.

Asst. Dir. Zader answered that there are several challenges with this property as there is a large setback off of Highland Road, a setback off the private road going in, it is a pie shaped lot and there are wetlands in the back. There have been numerous iterations of plans for this lot. He explained that it was denied as a PUD conservation plan by the Common Council and it ended up with the 5 acre lot design which restricted some of the creativity of the lots. He feels that this is a plan that works for everyone.

RESULT: Approved [Unanimous]
MOVED BY: Commissioner J. Schaefer
SECONDED BY: Commissioner Mason

AYES: Abendroth, Adams, Mason, Parrish, Bessler, R. Schaefer, J. Schaefer, Lemke, Choren
EXCUSED: Strzelczyk, Stoker

David Kriegel. The applicant is seeking setback waiver approval for the property located at 5103 W. Westfield Road.

Commissioner Parrish asked about the seven houses surrounding this location and he is wondering why this item is on the consent agenda and if the neighbors had any issues with the proposed garage.

Asst. Dir. Zader stated that the applicant is also on the Architecture Board agenda tonight and the only reason it is on the Planning Commission agenda is because of the waiver to the front yard. The size of the garage and the number of stalls complies with City code. The only action is to approve what currently exists there now.

RESULT: Approved [Unanimous]
MOVED BY: Commissioner J. Schaefer
SECONDED BY: Commissioner Mason

AYES: Abendroth, Adams, Mason, Parrish, Bessler, R. Schaefer, J. Schaefer, Lemke, Choren
EXCUSED: Strzelczyk, Stoker

4) Regular Business

Attachment: Planning Comm minutes_05-09-16 (1779 : Planning Commission meeting minutes of May 9 and June 13, 2016)

WE Energies. The applicant is seeking specimen tree removal approval at 11611 W. Donges Bay Road to remove one specimen tree as part of installation of a natural gas infrastructure project.

Asst. Dir. Zader stated that there is a specimen tree on this property that the City Forester recommends is removed. He noted that there is a large split in the tree and some trimmings already have been done by WE Energies that makes the tree not worth saving and no monetary compensation is required.

Ald. Adams asked that the City Forester list the specific species of tree and the size of it as well.

The home owner, Charles Burczyk, stated that he agrees that the first tree needs to go, but he does not feel that the second tree should be removed. (item #6).

RESULT: Approved [Unanimous]
MOVED BY: Commissioner Parrish
SECONDED BY: Commissioner Lemke

AYES: Abendroth, Adams, Mason, Parrish, Bessler, R. Schaefer, J. Schaefer, Lemke, Choren
EXCUSED: Strzelczyk, Stoker

WE Energies. The applicant is seeking specimen tree removal approval at 11623 W. Donges Bay Road to remove one specimen tree as part installation of a natural gas infrastructure project.

Asst. Dir. Zader stated that the City Forester feels that the 17" diameter tree should be saved and not removed. He suggests they reroute the pipeline to save the tree. If the Planning Commission does allow for removal of the tree, the City Forester is requesting compensation of \$1,700 to the City for urban forestry or to replant on site.

Pat Adams, WE Energy representative, stated that it was clear to the resident about which trees were being removed and they were compensated for those trees. She said she will talk with them if there was a misunderstanding.

Commissioner Choren asked for clarification about whether the tree had already been removed. He asked about the option to reroute the pipeline. He asked who gave approval if it wasn't the property owners.

Ms. Adams stated that this project has been approved by the Public Service Commission of Wisconsin (PSCW), they determine the necessity of the project and they also approve the route. It is not easy to change the pipeline route; it requires approval to make a change to the route. It is a large sized pipe and not easy to move around trees. She explained that PSCW issues a certificate of authority, authorizing the utility the construct the project. They approve the route; they approve all specifics of the project.

Ald. Adams asked how deep the pipe goes. She asked if the pipe can go underneath the tree. She stated that Beech trees are very rare in Mequon and it is not easy to plant new ones. It is hard for her to approve the removal of a Beech tree especially with the homeowner wanting to keep the tree alive.

Attachment: Planning Comm minutes_05-09-16 (1779 : Planning Commission meeting minutes of May 9 and June 13, 2016)

Ms. Adams answered that the pipe will have four feet of cover.

Commissioner Lemke stated that pipes are not allowed under trees, it needs to be kept clear.

Mr. Feller, WE Energies project design representative, stated that the trees in the area have been looked at in regards to the route. Due to this pipe being 24", there are many challenges with the size of the equipment that is used and the construction. Other options were considered but this was the less intrusive. In order to apply directional drilling it would require 700-800 feet of drilling and about \$100,000 of increased cost to save the trees in that area.

Commissioner Parrish asked if WE Energies agreed to an easement to keep the tree there.

Mr. Feller answered that WE Energies will need to meet with Mr. Burczyk to discuss that. They did meet with him beforehand and there were trees that were agreed they would try to save and some that would need to come down.

Commission Choren asked if there is any latitude for the PC to decide differently that what has been approved by PSCW.

Mayor Abendroth stated that the PSCW denotes the route of the pipeline. The City of Mequon does not want to stop the implementation of the utility line, which could cost \$100,000 or a possible lawsuit, due to the unfortunate removal of one specimen tree.

Commissioner Choren asked about the compensation that would be made to the homeowner.

Asst. Dir. Zader stated that the condition is either \$1,700 or 17" of replacement on the property.

Ald. Adams asked about the \$100,000 amount and whether this is a true cost.

Mr. Feller stated that they look at the route and determine their construction methods and they have pricing negotiated with their contractors. He is confident about this expense; it is not exaggerated. There are other areas of the route where they are using direct drilling technology and they have pricing from those areas.

Commissioner Jim Schaefer asked why another route was not chosen since they knew the trees were there and that the homeowner was not supportive of the removal. He feels that this is the easiest route so it was picked without other considerations and he is not supportive of it.

Mr. Feller stated that they look at everything but they have a responsibility to their rate payers to propose a plan that is best from a cost stand point. They did look at both sides of the road and some determinations had to be made and this was one of the best solutions. The pipeline is about 60 years old and needs to be replaced.

Mayor Abendroth stated that WE Energies worked with the City of Mequon to have the pipe run along Donges Bay Road and to keep the pipeline out of the Nature Preserve. There would have been much more environmental damage there. This tree is being sacrificed and there will be more trees in the future, but it is the best option for this project.

Shirely Burczyk, homeowner, stated that the two trees that they are most concerned about are the 100 year old Maples, but there are many other trees that will be removed as well: a row of trees between the two houses and a grove of Evergreens trees. Across the street there is open space that has old trees that are not taken care of and she wonders why the pipes can't go under those areas. She would like the pipe to go across the street about two blocks earlier and go across the open fields. She stated that the tree in front of the farm house was not be taken down.

Mr. Feller stated that those properties have been considered but they are owned by MSND and they are protected by them. They have met with them and discussed construction there and they would have fought them. He said he would meet with the Burczyks to review the agreement again about which trees are to be removed; he stated that nothing additional has been added.

Commissioner Parrish made a motion to approve the proposal subject to the easement rights between the owner and WE Energies and subject to the tree replace ordinance.

Mayor Abendroth seconded the motion.

Ald. Adams asked if this tree could be spaded and moved. If possible, this would be a great solution. She stated that if there is any way to save the Beech tree, it would be worth it.

Mr. Feller answered that it could be tried, but based on the size it may be difficult to do. He agreed to have an expert look into the possibility of moving the tree.

Commissioner Parrish amended his motion to accept Ald. Adams' friendly amendment regarding having an expert evaluate whether the tree can be moved.

Commissioner Lemke asked if the easement states what types of trees stay or go.

Asst. Dir. Zader stated that easements define areas but not specific trees.

Mayor Abendroth asked if WE Energies has the right to remove anything within an easement.

Ms. Adams answered yes.

Mr. Feller stated that they try to save as many trees as possible. They did meet with the Burczyk's beforehand and work with them.

| | |
|---------------------|--|
| RESULT: | Approved with conditions [8 to 1] |
| MOVED BY: | Commissioner Parrish |
| SECONDED BY: | Mayor Abendroth |

| | |
|-----------------|---|
| AYES: | Abendroth, Adams, Mason, Parrish, Bessler, R. Schaefer, Lemke, Choren |
| NAYS: | J. Schaefer |
| EXCUSED: | Strzelczyk, Stoker |

Neumann Companies, Inc. Highlander Estates Subdivision – Phase I. The applicant is seeking landscape plan and street tree plan approval for Phase I for a 111 single family subdivision located immediately south of Brighton Ridge and Knightsbridge between Swan and Wauwatosa Roads.

Asst. Dir. Zader stated that the tree board did approve the location of all of the street trees and the tree species. The landscaping plan mostly deals with Phase I open space areas which is primarily the landscaping around the entry way signage off of Knightsbridge as well as scattered trees located along the perimeter of the subdivision and within the out lots and the cul du sac islands. Typically the entire infrastructure including all planting of the trees is required prior to final plat approval. Staff recommends approval according to the conditions in the report.

Tim Bireley - 8825 W. Daventry Road misread the courtesy notice and realizes his property backs up to Phase II or Phase III. His concern is that he bought his property for the privacy in the back and he feels that the plans do not show an effort to build a natural barrier to help retain privacy. He wants to make sure his concerns are heard and he asked what time would be appropriate to voice his concerns.

Asst. Dir. Zader answered that at the time of Phase III landscaping approval would be the time to voice his concerns to the developer. He also reminded the PC and Mr. Bireley that at the time of the open space approval the PC required additional trees be added between the lots noted on the Highlander Estates plat. The developer could choose to put in additional screening when the landscaping plans for the next phases are submitted. The concern at the time of the open space approval was the headlights shining into some of the neighbor's yards. That phase will most likely be next year, but staff will work with the applicant to ensure there is enough screening to prevent the headlights transferring into the neighboring yards. The difficulty is that is a large long stretch of land and it is not required by ordinance to buffer between single family to single family. The applicant, as a good neighbor, could provide trees there; it is not required from one subdivision to another.

Mayor Abendroth stated that it can be required at the time of the landscape plan to add additional buffering and screening.

Ald. Adams stated that she feels that the definitions of how the properties are to be used should be defined (open space regulations). She also would like to have large subdivisions landscaping plans reviewed by an outside professional.

Kent Corbett - Knightsbridge Estates resident asked about the issue of the headlights impact. He asked if the trees along the south side of Knightsbridge Drive (Evergreens and Spruces) were selected to act as shields and he asked how tall the trees will be when initially planted.

Asst. Dir. Zader responded that the design was not based on the shielding of the lights. The street tree plan on both sides of the street are deciduous trees that are compliant with the Street Tree manual. The decorative landscaping in the front was designed more aesthetically. He answered that the Norway Spruce are 6 feet in height and the White Spruce trees are 12 feet in height.

Kevin Anderson, Neumann Companies representative stated the three trees on either side of the entrance sign will be 12 feet and the rest will be 7-8 feet tall.

Ken Greeve - 8809 Daventry stated he has met with staff and his concern is that it is not atypical to put the entire infrastructure in at once. He thinks if the precedent is not set in the earlier phases it might not be required at the end phases. He thinks the trees should be put in now so that they can start growing and be part of the screening.

Asst. Dir. Zader stated that planting trees on an unconstructed area could cause problems for ponds, grading changes and roads that need to go in. The PC did require additionally screening be added as buffering as be part of the open space plan and preliminary plat. He feels that it would be difficult to add trees without the infrastructure being in place.

Mayor Abendroth stated that this discussion will not be forgotten.

Commissioner Choren made a motion to approve.

Ald. Adams seconded the motion.

Vote passed

RESULT: Approved [Unanimous]
MOVED BY: Commissioner Choren
SECONDED BY: Alderman Adams

AYES: Abendroth, Adams, Mason, Parrish, Bessler, R. Schaefer, J. Schaefer,
 Lemke, Choren
EXCUSED: Strzelczyk, Stoker

5) Announcements

a) Development Inquiry for April 2016

6) Adjourn

7) Motion

RESULT: APPROVED BY VOICE ACCLAMATION [UNANIMOUS]
MOVER: J. Schaefer, Commissioner
SECONDER: John Mason, Commissioner
AYES: Abendroth, Adams, Mason, Parrish, Bessler, R. Schaefer, J. Schaefer,
 Lemke, Choren
EXCUSED: Strzelczyk, Stoker



11333 N. Cedarburg Road
 Mequon, WI 53092
 262-236-2904
 Fax: 262-242-9655

www.ci.mequon.wi.us

Department of Community Development
 Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, June 13, 2016
7:00 PM
Christine Nuernberg Hall

Minutes

- 1) Chairman Dan Abendroth called the meeting to order at 7:00 PM with the Pledge of Allegiance and the roll call.

Present:

Chairman Dan Abendroth
 Alderman Robert Strzelczyk
 Commissioner Martin Choren
 Commissioner Brian Parrish
 Alternate John Stoker
 Alternate LeRoy Bessler
 Commissioner Rebecca Schaefer
 Commissioner Rick Lemke

- a) Approval of Minutes from May 9, 2016
 b) Planning Commission - Regular Meeting - May 9, 2016 7:00 PM

Ald. Strzelczyk made an amendment to reflect the minutes that he was not absent from the Meeting. He shares the aldermanic seat with Ald. Adams.

| | |
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| RESULT: | ACCEPTED AS AMENDED [UNANIMOUS] |
| MOVER: | Brian Parrish, Commissioner |
| SECONDER: | LeRoy Bessler, Alternate |
| AYES: | Abendroth, Strzelczyk, Choren, Parrish, Stoker, Bessler, Schaefer, Lemke |

2) Public Hearing

- a) Cheryl and Mark Rebholz

Commissioner Stoker made a motion to open the public hearing.
 Commissioner Becky Schaefer seconded the motion.

Bob Walerstein - 4707 W. Park is supportive of this project as it provides an indoor place to practice shooting.

Jamie Reider - Huntington Park subdivision is opposed to this project being near her home. There are many children in her subdivision and Lemke Park is nearby. She stated that the east side of town voiced their opposition when this was proposed on the east side of town and she wants this to be tabled so that her subdivision can be notified and voice their opposition.

Residents that support the project but do not wish to speak:

Arlene Kurzer - 11104 N. Oriole Lane
 Sue Armacost - 8035 W. Manor Circle, Milwaukee
 Scott Miller - N 36 W7393 Buchanan St, Cedarburg
 Bikhender Salh - 12929 N. Wauwatosa Road
 Jaspar Dhauwaz - 12929 N. Wauwatosa Road
 Guy Lindekugel - 9731 N. Granville

Commissioner Stoker made a motion to close the public hearing.
 Commissioner Lemke seconded the motion.

Asst. Dir. Zader stated the request is for an indoor shooting range located at 9653 N. Granville Road that will use 9,500 square feet of an existing multi-tenant building. In addition to the range, other activities on site will include education training, a hunter safety class and CCW classes. There will be no changes to the exterior of the building except for an awning over the entry door. The Common Council approved Ordinance 2015-1461 that allows for indoor shooting ranges as a conditional use in the B-5 zone. There were a number of conditions put into the ordinance that are required by the conditional use grant to ensure that there is no impact to the public safety.

- 1) The range design will have to meet the U.S Department of Energy Source Book requirements.
- 2) The design and construction will mitigate any noise or air quality.
- 3) A Range Safety Officer is required to be on the premises at all times.
- 4) To ensure that all these conditions are met, a third party consultant hired by the city and paid for by the applicant will be involved in the plan review as well as the construction of the building.

This is for an indoor range only; an outdoor range is not permitted per the ordinance. There will be a total of 6 employees on site during peak times. The hours of operation will be 10 am - 9 pm Monday thru Saturday and 10 am to 5 pm on Sunday. The applicant is not proposing any changes to the site at this time, but staff is requesting that the applicant do a few things as part of the approval:

- 1) Add an additional 11 parking spaces to the lot.
- 2) Resealing and stripping of the parking lot.
- 3) Removal of four underground storage tanks.
- 4) Restore the landscaping back to the original approved plan.
- 5) Replace non-code compliant lighting and pole lights.

Staff does recommend approval of the conditional use.

The applicants, Mark and Cheryle Rebholz, stated that they never applied for a permit on the east side of Mequon and that they agree to all the conditions placed in the Staff report.

Commissioner Choren asked if there would be sales on site and also about the physical range limitations and guidelines.

Asst. Dir. Zader answered that there would not be any ammunition or gun sales on site. The only retail allowed will be for repairs. There are also bullets and caliber limitations, these along with the range specifications will be monitored by a third party as staff and the Mequon Police Department are not experts in this field.

Ald. Strzelczyk stated that he likes the location of this facility and he appreciates that the applicant listened to feedback from the residents and Common Council. It does not feel that any neighborhoods will be directly impacted and it is located with easy access from several communities.

Ald. Strzelczyk made a motion to approve the request.
Commissioner Bessler seconded the motion.

Action

A voice vote was taken, the vote passed 7-0 (Commissioner Parrish recused himself)

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| RESULT: | APPROVED [7 TO 0] |
| MOVER: | Robert Strzelczyk, Alderman |
| SECONDER: | LeRoy Bessler, Alternate |
| AYES: | Abendroth, Strzelczyk, Choren, Stoker, Bessler, Schaefer, Lemke |
| RECUSED: | Parrish |

3) Regular Business/Consent

a) Neumann Companies - Highlander Estates LLC, Phase I

Asst. Dir. Zader stated that the applicant for item #3 wants it to be removed from consent and some of the commissioners want item #4 removed from consent, so he suggests that all items be removed from consent.

Asst. Dir. Zader stated that item #3 is requesting approval for the final plat for Phase I for Highlander Estates subdivision. This phase has 36 single-family lots of a total of 111 lots on 112 acres. Everything on the final plat conforms with the preliminary plat with a few minor changes that staff is requesting. The cul de sac islands should be labeled as outlots as opposed to right of way, so that the maintenance responsibility is on the HOA and not on the City.

The applicant would like to discuss item #4 of the staff report conditions regarding the final

legal documents including Open Space Easement being subject to City Attorney review and approval prior to recording. The applicant is objecting to having that done and finalized prior to recording the plat. Staff does feel that this is an important condition to have. Staff does recommend approval per the conditions in the report.

The applicant, Kevin Anderson from the Neumann Companies, stated that the issue for them is timing. 20 of the 36 lots in Phase I are currently under contract to sell and close by three or four different developers. These clients really want to get into their new homes by Christmas. He stated that they have been working on the final plat and it will take probably two more weeks to get it fully executed. They do not know the timing of legal documents on the Open Space Plan; it could be two weeks or two months. They feel this could hold up their process of being able to move forward with their clients. They have put up \$41,000 in cash guarantees to make certain that the items get finished. The document is for an access agreement so that the public can use the bike paths and so that the City can replace trees if needed. They are asking for some leniency as they feel these items can be fulfilled after the final plat is recorded. They are invested in Mequon and they are committed to staying here. They have 70 more lots coming on this year.

Mayor Abendroth clarified that this is not a debate with the applicant about any issues, but a matter of timing of filing the legal documents. He also asked if the City has leverage with this applicant in regards to Phase II.

Asst. Dir. Zader confirmed this and stated that having the legal documents prior to the recording of the final plat is the City's leverage. He stated that this has caused problems with other projects where things have been missed. He explained that is much easier to get it all done at one time and ensure it is done properly. He stated that there is leverage with the second phase.

Commissioner Parrish stated that he is in favor of how the report is written by staff and he feels it is well written. He asked about the basement restriction regarding the ground water and if the applicant is disclosing and/or testing these lots.

Mr. Anderson answered that it is a standard disclosure. They have done geo technical testing and they have met with the County and the engineers. There are some areas with ground water but it is very deep about 12-15 feet down from the surface. Per county requirements, there is 2-foot separation between the seasonal high ground water and any basement elevation. It is a standard note.

Commissioner Stoker stated that he is in favor of making the requested concessions made by the applicant. He has worked with The Neumann Companies and there have not been any issues. He feels that the City has more leverage with this situation than any other developer in a long time.

Commissioner Bessler moved to approve per staff's recommendations.
Ald. Strzelczyk seconded the motion.

Commissioner Stoker made a friendly amendment to allow for the requested concession to allow the applicant to move forward prior to filing for final plat (staff report item #4). Mayor Abendroth seconded the amendment.

Commissioner Bessler did not accept the amendment.

Action to vote on the friendly amendment (remove #4)
Voice vote was called, passed 6-2 (No votes-Becky Schaefer, Bessler)

Action to vote on the main motion to approve minus item #4
A roll vote was called, vote passed 6-2 (No votes - Becky Schaefer, Bessler)

| | |
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| RESULT: | APPROVED [6 TO 2] |
| MOVER: | John Stoker, Alternate |
| SECONDER: | Dan Abendroth, Chairman |
| AYES: | Abendroth, Strzelczyk, Choren, Parrish, Stoker, Lemke |
| NAYS: | Bessler, Schaefer |

b) David Leszczynski for River Club Estates

Wendy Porterfield - 3245 Oak Shore Lane did not wish to speak but asked about the landscape plan for the trees and berms.

Asst. Dir. Zader stated that there is not a plan for berms along Oak Shore Lane. There are Pine trees planned along Lot #1. The applicant spoke to the City Forester and agreed to leave the natural vegetation as is and not remove it to put in the Pines. The rest of the Pines along the front of the lot were installed.

Ms. Porterfield stated that there are not any trees on the right side of Freistadt Road heading north. There are not trees south of the private road.

Asst. Dir. Zader stated that if the Planning Commission wants the developer to install scattered trees that were shown on the original landscape plan then a motion can be made to have them included. There is not a berm there and there was no berm proposed.

Commissioner Becky Schaefer stated that the Pine trees should definitely be installed as originally proposed. She asked about the reason this project showed up on the agenda so many times last summer and is just now being presented. She also asked what happens to the storm water management plan if the 5 homes decide not to have pavers and chose a different type of road surface.

Asst. Dir. Zader answered that staff placed the item on the agenda as a placeholder and some of the issues were engineering that were not able to be addressed over the winter. The applicant did not request to be put on the agenda, it was done by staff.

Deputy Director of Engineering, James Keegan, stated that the applicant is required to

Attachment: Planning Comm Minutes_06 13 16 (1779 : Planning Commission meeting minutes of May 9 and June 13, 2016)

provide certifications for grading and storm water management to ensure that the pond is built to certain specifications and the field study work needed to be conducted in favorable conditions. He also answered that the 5 homes are required to have pavers as part of their approved storm water management plan.

Commissioner Becky Schaefer asked how this information is shared with potential home builders for this project. She asked to have it noted in the minutes that the onus is on the buyers to do their research and understand that they are buying into a paver based road.

Asst. Dir. Zader explained that there is a shared access and maintenance agreement. As the storm water management plan is approved it will become part of the title for those individual lots.

Commissioner Stoker asked about the reason the City Forester did not require the trees to be planted.

Asst. Dir. Zader stated that the City Forester indicated that existing trees and bushes were acceptable to keep what was already there. Screening between single family to single family lots is not required by the City. The lot will be privately owned and that property owner may wish to do their own landscaping plan that may modify it.

The applicant, David Leszczynski, stated that there are many Black Walnut trees along that section that should grow and do well. Everything south of the paver roadway in Lot #1 was left as is, about 5-6 Pine trees. Everything north of the paver roadway was done per plan in the out lot.

Mayor Abendroth asked that staff work with the applicant to enhance the landscaping along Oak Shore Lane south of the private lane.

Asst. Dir. Zader stated that it will not be a screen but that they can look back at the plan to modify it to keep the existing Black Walnut trees and add some Pine trees there.

Mayor Abendroth made a motion to approve final plan with the amendment that staff will work with the applicant to enhance the landscape along Oak Shore Lane.
Commissioner Lemke seconded the motion.

Commissioner Bessler asked about the final name of the subdivision.

Mr. Leszczynski answered that it will be called River Estates.

Action

A voice vote was called

The vote passed 8-0

RESULT: APPROVED [UNANIMOUS]
MOVER: Dan Abendroth, Chairman
SECONDER: Rick Lemke, Commissioner
AYES: Abendroth, Strzelczyk, Choren, Parrish, Stoker, Bessler, Schaefer, Lemke

c) Sommer's Automotive

Ald. Strzelczyk made a motion to approve to request.
 Commissioner Stoker seconded the motion.

Asst. Dir. Zader made a friendly request to allow for the lights to remain on for one hour after the dealership closes to allow the employees to safely get to their vehicles parked in the lot. Staff supports this request.

Action

A voice vote was called

Vote passed 8-0.

RESULT: APPROVED [UNANIMOUS]
MOVER: Robert Strzelczyk, Alderman
SECONDER: John Stoker, Alternate
AYES: Abendroth, Strzelczyk, Choren, Parrish, Stoker, Bessler, Schaefer, Lemke

4) Regular Business

a) Poblocki Sign Company for Children's Hospital of Wisconsin

Asst. Dir. Zader stated that Children's Hospital is requesting 2 separate sign waivers. One is for the wall sign on the east elevation and for a sign on the north elevation. The request for the east elevation sign is for an increased size. The code requires that 2% of the area of the wall is the size limitation for the sign but the maximum is 60 sq. ft. The request is a couple feet larger than the 2%. Staff feels that this sign is a better fit for the building that what the code dictates and staff supports the waiver on this facade.

There is also a request for a waiver on the north facade. This would require two wavier. There is a maximum height of 20 feet. The requested sign is 103 sq. ft. Staff does not support the waiver request and feels that the permitted size fits in better with the architecture and that the sign should be placed lower on that wall. Staff is requesting that the sign be limited to 25 feet in height and be 60 sq. ft. per code. There is also an issue with the neon "open" sign on the building. Staff is requesting that this sign be placed on the freestanding monument sign and not on the building.

Matt Kominsky, representative from Poblocki Sign for Children's Hospital, stated that the monument sign is modest in size and it is difficult to add the "urgent care and open" verbiage

there. He feels that it gets too compressed and is not easily readable. He added that if they cannot have it on the north elevation wall, they will probably leave the monument sign alone and forgo having the open sign at all. The north elevation which matches the east elevation is for the appeal in the functionality of the sign for the distance to Mequon Road. The Children's Hospital of Wisconsin writing will not be lit and it is already rather small. They are hoping to add it to this elevation as it is not on the monument sign. They desire to be seen on the north elevation.

Mayor Abendroth asked if the urgent care hours are different than the clinic hours.

Mr. Kominsky stated the hours of operation for the urgent care are different than the clinic hours and if the open sign is on the monument sign only without "urgent care", it conveys that the entire clinic is open as opposed to just the urgent care.

Commissioner Bessler suggested that utilizing the monument sign would accomplish the applicants' goals.

Mr. Kominsky stated that the monument sign is already in place and the space between the property line and the parking lot is a small space so the applicant went with a smaller sign than the 50 sq. ft. allowed.

Commissioner Parrish stated that he is opposed to allowing the LED on the facade. He does approve for the applicant to reconsider the monument sign being larger if they decide to later. He feels that there are some ugly trees on the corner that he feels should be removed as they pose a safety issue. He thinks the building is beautiful and the trees distract from it.

Asst. Dir. Zader stated that the applicant has the ability to remove the trees, they were not addressed because they are in a wetland.

Ald. Strzelczyk stated that he supports the larger sign on the east elevation per Staff's recommendation as it does not face any residences. He feels the residents have concerns with height and size on the north facade. He does not like the neon sign on the building and he does not like the green LED color. He is supportive of the larger monument sign to be increased to allow for the necessary verbiage.

Ald. Strzelczyk made a motion to approve the recommendation by staff to allow for the east elevation variance and the north facade being lowered and smaller in size to comply with city code. He would like to allow for Children's Hospital to be allowed to work with staff in the future if they decide to make the monument sign larger to include the urgent care verbiage up to code allowable.

Commissioner Choren seconded the motion.

Action

A voice vote was called, vote passed 8-0.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Robert Strzelczyk, Alderman |
| SECONDER: | Martin Choren, Commissioner |
| AYES: | Abendroth, Strzelczyk, Choren, Parrish, Stoker, Bessler, Schaefer, Lemke |

b) The Lowlands Group d/b/a Cafe Hollander

Asst. Dir. Zader stated there are two separate requests. The first one concerns the hours of operation. Restaurants in the Town Center ("TC") zoning are a permitted use but they are a conditional use in other zoning areas and hours of operation are usually discussed when granting a CUG. The hours per the code are 11:00 pm for everything to close. At the time of building/site plan approval the developer did not ask for any additional time, so it was left at 11:00 p.m. Cafe Hollander is proposing a 2:00 a.m. close time daily for the indoor restaurant as well as the outdoor seating areas. Staff proposes a midnight closing time for the outdoor seating area as the TC is a more vibrant area and there are not many residential units nearby.

The lighting plan did not include all the elements when it was submitted. The festoon lighting (string lighting) are currently up on the north and south elevations and they were not approved by staff and they are not permitted per code. They are prohibited because they tend to have a lot of glare and light trespass. Staff does feel that this lighting fits in well with the TC area and some of the other amenities on the building. They put in fairly dim bulbs so they are not overly bright which does not cause a glare on the roadway or to any residential units. Staff recommends approval with the condition that the lights cannot flash or flicker.

Tom Joy, from Ricka Chang Architecture representing the Lowlands Group, stated that they are agreeable to both staff recommendations. He explained that the building was designed and positioned to take advantage of the summer and outdoor dining and that the lighting adds to that experience.

Mayor Abendroth made a motion to approve the motion.
Commissioner Stoker seconded the motion.

Ald. Strzelczyk made a friendly amendment to allow for outdoor dining on the south side of the building until 2:00 a.m. which does not directly impact the residential units.

Asst. Dir. Zader stated that staff is supportive of this amendment.

Mayor Abendroth accepted the friendly amendment.
Commissioner Stoker seconded the amendment.

Action

Roll Call was taken, vote passed 8-0

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Dan Abendroth, Chairman |
| SECONDER: | John Stoker, Alternate |
| AYES: | Abendroth, Strzelczyk, Choren, Parrish, Stoker, Bessler, Schaefer, Lemke |

c) River Centre Building, LLC

Asst. Dir. Zader stated this is a request for modifications to the canopy overhang at the River Center. Staff is supportive of the design but feels that the entire stretch of the shopping center should be consistent. The applicant is requesting that area in front of the Piggly Wiggly remain as shingles because they are still in good condition. Staff did not feel comfortable approving that with the different materials on different sections of the canopy, so the building plan approval is deferred to the Planning Commission. Staff does approve the color and standing seam metal but feels that the entire complex should be done at one time.

Commissioner Bessler asked how long it takes to galvanize standing seam metal. He stated that galvanize does not last forever.

The applicant, Lance Lichter, stated that the material being used is Galvalum which is a combination of aluminum and galvanize and it does not rust.

Commissioner Choren stated that the Piggly Wiggly almost presents itself separately from the shopping center. The lower canopy meets the other canopy and is two different materials. He asked the applicant if his budget could cover replacing the shingles on the entire building and whether he would have it in the budget to do now. He feels that it would be nice to have a time frame for the project to be completed but does not feel that it is fair to place a financial burden on the applicant.

Mr. Lichter answered that he does not have the money in the budget to cover new shingles on the entire center. They are trying to update the center given the new developments nearby.

Ald. Strzelczyk stated that he commends the upgrade to the center. He does not like the silver that was going up and feels that it did not blend with the area's natural colors. He agrees that the entire building should be all one color and he prefers a darker color.

Mr. Lichter stated that he has consulted with two architects and four color consultants and the proposed plan is the comprehensive plan that conveys an updated, traditional yet modern look.

Commissioner Parrish is in favor of the project but he does feel that there needs to be a plan to complete the upgrade.

Mr. Lichter stated that five years is feasible.

There was a conversation about colors and color palettes were shown.

Action:

Commissioner Parrish made a motion to approve to the building plan amendment for the entire roof canopy to be replaced with galvanized standard seamed metal over the next five years from date of approval.

Commissioner Lemke seconded the motion.

Roll call was called, vote passed 8-0

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Brian Parrish, Commissioner |
| SECONDER: | Rick Lemke, Commissioner |
| AYES: | Abendroth, Strzelczyk, Choren, Parrish, Stoker, Bessler, Schaefer, Lemke |

d) Fred Bersch for Spirit Lake International, LLC

Sharon Pechiva - 4518 W. Hiawatha Drive is opposed. She stated that the fill that was placed there years ago is still there. The ditch that was supposed to be cleaned out has not been and it is filled with garbage. When there are heavy rains, there is flooding there. She feels that if this property has more fill and is raised higher and driveways are added, it will make the flooding worse for the surrounding neighbors.

Mike Pritchard - 4700 W. Hiawatha Drive is opposed. He lives directly south of this property. He stated that there is a lot of standing water and that it has been getting worse. He said that five years ago fill was dumped on that property and nothing was done about it. He hopes developer will work with him to help divert the water off his property.

Debra Scott - 4651 W. Willow Road is supportive of this project. Her property will border this project. She would like details on how the water will run off this property to ensure that it is not running onto her property.

Shirley Huxhold - 9649 N. Fairfield Road. She asked when the property was rezoned from commercial to residential. She also stated that the property was contaminated years ago and what was done to ensure that it is not contaminated now. She would like information regarding the plumbing and sanitary system hookups. She also would like to know if it will be on city water or on a well. She is concerned about low income housing going in there. She would like to know where the road is going to be located.

Robert Hurda - 4528 W. Hiawatha is opposed. He has lived there 39 years and said that it has been flooding in recent years. He is concerned about the property being raised four feet without ditches on Cedarburg Road.

Asst. Dir. Zader stated that this is a four lot land division (CSM); it is not a subdivision. The CSM does meet all requirements for the land use plan and zoning code. The site does not

show anything from the surveyor about being within the flood plain. City flood plain maps do show portions of this site being in the flood plain which means the applicant would need to get a letter of map amendment approved to put in basements prior to basements. The City Forester did identify some specimen trees located on the south property line of the neighboring property and they would not be impacted by development on the site.

He explained that at one point this entire area, except for two homes, were part of the greenhouse and it was always zoned residential, it was never zoned commercial. In 2005, the previous owner split off a couple parcels in the back and constructed the storm water pond. The proposed development will also drain into this storm water pond. The applicant is proposing that the access for lots #1, #2 and #3 will come from Cedarburg Road. The DOT has approved the road connection provided that the recently built family adult home also uses that connection point off Cedarburg Road. There is an unresolved issue regarding an shared access easement that exists from that previous approval that extends to Arrowwood Road. There is not a recorded document associated with the CSM at the time of the recording. There are no descriptions of what rights that easement prevails. The applicant would like to use that easement for the access for Lot #4. There is a unsigned draft document of the easement that provides insight to what the document stated and some protections were provided to Lots #2 and #3. Staff has asked the applicant to provide documentation that the two neighbors to the west would agree that Lot #4 could access through the shared access and maintenance easement area. If not, then it is recommended that access for this lot also come off Cedarburg Road which will trigger the requirement that instead of a private driveway according to city policy, it would be a private road, which requires a different set of standards in terms of the type of layout of the road.

Mr. James Keegan, Deputy Director of Engineering, stated that overall it is a very flat parcel. A large portion of the site drains north along the property lines to the Willow Road ditch and over to the Cedarburg Road ditch and then heads south. There is an existing ditch low swell that drains along the south property line that comes through to the east and then to the Cedarburg Road ditch as well and heads south. Some of the issues with this ditch along the south property line is that it is overgrown, poorly defined and poorly grated so it does not drain well. He explained that there was about 4,000 cubic yards of fill placed on this site about 8 years ago without a fill permit. As part of the proposed application the applicant is required to get a fill permit for the fill from 8 years ago. This is included in the 5,100 cubic yards they are applying for today. Engineering has not received a grading plan for the site and is unable to speak to how the property will drain. It is required prior to approval. The developer has committed to cleaning out the overgrown ditch along the south property line to help improve the draining system. It may be possible to get better drainage be creating a slope on the site.

Regarding the access from the north side, it would add additional pervious surface. A condition included in the report is that any surface in excess of .5 acre would trigger a storm water management plan be submitted and reviewed and approved by both the City and MMSD.

He stated that the presence of the fill does not create drainage issues; the way it is graded can

cause drainage issues.

Commissioner Parrish stated that he feels uncomfortable with future elevations of each lot. He asked about the function of the pond and whether there will be a pond maintenance agreement. He feels there are many questions still to be answered.

Mr. Keegan answered that each lot will need to submit a grading plan for the individual home and it will be reviewed on an individual basis. Due to the access road, a grading plan is also required showing the swell and ditches will drain. He stated that further analysis would need to be done on the pond to determine if it could be improved or if it would meet the needs of any additional impervious surface if it does hit the trigger for the new access roadway.

The applicant, Fred Bersch, stated that the fill that is currently on the site did not change the drainage pattern of the property. He stated that he is not requesting to raise the grade four feet but will accommodate the existing fill in a way that does not create a change in the drainage pattern. Even through the swell on the south side of the site is filled with garbage and such it is not hampering the drainage. They will clean that swell out which will create a greater flow as well as create a greater capacity due to there being more room in the swell. Due to this project being a 4 lot CSM and not a large subdivision, the pond that is there is a simple pond which is larger than capacity. It is somewhat upstream from where this water wants to drain to the southeast corner of the property. He stated that they will create appropriate drainage so that it drains along the north property line. The goal is to continue the drainage patterns in that area: north drains north and south drains south, but everything generally flows to the east. He stated that while accommodating the fill that is there, they will create additional storm water capacity and good channelized flow.

The requested fill permit for 1,150 c.y. is only for the granulated base for the roadway and the roadway pavement. There is not dirt fill as part of this phase. The quality of the fill that is there from the previous owner is clay fill. Mr. Bersch stated that it is good quality fill, it was placed and never graded.

Mr. Bersch stated that previously neighbors south of Hiawatha complained about drainage changes when the greenhouse buildings were taken down. He stated that the changes were not from the building being taken down rather by the original pond that was created there. It did slightly change the drainage directly south of it because it was built with a berm and not by digging a hole. He feels that a swale and channel along that side of the property would reverse anything that has been noticed. Their goal is to keep all the water draining to the southeast and to help improve drainage to the neighborhood. They do not intend to create any berms or screening but to enhance this site. Each parcel will be about 1 acre and they intend to build modest homes that fit the context of the neighborhood.

Commissioner Bessler asked about the purpose on the pond on lot #4.

Mr. Bersch explained that the pond was created there as part of the previous CSM approval, it is a storm water pond. Their goal is to redefine it to the original shown plan. He explained that it is not uphill but rather upstream.

Commissioner Choren stated that there seem to be more questions than answers and he asked if it is typical to go through this without a grading plan and some clarification about the

easement to the west.

Asst. Dir. Zader answered that CSMs have been approved in the past without all of the details but this project is a bit unusual in that the shared driveway may require some storm water requirements. The PC can request to see the information updated regarding the driveway.

Mr. Bersch explained that staff has required him to show a plan that the four lots work together and they are not to be reviewed independent of each other.

Asst. Dir. Zader stated that as long as Mr. Keegan, Deputy Director of Engineering, feels that something can be worked out with regards to drainage and storm water than it would not be required to be proven before approving the CSM.

Mr. Bersch stated that he currently has an unconditional easement from the west; from Arrowwood, because it is on the survey. The written easement maintenance responsibility was never recorded. It would have benefitted lot #4. It required lots #2 and #3 of the previous CSM to do the construction and to do the maintenance of the road and to grant access to lot #4.

Asst. Dir. Zader clarified that staff feels uncomfortable granting sole access to lot #4 without an understanding and an agreement with the other two lots that are impacted by the easement. He stated that due to the easement not being recorded, the other lot owners may not be aware of this situation. In the agreement that was not recorded, there is language in the document that granted equal vote to lots #2, #3 and #4 with regard to expansion or modification of the roadway. Now they are basically not getting a vote. Staff prefers that lot #4 gets access from Cedarburg Road unless an agreement can be reached with the two homeowners to the south. Mr. Bersch stated they prefer to have access from Arrowwood but they understand they may have to get access from Cedarburg.

Ald. Strzleczyk stated that he struggles with the drainage issues because he knows that there is water there. He is uncertain about where the drainage will go and where the access road will be; he does not yet have enough information. He wishes he had all the engineering reports in front of him to help him make the decision. He thinks the only issue is the water. He likes the idea of 4 new homes there.

Mr. Keegan explained that the process for reviewing the grading plan, is that one of the conditions is the approval of the grading plan prior to the CSM being recorded. The developer will submit a grading plan that is reviewed by staff to be in conformance with the site prior to that fill being placed; so that the overall drainage patterns are maintained from that site prior to the fill being placed. There were greenhouses on the site with large impervious surfaces so that will be reduced with four homes. He stated that more conditions can be added to the review. He feels that adding the southern swale will be a big improvement in helping the drainage on site.

Commissioner Parrish stated that he prefers to table this project tonight because he is supportive of this developer long term but there is not enough information available to make a sound decision. He is concerned with the 17 neighboring parcels.

BJ Schumacher - 4808 W. Hiawatha Drive is opposed to this project. She is happy that someone wants to take care of that property and clean it up. She is worried about the water issues in the neighborhood and on her property which is getting more water recently. She feels that an honest vote cannot take place without more answers about the grading and drainage.

Mayor Abendroth stated that Mr. Bersch is not going to go through the expense of a grading plan unless he is granted the CSM.

Asst. Dir. Zader stated that CSM meets the zoning and land use plan. The PC can decide if they want to review the grading plan once it is completed or allow it to be reviewed and approved at staff level.

Ald. Strzelczyk wants to ensure that the minimum only is not just done and he would like some quantitative measures; he is looking to engineering to help him out.

Mr. Bersch stated that grading the site to have a larger swale than necessary and allow for additional storm water capacity is his intention. He feels these four lots are being held responsible for these issues and that the surrounding neighbors are not also being held responsible for helping to find ways to mitigate the drainage issues. The surrounding 17 lots do not currently drain into this site. He said that the burden of the neighborhood issues cannot rest solely on these four lots.

Commissioner Choren made a motion to approve per staff's conditions and adding that engineering will review and improve water run-off, improve the southern swell and return the grading plan to PC.

Ald. Strzelczyk seconded the motion.

Action

A roll vote was called, vote passed 8-0.

| | |
|------------------|--|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Martin Choren, Commissioner |
| SECONDER: | Robert Strzelczyk, Alderman |
| AYES: | Abendroth, Strzelczyk, Choren, Parrish, Stoker, Bessler, Schaefer, Lemke |

e) County Line Holdings, LLC

Shirely Huxhold - 9649 N. Fairfield Road asked if the zoning change allows for multifamily residences.

Asst. Dir. Zader answered no and he explained that in 2009 the entire site was zoned R-4 and there was an existing restaurant there that was grand fathered with a conforming use in the residential zone. It has sat vacant for over a year so there is no longer a clause to be grand fathered as a restaurant. The current owner asked the City to rezone it to be B-2 to allow for a restaurant and the City placed the PUD zoning as well so that it could only be a restaurant and not other commercial uses. The applicant is asking for it to be rezoned back to R-4 to allow the structure to be rehabbed back to a single family home. They would be allowed to create other lots in the future. Staff is supportive of the request per the conditions and requirements in the report.

The applicant stated that they are willing to work with all of the staff conditions.

Mayor Abendroth made a motion to approve.

Ald. Strzelczyk seconded the motion.

Action

A voice vote was called, vote passed 8-0.

Per the applicants request, they would like for the zoning not to go into affect until after the land is transferred to the applicants. Asst. Dir. Zader stated that Staff will work with the City Attorney to provide language that the land use will be changed after the property is acquired and put into the Common Council's motion.

Commissioner Bessler made a motion to adjourn
Ald. Strzelczyk seconded the motion.

A voice vote was called, motion passed 8-0

The meeting concluded at 9:45 pm.

| | |
|------------------|---|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Dan Abendroth, Chairman |
| SECONDER: | Robert Strzelczyk, Alderman |
| AYES: | Abendroth, Strzelczyk, Choren, Parrish, Stoker, Bessler, Schaefer, Lemke |

5) Announcements

- a) Development Inquiry May 2016
- b) Next Meeting is July 25, 2016

6) Adjourn



11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2941
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of the City Administrator

PUBLIC WELFARE COMMITTEE
Tuesday, June 14, 2016
5:30 PM
South Conference Room

Minutes

- 1. Call to Order, Roll Call

Present:

Alderman Dale Mayr
Alderman Mark Gierl
Alderman John Wirth

Also Present: City Administrator Jones, Assistant City Administrator Thyges, Community Development Director Tollefson, City Attorney Sajdak, Executive Assistant Prosser

- 2. Approval of May 10, 2016 meeting minutes

RESULT: Accepted [Unanimous]
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Gierl

AYES: Alderman Mayr, Alderman Gierl, Alderman Wirth

- 3. Ordinances

Action requested: review and recommend approval

- 1. ORDINANCE 2015-1452 : Chapter 58 Text Short Term Rental

Alderman Wirth inquired whether short and long term rentals have been a problem in the City of Mequon. Community Development Director Tollefson stated there have been calls regarding a few circumstances. Ms. Tollefson recognized Alderman Wirth had not been part of the initial discussions with the Public Welfare Committee and went on to provide an overview of past discussions with regard to potential operational standards for short and long term rentals.

Upon completion of Ms. Tollefson’s overview, Alderman Gierl stated the ordinance regulates against a problem that does not exist. Alderman Wirth stated he still had a number of questions he would like answered. Alderman Mayr mentioned the item could be tabled to provide for more time Alderman Wirth’s questions to be answered.

Attachment: Public Welfare minutes_06-14-2016 (1806 : Public Welfare Committee meeting minutes of June 14, 2016)

RESULT: Tabled [Unanimous]
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Gierl

AYES: Alderman Mayr, Alderman Gierl, Alderman Wirth

4. Resolutions

Action requested: review and recommend approval

a. **RESOLUTION 3379** A Resolution Relating to the City of Mequon's Participation In the Home Investment Partnership Program Administered by Waukesha County

Community Development Director Tollefson stated at the May Public Welfare Committee meeting further information was requested regarding the Home Investment Partnership Program administered by Waukesha County with regards to its effectiveness, participation by other municipalities and the impact of the City’s participation. Ms. Tollefson stated that the Village of Belgium is the only municipality in Ozaukee County that is not participating in the program and there are five municipalities within all four counties (Ozaukee, Washington, Waukesha and Jefferson) that do not participate in the program. Ms. Tollefson reported the default rate of the program is less than 1% with circumstances due to loss of employment or illness, not due to poor financial choices.

Ms. Tollefson informed the Committee that one of the criteria for funding the program is based on population which could have an overall impact on the available funds for the program as communities decide to discontinue their partnership. Ms. Tollefson stated there have been a total of seven programs administered in the City of Mequon which included four home buyers receiving down payment assistance, and three homeowners receiving rehabilitation loans.

Ms. Tollefson pointed out that two resolutions have been prepared should the Committee choose to support continued participation in the program or to decide to no longer be a partner.

The Committee voted to send Resolution 3379 to the Common Council with no recommendation.

RESULT: No Recommendation [Unanimous]
MOVED BY: Alderman Wirth
SECONDED BY: Alderman Gierl

AYES: Alderman Mayr, Alderman Gierl, Alderman Wirth

5. Discussion Items

a. FY2016 Items for Consideration - Public Welfare Committee

Assistant City Administrator Thyges stated at the May meeting of the Public Welfare Committee, staff was directed to gather feedback from Committee members regarding

potential work items to consider for the upcoming year. Mr. Thyes reviewed the summary of items submitted with the Committee and referenced a handout has been distributed to the Committee with additional work items that was not included in the summary. The Committee reviewed the proposed meeting calendar to determine the priority of the work items. Alderman Gierl requested a review of the City’s record retention policy be added as a work item.

The Committee decided to move several work items up to the July 12th meeting; public notice procedure review and consideration of policy pertaining to televising meetings. The Committee decided to briefly discuss how to proceed with the review of the City’s board/commission/committee ordinances due to the number of items on the July 12 meeting agenda.

Alderman Mayr requested a review of work items to be placed on every Public Welfare Committee meeting agenda.

- 6. Information Items
 - a. Ethics Code Verbal Update

Assistant City Administrator Thyes reported that an Ethics Board meeting has been scheduled for June 21. Mr. Thyes stated the Board will review the Public Welfare Committee’s recommended amendments in connection with establishing an honesty definition and provision within the City’s Ethics Code. Mr. Thyes noted depending on the Ethics Board’s deliberation; the item may come back to the July 12 Public Welfare Committee meeting.

- 7. Adjourn

The Public Welfare Committee meeting was adjourned at 6:12 PM.

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

| | |
|--------------|---|
| AYES: | Alderman Mayr, Alderman Gierl, Alderman Wirth |
|--------------|---|

CITY OF MEQUON
WISCONSIN

COMMITTEE ON PUBLIC WORKS
MINUTES
June 14th, 2016

1. The meeting was called to order at 7:00 p.m. with Alderman Mayr, Alderman Pukaite, and Alderman Adams present.

Staff present was Director of Public Works/City Engineer Lundeen, and Administrative Secretary Deuster.

2. The minutes of the May 10th, 2016 Public Works Committee meeting were moved for approval by Ald. Mayr, seconded by Ald. Pukaite and unanimously approved by the Committee as written.
3. Director of Public Works/City Engineer Lundeen informed the Committee that, Resolution 3386 needed approval to grant the easement for 10800 N. Industrial Drive to WE Energies. The current transformer providing service to the building is outdated and will not support the new Combined Department of Public Works (DPW) Facility. The existing transformer would have been inside the new building and needed to be moved. We Energies requires an easement for the new location. The wires will be below ground but that the transformer would be out of the ground.

Following discussion, it was moved by Ald. Pukaite, seconded by Ald. Mayr, and unanimously approved by the Committee on Public Works to recommend approval of Resolution 3386, Granting the easement for 10800 N. Industrial Drive to WE Energies.

4. Director of Public Works/City Engineer Lundeen informed the committee that approval was needed in approving the draft of the Wisconsin Department of Natural Resources NR 208- Compliance Maintenance Annual Report(CMAR) they grade based on how the city has been doing and that despite the sewer overflow the City received an "A" grade.

Following discussion, it was moved by Ald. Mayr, seconded by Ald. Pukaite, and unanimously approved by the Committee on Public Works to recommend approval of Resolution 3383, the Wisconsin Department of Natural Resources NR208- Compliance Maintenance Annual Report 2015.

5. There being no further business to conduct, the meeting was unanimously adjourned at 7:04 p.m.

CITY OF MEQUON
WISCONSIN

COMMITTEE ON PUBLIC WORKS
MINUTES
June 16th, 2016

1. The meeting was called to order at 7:00 p.m. with Alderman Pukaite, and Alderman Adams present.

Staff present was Director of Public Works/City Engineer Lundeen, Engineering Technician II Hansen, Deputy Director of Engineering Keegan, and Administrative Secretary Deuster.

2. Director of Public Works/City Engineer Lundeen informed the Committee that, discussion item 2016 Drainage Capital Improvement Program (CIP) needed approval of the prioritization of the drainage projects. Drainage issues ranges from those that are from water in ditches and up to 7 Ft. of water in peoples basements. Rating is based on parameters of the roadside ditches and the evaluation checklist helps to assist see how much work is needed and how severe. This can be from depth of water in ditches, erosion, condition of ditch or drainageway, or problem affecting the roads. Staff also determines whether it is within the city right of way, homeowner's responsibility, or if it is beyond the home owner's control. From the priority map some issues were highlighted that meant these will be completed in conjunction with a road project from 2016 and from possible future road projects.

From the public we had Ginger Aires speak on behalf of Sunnyside Dr. (#2), with her drainage issues of the asphalt ditches deteriorating along with driveways. Scott Kluck from Donges Bay Rd. (#3) spoke on his downstream blockage and drainage work that he would like done. Jolene Bower from Shorecliff Ln (#4), spoke on having to install drainage tiles and that they have been working but still have drainage issues. Was happy to be there at the meeting. Abbas Ali from Pebble Ln (#11) spoke on 2 drainage inlets and 1 outlet that he was still continuing to have flooding in his basement. Harvey Pollack from Hawthorne Rd (#9) spoke on having issues for many years and having to do continual changes to his property and not having enough done still causing drainage issues. Lastly, Trisha Glaster from Stanford Dr (#41) spoke on drainage issues causing a breeding ground for mosquitoes. She also stated they had drainage issues in their backyard that they took care of as property owners. Mrs. Glaster was also informed that her drainage issues will be addressed in the 2016 Road program.

Alderman Hawkins was also in attendance and spoke on behalf of Mr. Kluck and how it is important to keep projects moving forward. He also stated having aldermen address their districts to inform homeowners of issues and how they can help the current flow of ditches by either replacing culverts, clearing ditches and overall keeping things clean. He felt if we give them more information they will be willing to help out. Alderman Pukaite spoke on how she personally had drainage issues. She stated drainage issues happen for everyone and that we will always be working to improve the ditches and drains. Both Alderman Pukaite and Adams stated they want to help the homeowners and with limited funding the city plans to work to complete these projects.

Following discussion, it was moved by Ald. Pukaite, seconded by Ald. Adams to approve the 2016 Drainage Capital Improvement Program (CIP) and the priority list of the projects.

3. There being no further business to conduct, the meeting was unanimously adjourned at 8:01 p.m.

CITY OF MEQUON
WISCONSIN

Sewer Utility District Commission
Tuesday, May 17, 2016 – Christine Nuernberg Hall
MINUTES

PRESENT: Mayor Abendroth, Commissioners' Strzelczyk, Pukaite, Wirth, Hawkins, Nerbun, Adams.

STAFF

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

Mayor Abendroth called the meeting to order at 6:52 p.m.

- 1) The minutes of the meeting held April 12, 2016 were moved for approval by Commissioner, seconded by Commissioner Pukaite, and unanimously approved by the Commission as written.
- 2) Director of Public Works/City Engineer Lundeen provided an overview recommendation to approve a Transfer of Funds within the Sanitary Sewer Capital Budget. This would entail reallocation of sewer capital funds from accounts where the projects are complete, to projects where additional funding is or will be required.

Motion was moved for approval by Commissioner Hawkins and seconded by Commissioner Nerbun, to the Common Council for approval.

- 3) Director of Public Works/City Engineer Lundeen provided an overview of the Capital Projects. There was brief discussion on the East Trunk Sewer and question of a timeline from Commissioner Wirth. Director of Public Works/ City Engineer Lundeen stated it would start in 2017 and that the next Commission meeting would an engineering report with further details.
- 4) There being no further business to conduct, the meeting was unanimously adjourned at 6:59 p.m.

City of Mequon - Zoning Enforcement Report Date: 8/1/2016

7/1/16

5.k.a

Packet Pg. 69

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

1 COMPLIANCE ACHIEVED

2 COMPLIANCE DATE NOT MET

3 WAITING ON REPLY

4 EXTENSION GRANTED

5 GOING TO COURT

6 ON HOLD

City of Mequon - Zoning Enforcement Report Date: 8/1/2016

7/1/16

5.k.a

Packet Pg. 70

| 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 BERKHANN | 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 | 4,1 |
| 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 | 5,5,5,5,5,1 |
| 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 |

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: 8/1/2016

7/1/16

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Packet Pg. 71

| 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 | 6, ONGOING |
| 4 | 140341500100 | 6110/6112 W COUNTY LINE ROAD | SILVER OAK HOMES - BILL FINE | MAINTENCE RAISE SHEDS | 4/29/2015 | 7/1/2015 | 6, ONGOING |
| 4 | 140341500100 | 6110/6112 W COUNTY LINE ROAD | SILVER OAK HOMES - BILL FINE | MAINTENCE BOARDS/PAIN | 4/29/2015 | 7/1/2015 | 6, ONGOING |
| 4 | 140341500100 | 6110/6112 W COUNTY LINE ROAD | SILVER OAK HOMES - BILL FINE | PARKING | 4/29/2015 | 7/1/2015 | 6, ONGOING |
| 4 | 140341500100 | 6110/6112 W COUNTY LINE ROAD | SILVER OAK HOMES - BILL FINE | OUTSIDE STORAGE | 4/29/2015 | 7/1/2015 | 6, ONGOING |
| 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 | 2716 W CHESTNUT ROAD | HOWARD OR ETA DUBOFF | GRASS | 5/20/2015 | 5/25/2015 | 1 |
| 2 | 140560501000 | 5405 W HILLCREST ROAD | KENNETH OR CARMEN BANASZYNSKI | PARKING | 5/20/2015 | 5/25/2015 | 1 |
| 2 | 140730009000 | 11329 N PARKVIEW DRIVE | JOYCE DUMAS | PARKING | 5/20/2015 | 5/25/2015 | 1 |

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5 GOING TO COURT

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City of Mequon - Zoning Enforcement Report Date: 8/1/2016

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Packet Pg. 72

| 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 | 4,1 |
| 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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4 EXTENSION GRANTED

5 GOING TO COURT

6 ON HOLD

City of Mequon - Zoning Enforcement Report Date: 8/1/2016

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Packet Pg. 73

| 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 | | 7426 W DONGES BAY ROAD | VALESTIN LANDSCAPE LLC | BUSINESS | 6/23/2015 | 9/29/2015 | 4,5,1 |
| 4 | 140710007000 | 4707 W ELMDALE ROAD | MALOCHY TOAL | GRASS | 6/23/2015 | 6/28/2015 | 1 |
| 4 | 140710029000 | 4711 W ELMDALE ROAD | MISTI MICELI | PARKING | 6/23/2015 | 6/27/2015 | 1 |
| 5 | | 1550 W MEQUON RD | GIGI OF MEQUON | BANNER | 6/23/2015 | 6/26/2015 | 1 |
| 4 | 140330500100 | 8329 W DONGES BAY ROAD | WILLIAM SCHINNER | PARKING | 6/23/2015 | 6/27/2015 | 5,5,5,1 |
| 4 | 140341100900 | 7526 W COUNTY LINE ROAD | PETER OR DELORES NELSON | PARKING | 6/23/2015 | 6/27/2015 | 1 |
| 4 | 140341100900 | 7526 W COUNTY LINE ROAD | PETER OR DELORES NELSON | HOOP HOUSE | 6/23/2015 | 9/7/2015 | 4,5,5,1 |
| 8 | | 10954 N PORT WASHINGTON ROAD | SEARS APPLIANCE | SIGNS | 6/25/2015 | 6/28/2015 | 1 |
| 7 | 150600206000 | 10319 N GREENVIEW DRIVE | LYNN MASTEY | GRASS | 6/25/2015 | 6/30/2015 | 4,1 |
| 4 | 140870616000 | 11744 N VEGA AVENUE | DOUGLAS HARDY OR JANYCE COLLINS | GRASS | 6/26/2015 | 6/30/2015 | 1 |
| 5 | 150170200900 | 12620 N LAKE SHORE DRIVE | SHEKHAR SANE | GRASS | 6/25/2015 | 6/30/2015 | 1 |
| 6 | 140830518000 | 10821 N HEDGEWOOD LANE | KEVIN S HO | STORAGE | 7/2/2015 | 7/7/2015 | 1 |
| 6 | 150850000062 | 3111 W MEQUON ROAD | LIGHTHOUSE OF MEQUON | FLAGS | 7/8/2015 | 7/13/2015 | 1 |
| 5 | 150060300400 | 14013 N PORT WASHINGTON ROAD | ARTHUR H WISTH | STORAGE | 7/8/2015 | 7/22/2015 | 1 |
| 5 | 150060400600 | 14037 N PORT WASHINGTON ROAD | GLEY R KLAHORST OR DIANE L LARSON | PARKING | 7/8/2015 | 7/12/2015 | 1 |
| 2 | | 6048 W MEQUON ROAD | FORWARD DENTAL | BANNER | 7/13/2015 | 7/16/2015 | 1 |
| 6 | | 2233 W MEQUON ROAD | CENTER FOR JEWISH LIFE | BANNER | 7/13/2015 | 7/16/2015 | 1 |
| 6 | | 11035 N PORT WASHINGTON ROAD | PICARDY SHOE PARLOUR | BANNER | 7/13/2015 | 7/16/2015 | 1 |
| 8 | 150641210000 | 416 E MAPLE LANE | TAYLOR SMITH | STORAGE | 7/15/2015 | 9/29/2015 | 4,5,4,5, |
| 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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6 ON HOLD

City of Mequon - Zoning Enforcement Report Date: 8/1/2016

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Packet Pg. 74

| 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 | 5,5,4,1 |
| 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 | 5,5,5,5,5,1 |
| 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 | 5,5,1,5,5,5,5,5,1 |
| 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 | 4,5,5,5,5,5,5,5,5,1 |
| 3 | 140860205000 | 11413 N SOLAR AVENUE | DUANE OR JULIE WAGNER | PARKING | 9/8/2015 | 9/13/2015 | 1 |

1 COMPLIANCE ACHIEVED

2 COMPLIANCE DATE NOT MET

3 WAITING ON REPLY

4 EXTENSION GRANTED

5 GOING TO COURT

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Packet Pg. 75

| 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 | | | 4,5,5,5,5,4,1 |
| 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 | 4,5,5,5, |
| 7 | 151070112000 | 1027 W DONGES BAY ROAD | WARD OR MARY JOHNSON | MAINTENANCE | 9/16/2015 | 9/30/2015 | 4,5,5,5, |
| 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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| ALD. DIST. | PARCEL # | ADDRESS | OWNER | VIOLATION | OTC MAILED | COMPLIANCE DATE | COMMENTS (See Key Below) |
|------------|--------------|------------------------------|-------------------------------------|-----------------|------------|-----------------|--------------------------|
| 2 | | 6016 W MEQUON ROAD | SUPER CUTS | BANNER | 10/12/2015 | 10/15/2015 | 5,1 |
| 6 | 150301601000 | 10401 N PORT WASHINGTON ROAD | CRAVE BAR AND FOOD | FLAG | 10/12/2015 | 10/15/2015 | 1 |
| 7 | | 10315 N PORT WASHINGTON ROAD | SIGNATURE 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 | 4,5,4,5,1 |
| 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 | RITWAY 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 | 1 |
| 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 | 4,5,4 |
| 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 | 5,4,1 |
| 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 | 5,1 |
| 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 | 4,1,5,5 |
| 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 | 4,1 |
| 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 | 4,5,4 |
| 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 | 4,1 |
| 7 | | 1220 W RANCHITO LANE | FAMILY TAE KWON DO | BANNER | 2/24/2016 | 2/24/2016 | 5,5,5,5,1 |

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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 | 4,5 |
| 4 | | 4810 W CHIPPEWA DR | NANCY RAINE | OUTSIDE STORAGE | 3/21/2016 | 4/18/2016 | 4,5 |
| 4 | | 4810 W CHIPPEWA DR | NANCY RAINE | PARKING | 3/21/2016 | 4/25/2016 | 4,5 |
| 4 | | 10250 N CEDARBURG ROAD | SYBARIS CLUBS INTERNATIONAL INC. | SIGN | 3/22/2016 | 3/22/2016 | 5,1 |
| 6 | | 10215 N CEDARBURG ROAD | ELIZABETH MCDONALD/LUCHT PROPERTY | RAZE | 3/22/2016 | 3/22/2016 | 5,4,5, |
| 1 | 141550010000 | 13760 N BONNIWELL COURT | GALINA SHEPSHELEVICH | OUTSIDE STORAGE | 3/23/2016 | 3/26/2016 | 5,1 |
| 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 | 4,1 |
| 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 | 5,5,5 |
| 8 | 150291001400 | 10624 N PORT WASHINGTON ROAD | A L HOLDINGS | OUTSIDE MAINTENANCE | 4/13/2016 | 6/13/2016 | 4,5 |
| 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 |
| 1 | 140061800100 | 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 | 5,1 |
| 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 | 140820848000 | 2916 W SHOLES DRIVE | DAVID SANDE | PARKING | 4/26/2016 | 4/30/2016 | 1 |
| 1 | 140820848000 | 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 | 4,1 |
| 7 | 150500102000 | 9915 N PORT WASHINGTON LANE | AMIR YAVOR | PARKING | 5/5/2015 | 5/12/2016 | 1 |

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|------------|--------------|------------------------------|-----------------------------------|---------------------|------------|-----------------|--------------------------|
| 6 | 151290002001 | 11025 N PORT WASHINGTON ROAD | EAST TOWNE SHOPS INC. | SIGN | 5/5/2016 | 5/19/2016 | 4,1 |
| 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 | 4,1 |
| 5 | 151000203000 | 12539 N ISLAND DRIVE | WILLIAM WISTH | OUTSIDE STORAGE | 5/10/2016 | 5/17/2016 | 4,1 |
| 2 | 140720400001 | 11642 N ST JAMES LANE | JOHN MULLINS | GRASS | 5/13/2016 | 5/18/2016 | 1 |
| 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 | 4 |
| 8 | 150800106000 | 604 W MEQUON ROAD | GORDON GUTZKE | GRASS | 5/27/2016 | 6/2/2016 | 1 |
| 1 | 141010071000 | 3802 W SHERBROOKE DRIVE | FKZ INVESTMENTS GROUP LLC | GRASS | 5/27/2016 | 6/2/2016 | 1 |
| 6 | 150300201200 | 1725 W MEQUON ROAD | KMG REAL ESTATE LLC | GRASS | 5/27/2016 | 6/2/2016 | 1 |
| 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 | GENTILI 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 | 4 |
| 7 | 150680301000 | 1648 W EL RANCHO | MICHAEL HERRENBRUCK | BUILDING PERMIT | 5/9/2016 | 5/23/2016 | 5,4 |
| 5 | 151001214000 | 1630 W DOROTHY PLACE | DAVID OR SHELLY HAUGH | GRASS | 6/2/2016 | 6/5/2016 | 1 |
| 5 | 151001022000 | 12536 N CIRCLE DRIVE | ASHLEY STOLL OR RICHARD FAUCETTE | GRASS | 6/2/2016 | 6/5/2016 | 1 |
| 6 | | 10512 N CEDARBURG ROAD | ELIZABETH MCDONALD/LUCHT PROPERTY | OUTSIDE STORAGE | 6/2/2016 | 6/15/2016 | 5,5,5 |
| 6 | 141530009000 | 5447 W BAYBERRY PARKWAY | JOSEPH OR JILL BAUBONIS | OUTSIDE MAINTENANCE | 6/2/2016 | 6/16/2016 | 5, |
| 8 | 150840402002 | 710 E RAVINE DRIVE | MARK OR CHINETA SOLLAZO | OUTSIDE MAINTENANCE | 6/2/2016 | 7/2/2016 | 4,5 |
| 2 | 150900602000 | 11547 N LAGUNA DRIVE | BRIAN OR KIM SAVAGE | PARKING | 6/2/2016 | 6/5/2016 | 1 |
| 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 | 1 |
| 8 | 150291100500 | 10500 N PORT WASHINGTON ROAD | CONCORD 41 LLC | MONUMENT SIGN | 6/3/2016 | 6/21/2016 | 4 |
| 6 | | 1240 W RANCHITO LANE | WINSTON PROPERTIES LLC | MONUMENT SIGN | 6/3/2016 | 6/21/2016 | 4 |
| 2 | 150900803000 | 11541 N LAGUNA DR | JOHN OR TRACY CHROBAK | GRASS | 6/3/2016 | 6/7/2016 | 1 |
| 2 | 150900803000 | 11541 N LAGUNA DR | JOHN OR TRACY CHROBAK | OUTSIDE STORAGE | 6/3/2016 | 6/10/2016 | 5, |
| 2 | 150900803000 | 11541 N LAGUNA DR | JOHN OR TRACY CHROBAK | PARKING | 6/3/2016 | 6/10/2016 | 5, |
| 8 | 150171400500 | 12260 N LAKE SHORE DRIVE | JEROME VIELEHR | GRASS | 6/8/2016 | 6/15/2016 | 1 |
| 8 | 150171400500 | 12260 N LAKE SHORE DRIVE | JEROME VIELEHR | OUTSIDE MAINTENANCE | 6/8/2016 | 7/8/2016 | 5, |

1 COMPLIANCE ACHIEVED

2 COMPLIANCE DATE NOT MET

3 WAITING ON REPLY

4 EXTENSION GRANTED

5 GOING TO COURT

6 ON HOLD



11333 N. Cedarburg 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: August 10, 2016
SUBJECT: A Resolution Approving the Enclave at Mequon Preserve Phase I Final Plat for 17 Lots Located at 10729-10839 N. Wauwatosa Road

Background

The applicant is requesting final plat approval for the first phase of The Enclave subdivision located at 10729-10839 N Wauwatosa Road. The first phase consists of 17 of the 50 lots that make up the conservation subdivision.

Analysis

The final plat is consistent with the approved preliminary plat with only a few minor changes necessary. The plat will be updated to identify the installed bike paths within the first phase of the subdivision as well as identify the tree preservation easement that exists on Lots 11 and 15.

The infrastructure, including sanitary sewer and water main (Mequon Water Utility), has been installed, inspected and approved. The storm water conveyance including storm sewer and open ditches have been approved. The storm water detention pond has been certified to be in compliance with the approved plans. The legal documents with the exception of the Storm Water Facilities and Easement Agreement have been approved and placed on file. The roadway is installed, inspected and approved.

The developer intends to reallocate the Wauwatosa Road sanitary sewer extension special assessment. Connection cannot be made to the public sanitary sewer system until the special assessment is paid or reallocated.

Recommendation

The Planning Commission recommended approval on July 25, 2016, by a vote of 8-0.

Attachments:

Zoning Map (PDF)

Enclave at Mequon Preserve_Final Plat (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3394

A Resolution Approving the Enclave at Mequon Preserve Phase I Final Plat for 17 Lots Located
at 10729-10839 N. Wauwatosa Road

WHEREAS, the Planning Commission on March 9, 2015, granted preliminary plat approval for the Enclave at Mequon Preserve development; and

WHEREAS, the Planning Commission granted final plat approval for the Enclave at Mequon Preserve Phase 1 on July 25, 2016; and

WHEREAS, the Common Council approved the Development Agreement on May 10, 2016, (Resolution 3279);

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

1. Any technical corrections identified by 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. The former historic dwelling shall be razed prior to recording of the Final Plat.
4. Final legal documents, including an Open Space Agreement and Public Access Easement for the bike paths are subject to City Attorney review and approval prior to recording.
5. City Engineer certification that the terms of the Development Agreement have been complied with and that the plat is ready for recording.
6. Payment of all necessary fees and or escrows, including L.O.C. for landscaping requirements.
7. All buildings shall maintain a minimum building setback of 30' from the interior public road right-of-way, a minimum 15' offset from the side, 20' from the rear.
8. 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.
9. Any technical corrections identified by staff shall be made to the final plat.
10. Establishment of an escrow in the amount required to install the street signs in accordance with City standards.
11. The developer shall establish an escrow for the cost to install an asphalt turn around in the event that the phase 2 roadway is not completed by November 15, 2016.
12. Execution of a Storm Water Facilities and Easement Agreement.

Approved by: Dan Abendroth, Mayor

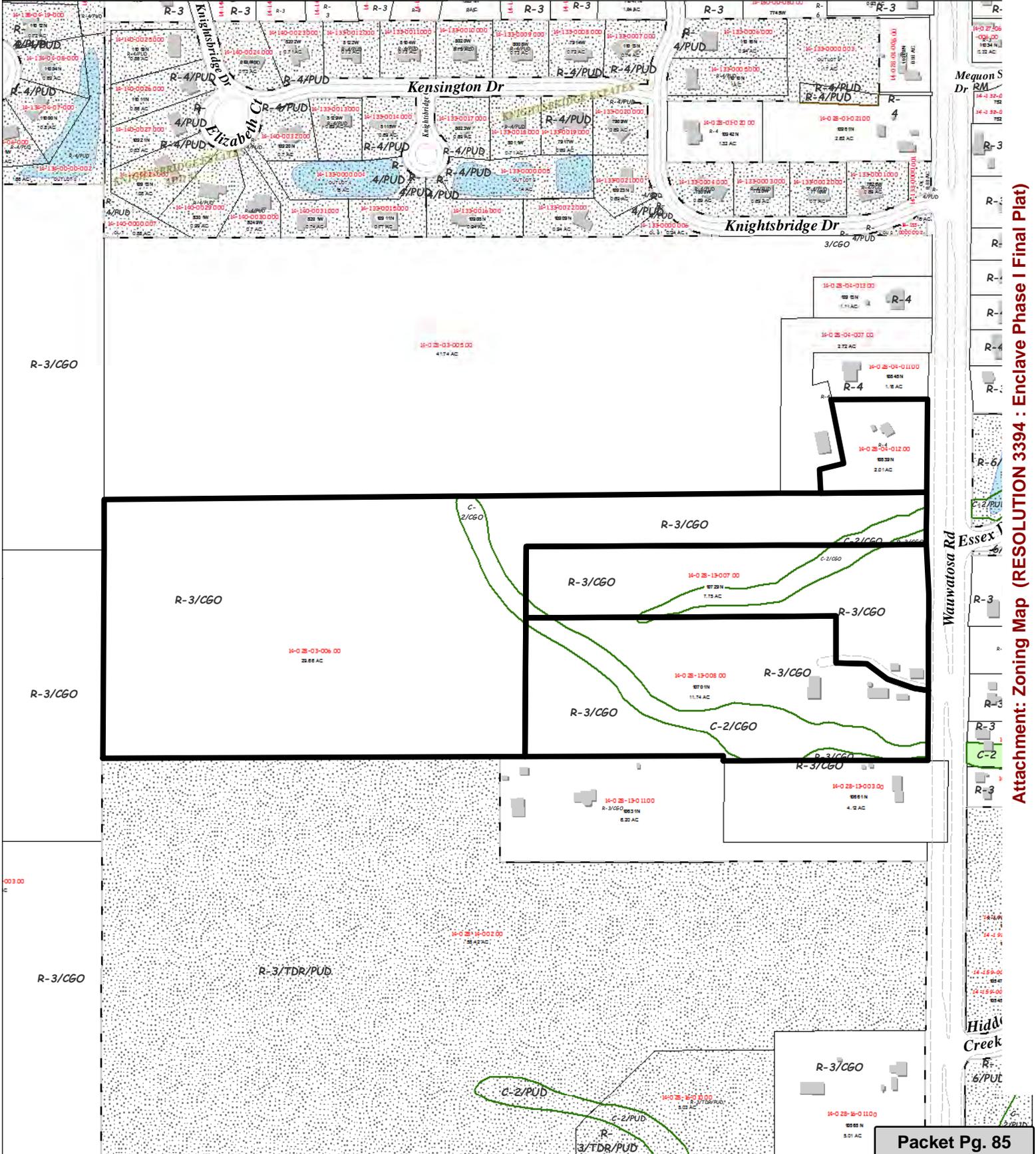
Date Approved: August 10, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on August 10, 2016.

Caroline Fochs, City Clerk

Veridian Homes - Enclave at Mequon Preserve - 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 3394 : Enclave 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__

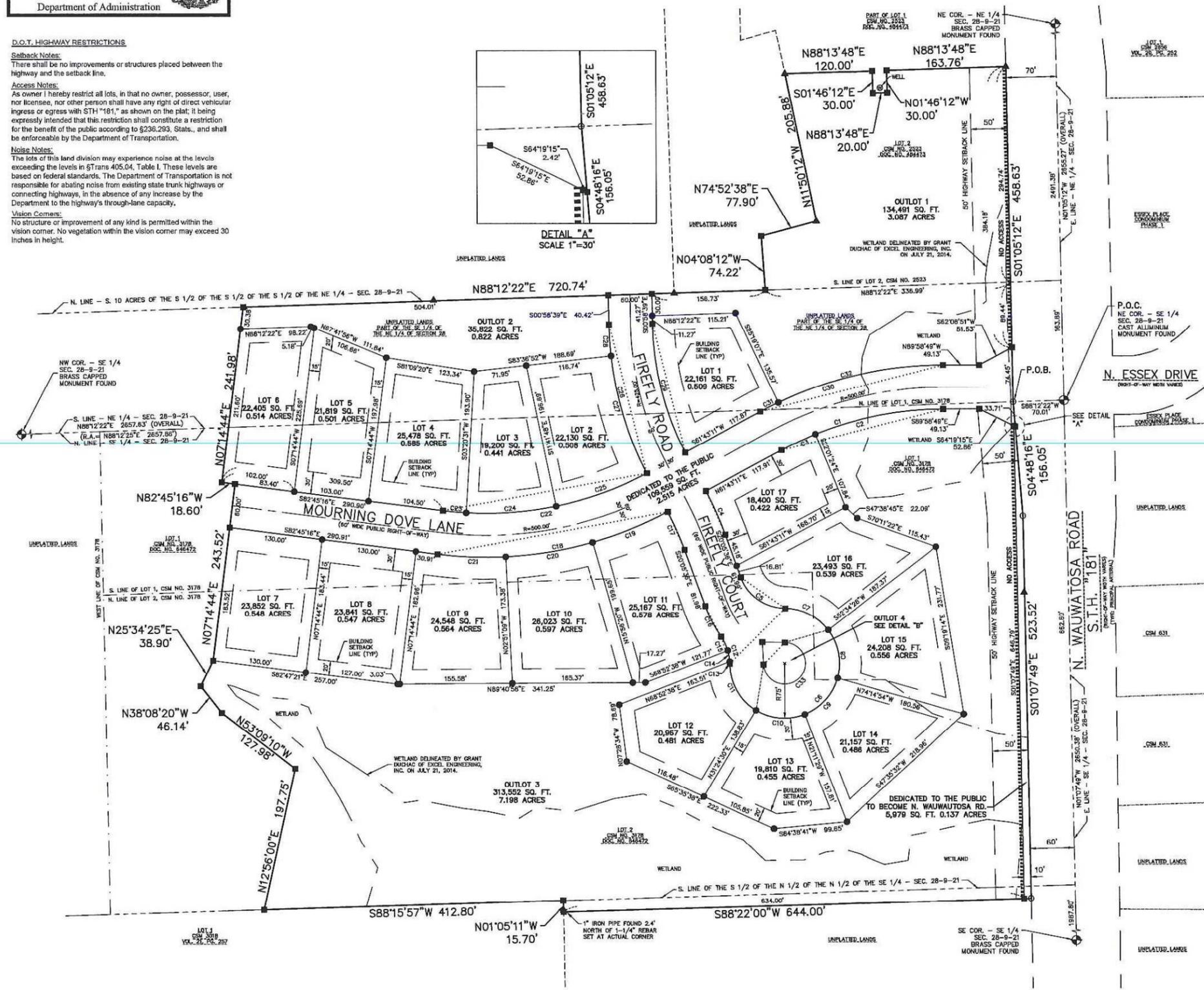
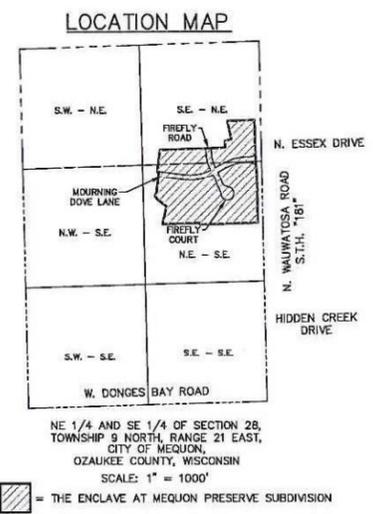


Department of Administration

THE ENCLAVE AT MEQUON PRESERVE

LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 3178, LOT 2 OF CERTIFIED SURVEY MAP NO. 2523, AND PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, ALL BEING PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND PART OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 21 EAST CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

D.O.T. HIGHWAY RESTRICTIONS
Setback Notes:
 There shall be no improvements or structures placed between the highway and the setback line.
Access Notes:
 As owner hereby restrict all lots, in that no owner, possessor, user, nor licensee, nor other person shall have any right of direct vehicular ingress or egress with STH "181", as shown on the plat; it being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to §236.293, Stats., and shall be enforceable by the Department of Transportation.
Noise Notes:
 The lots of this land division may experience noise at the levels exceeding the levels in §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.
Vision Corners:
 No structure or improvement of any kind is permitted within the vision corner. No vegetation within the vision corner may exceed 30 inches in height.

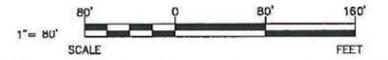


| CURVE | ARC LENGTH | RADIUS | CHORD BEARING | CHORD LENGTH | CENTRAL ANGLE | TANGENT IN | TANGENT OUT |
|-------|------------|---------|---------------|--------------|---------------|-------------|-------------|
| C1 | 232.15' | 470.00' | S75°52'11"W | 229.80' | 028°18'01" | N89°58'49"W | S61°43'11"W |
| C2 | 180.82' | 470.00' | S78°58'54"W | 179.71' | 022°02'35" | N89°58'49"W | S67°58'36"W |
| C3 | 51.33' | 470.00' | S64°50'53"W | 51.30' | 006°15'26" | S67°58'36"W | S61°43'11"W |
| C4 | 65.52' | 480.00' | S24°00'13"E | 65.47' | 007°49'14" | S27°54'51"E | S20°05'36"E |
| C5 | 78.49' | 65.00' | S54°41'18"E | 73.81' | 069°11'18" | S20°05'36"E | S89°16'53"E |
| C6 | 351.94' | 75.00' | S45°09'05"W | 107.11' | 268°51'57" | S89°16'53"E | N00°24'58"W |
| C7 | 67.99' | 75.00' | S63°18'38"E | 65.69' | 051°56'28" | S89°16'53"E | S37°20'25"E |
| C8 | 69.47' | 75.00' | S10°48'19"E | 67.01' | 053°04'12" | S37°20'25"E | S15°43'47"W |
| C9 | 89.33' | 75.00' | S42°12'48"W | 66.89' | 052°38'02" | S15°43'47"W | S68°41'49"W |
| C10 | 68.85' | 75.00' | N85°00'13"W | 66.48' | 052°35'55" | S68°41'49"W | N58°42'16"W |
| C11 | 76.30' | 75.00' | N28°33'36"W | 73.05' | 058°17'19" | N58°42'16"W | N00°24'58"W |
| C12 | 39.43' | 65.00' | N17°47'35"W | 38.63' | 034°45'17" | N00°24'58"W | N35°10'14"W |
| C13 | 3.04' | 65.00' | N01°45'16"W | 3.04' | 002°40'40" | N00°24'58"W | N03°05'36"W |
| C14 | 15.33' | 65.00' | N08°51'01"W | 15.30' | 013°30'48" | N03°05'36"W | N16°36'25"W |
| C15 | 21.06' | 65.00' | N25°53'19"W | 20.97' | 018°33'49" | N16°36'25"W | N35°10'14"W |
| C16 | 47.37' | 180.00' | N27°37'55"W | 47.23' | 019°04'37" | N35°10'14"W | N20°05'36"W |
| C17 | 56.95' | 420.00' | N23°58'41"W | 56.91' | 007°48'09" | N20°05'36"W | N27°51'45"W |
| C18 | 326.10' | 530.00' | S79°37'07"W | 320.98' | 035°15'12" | S61°59'31"W | N82°45'16"W |
| C19 | 111.64' | 530.00' | S88°01'36"W | 111.44' | 012°04'09" | S61°59'31"W | S74°03'40"W |
| C20 | 121.05' | 530.00' | S80°36'16"W | 120.79' | 013°05'11" | S74°03'40"W | S67°08'51"W |
| C21 | 93.41' | 530.00' | N87°48'13"W | 93.29' | 010°05'52" | S87°08'51"W | N82°45'16"W |
| C22 | 288.94' | 470.00' | N78°38'01"E | 284.41' | 035°13'25" | S82°45'16"E | N62°01'19"E |
| C23 | 32.02' | 470.00' | S84°42'23"E | 32.01' | 003°54'12" | S82°45'16"E | S66°39'29"E |
| C24 | 123.36' | 470.00' | N85°49'22"E | 123.01' | 019°02'19" | S86°39'29"E | N78°16'12"E |
| C25 | 133.56' | 470.00' | N70°09'45"E | 133.11' | 016°16'53" | N78°16'12"E | N62°01'19"E |
| C26 | 211.67' | 455.00' | N14°18'16"W | 209.77' | 026°39'17" | N27°37'57"W | N00°58'39"W |
| C27 | 168.73' | 455.00' | N17°00'32"W | 167.78' | 021°14'48" | N27°37'57"W | N06°23'08"W |
| C28 | 42.95' | 455.00' | N03°40'54"W | 42.93' | 005°24'29" | N06°23'08"W | N00°58'39"W |
| C29 | 183.09' | 395.00' | S14°15'22"E | 181.45' | 026°53'26" | S00°58'39"E | S27°32'06"E |
| C30 | 261.78' | 530.00' | N75°52'11"E | 259.13' | 028°18'01" | N61°43'11"E | S89°58'49"E |
| C31 | 27.40' | 530.00' | N63°12'02"E | 27.38' | 002°57'42" | N61°43'11"E | N64°40'53"E |
| C32 | 234.39' | 530.00' | N77°21'02"E | 232.48' | 025°20'19" | N64°40'53"E | S89°58'49"E |
| C33 | 132.33' | 28.50' | S43°43'28"W | 41.67' | 286°02'15" | S89°17'42"E | N03°15'27"W |

TOTAL AREA
 986,818 sq. ft.
 22.653 acres

ZONING NOTES:
 Existing Zoning:
 R-3 Rural Residential Detached
 CGO Central Growth Area Overlay
 R-4 Suburban Residential Detached District
 Minimum Building Setbacks:
 R-3/CGO Front: 30 feet Side: 15 feet Rear: 20 feet
 R-4 Front: 30 feet Side: 20 feet Rear: 20 feet

- LEGEND:**
- 1-1/4" X 18" REBAR SET WEIGHING 4.30 LB./FT.
 - 3/4" X 18" REBAR SET WEIGHING 1.50 LB./FT.
 - ▲ 1" IRON PIPE FOUND
 - 1-1/4" REBAR FOUND
 - 3/4" REBAR FOUND
 - ⊕ SECTION CORNER MONUMENT FOUND
 - NO ACCESS LINE



ALL LINEAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE HUNDREDTH OF A FOOT. ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST SECOND AND COMPUTED TO HALF-SECONDS.
 NORTH POINT REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD1987). THE SOUTH LINE OF THE NORTHEAST QUARTER HAS A RECORDED BEARING OF N88°12'25"E.

Attachment: Enclave at Mequon Preserve_Final Plat (RESOLUTION 3394 : Enclave 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

THE ENCLAVE AT MEQUON PRESERVE

LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 3178, LOT 2 OF CERTIFIED SURVEY MAP NO. 2523, AND PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, ALL BEING PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 21 EAST CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

D.O.T. HIGHWAY RESTRICTIONS

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

Access Notes:
As owner I hereby restrict all lots, in that no owner, possessor, user, nor licensee, nor other person shall have any right of direct vehicular ingress or egress with STH "181," as shown on the plat, it being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to §26.293, Stats., and shall be enforceable by the Department of Transportation.

Noise Notes:
The lots of this land division may experience noise at the levels exceeding the levels in §1 Trans. 405.04, Table 1. 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.

Vision Corners:
No structure or improvement of any kind is permitted within the vision corner. No vegetation within the vision corner may exceed 30 inches in height.

UTILITY EASEMENT LINE TABLE

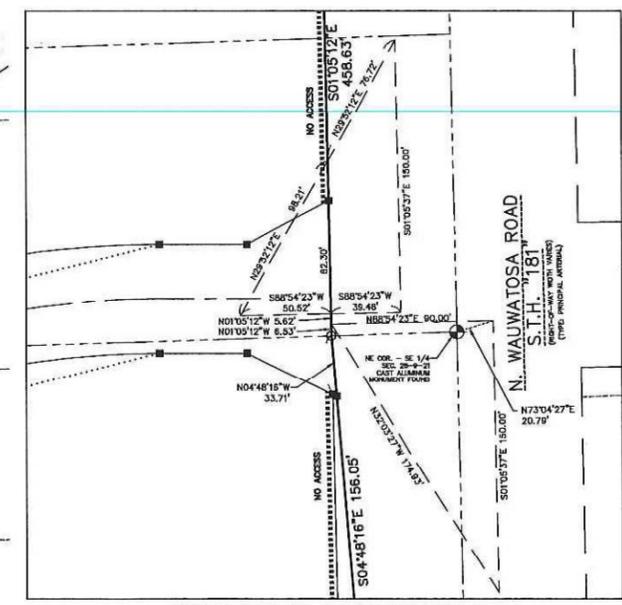
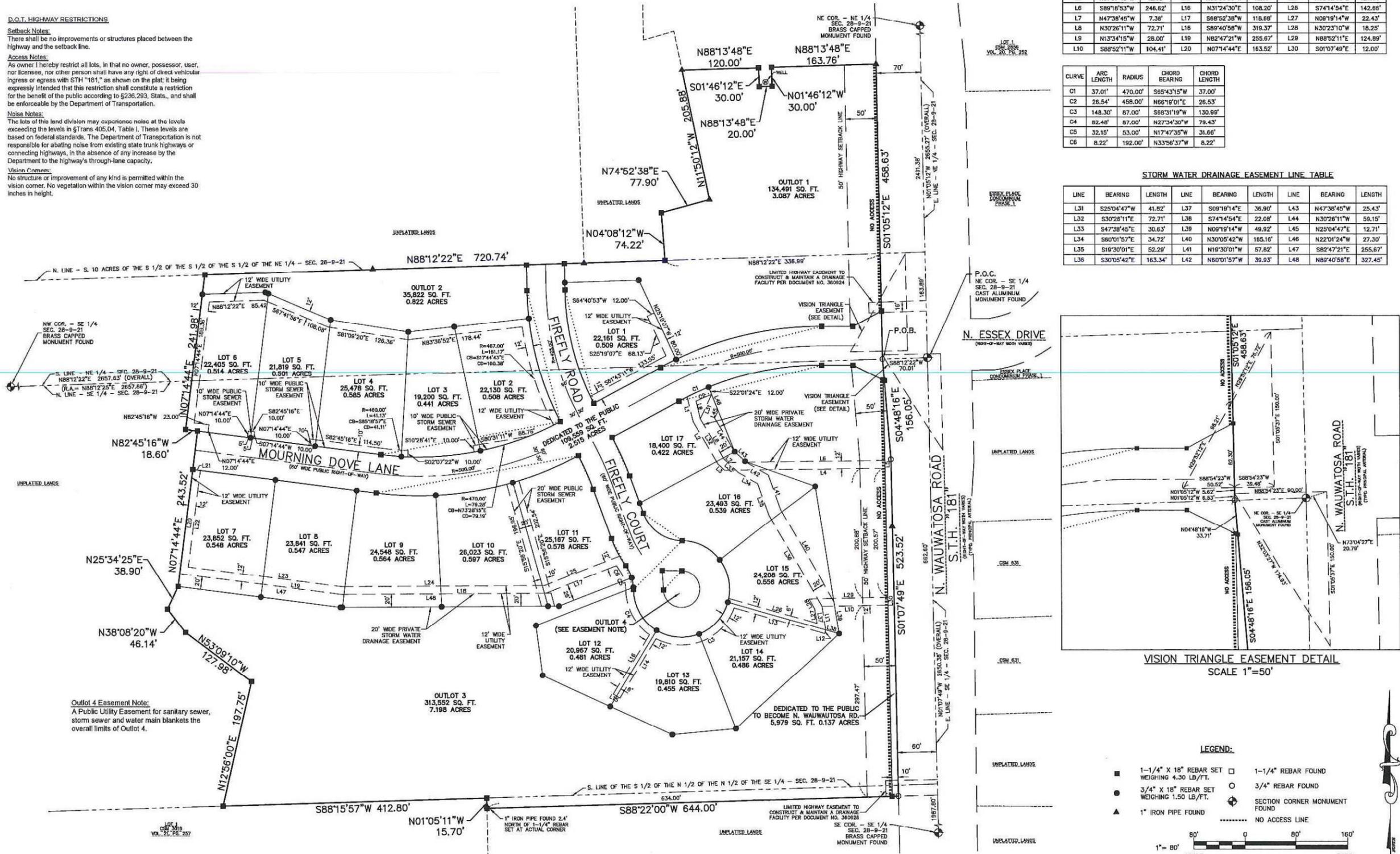
| LINE | BEARING | LENGTH | LINE | BEARING | LENGTH | LINE | BEARING | LENGTH |
|------|-------------|---------|------|-------------|---------|------|-------------|---------|
| L1 | S13°34'15"E | 39.43' | L11 | S09°19'14"E | 36.90' | L21 | S82°45'16"E | 12.00' |
| L2 | S30°26'11"E | 76.30' | L12 | S15°45'06"W | 6.00' | L22 | S07°14'44"W | 151.51' |
| L3 | S47°38'45"E | 13.92' | L13 | N74°14'54"W | 146.68' | L23 | S82°47'21"E | 242.88' |
| L4 | N89°16'53"E | 251.44' | L14 | S31°24'30"W | 108.22' | L24 | N89°40'58"E | 316.38' |
| L5 | N01°07'49"W | 12.00' | L15 | N58°35'30"W | 12.00' | L25 | N68°52'38"E | 126.54' |
| L6 | S89°16'53"W | 246.82' | L16 | N31°24'30"E | 108.20' | L26 | S74°14'54"E | 142.88' |
| L7 | N47°38'45"W | 7.38' | L17 | S88°52'38"W | 118.88' | L27 | N09°19'14"W | 22.43' |
| L8 | N30°26'11"W | 72.71' | L18 | S89°40'58"W | 319.37' | L28 | N30°23'10"W | 16.23' |
| L9 | N13°34'15"W | 28.00' | L19 | N82°47'21"W | 255.67' | L29 | N88°52'11"E | 124.89' |
| L10 | S88°52'11"W | 104.41' | L20 | N07°14'44"E | 163.52' | L30 | S01°07'48"E | 12.00' |

STORM WATER DRAINAGE EASEMENT LINE TABLE

| CURVE | ARC LENGTH | RADIUS | CHORD BEARING | CHORD LENGTH |
|-------|------------|---------|---------------|--------------|
| C1 | 37.01' | 470.00' | S85°43'15"W | 37.00' |
| C2 | 26.54' | 458.00' | N66°19'01"E | 26.53' |
| C3 | 148.30' | 87.00' | S88°31'19"W | 130.89' |
| C4 | 82.48' | 87.00' | N27°34'30"W | 79.43' |
| C5 | 32.15' | 53.00' | N17°47'35"W | 31.66' |
| C6 | 8.22' | 192.00' | N33°56'37"W | 8.22' |

VISION TRIANGLE EASEMENT LINE TABLE

| LINE | BEARING | LENGTH | LINE | BEARING | LENGTH | LINE | BEARING | LENGTH |
|------|-------------|---------|------|-------------|---------|------|-------------|---------|
| L31 | S25°04'47"W | 41.82' | L37 | S09°19'14"E | 36.90' | L43 | N47°38'45"W | 25.43' |
| L32 | S30°26'11"E | 72.71' | L38 | S74°14'54"E | 22.08' | L44 | N30°26'11"W | 59.15' |
| L33 | S47°38'45"E | 30.63' | L39 | N09°19'14"W | 49.92' | L45 | N25°04'47"E | 12.71' |
| L34 | S80°01'57"E | 34.72' | L40 | N30°05'42"W | 165.16' | L46 | N22°01'24"W | 27.30' |
| L35 | S19°30'01"E | 52.29' | L41 | N19°30'01"W | 57.82' | L47 | S82°47'21"E | 255.67' |
| L36 | S30°05'42"E | 163.34' | L42 | N60°01'57"W | 39.93' | L48 | N89°40'58"E | 327.45' |



VISION TRIANGLE EASEMENT DETAIL
SCALE 1"=50'

LEGEND:

- 1-1/4" X 18" REBAR SET WEIGHING 4.30 LB/FT.
- 1-1/4" REBAR FOUND
- 3/4" X 18" REBAR SET WEIGHING 1.50 LB/FT.
- 3/4" REBAR FOUND
- ▲ 1" IRON PIPE FOUND
- ⊕ SECTION CORNER MONUMENT FOUND
- NO ACCESS LINE

SCALE: 1" = 80'

ALL LINEAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE HUNDREDTH OF A FOOT. ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST SECOND AND COMPUTED TO HALF-SECONDS. NORTH POINT REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD1983). THE SOUTH LINE OF THE NORTHEAST QUARTER HAS A RECORDED BEARING OF N88°12'25"E.

Attachment: Enclave at Mequon Preserve_Final Plat (RESOLUTION 3394 : Enclave Phase I Final Plat)

THE ENCLAVE AT MEQUON PRESERVE

LOT 1 AND LOT 2 OF CERTIFIED SURVEY MAP NO. 3178, LOT 2 OF CERTIFIED SURVEY MAP NO. 2523, AND PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, ALL BEING PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND PART OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 21 EAST CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Ryan J. Wilgreen, Professional Land Surveyor, hereby certify that under the direction of MREC VH Mequon, LLC, I have surveyed, divided and mapped a parcel of land described herein, Lot 1 and Lot 2 of Certified Survey Map No. 3178, recorded in the Ozaukee County Register of Deeds Office on November 5, 1999 in Volume 22, Page 264 of Certified Survey Maps as Document No. 646472 and Lot 2 of Certified Survey Map No. 2523, recorded in said Register of Deeds Office on March 4, 1993 in Volume 18, Page 226 of Certified Survey Maps as Document No. 484473 and part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 9 North, Range 21 East, all being part of the Southeast 1/4 of the Northeast 1/4 and part of the Northeast 1/4 of the Southeast 1/4 of said Section 28, City of Mequon, Ozaukee County, Wisconsin, being more particularly described as follows:

Commencing at the Northeast corner of the Southeast 1/4 of said Section 28, thence South 88°-12'-22" West along the North line of the Southeast 1/4 of said Section 28, a distance of 70.01 feet to the Westerly right-of-way line of State Trunk Highway 181, said point also being the point of beginning; thence South 04°-48'-16" East along said Westerly right-of-way line, a distance of 156.05 feet; thence South 01°-07'-49" East along said Westerly right-of-way line, a distance of 523.52 feet to the Southeast corner of Lot 2 of said Certified Survey Map No. 3178; thence South 88°-22'-00" West along a Southerly line of said Lot 2, a distance of 644.00 feet; thence North 01°-05'-11" West along a Southerly line of said Lot 2, a distance of 15.70 feet; thence South 88°-15'-57" West along a Southerly line of said Lot 2, a distance of 412.80 feet; thence North 12°-56'-00" East, a distance of 197.75 feet; thence North 53°-09'-10" West, a distance of 127.98 feet; thence North 38°-06'-20" West, a distance of 46.14 feet; thence North 25°-34'-25" East, a distance of 38.90 feet; thence North 07°-14'-44" East, a distance of 243.52 feet; thence North 82°-45'-16" West, a distance of 18.60 feet; thence North 07°-14'-44" East, a distance of 241.98 feet to the North line of the South 10 acres of the South 1/2 of the South 1/2 of the North 1/4 of said Section 28; thence North 88°-12'-22" East along said North line, a distance of 720.74 feet to the Southwest corner of Lot 2 of said Certified Survey Map No. 2523; thence North 04°-08'-12" West along a Westerly line of said Lot 2, a distance of 74.22 feet; thence North 74°-52'-38" East along a Westerly line of said Lot 2, a distance of 77.90 feet; thence North 11°-50'-12" West along a Westerly line of said Lot 2, a distance of 205.88 feet to the Northwest corner of said Lot 2; thence North 88°-13'-48" East along the North line of said Lot 2, a distance of 120.00 feet; thence South 01°-46'-12" East, a distance of 30.00 feet; thence North 88°-13'-48" East, a distance of 20.00 feet; thence North 01°-46'-12" West, a distance of 30.00 feet to said North line; thence North 88°-13'-48" East along said North line, a distance of 163.76 feet to the said Westerly right-of-way line, said point also being the Northeast corner of said Lot 2; thence South 01°-05'-12" East along said Westerly right-of-way line, a distance of 458.63 feet to the point of beginning and containing 22.653 acres (986,818 sq. ft.) of land more or less.

That such is a correct representation of all the exterior boundaries of the land surveyed and the subdivision thereof made.

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

Ryan J. Wilgreen, P.L.S. No. S-2647
 ryan.w@excelsurveyor.com
 Excel Engineering, Inc.
 Fond du Lac, Wisconsin 54935
 ISSUED DATE: SEPTEMBER 11, 2015
 REVISED DATE: OCTOBER 14, 2015
 REVISED DATE: NOVEMBER 5, 2015
 REVISED DATE: NOVEMBER 9, 2015
 REVISED DATE: JUNE 16, 2016

UTILITY EASEMENT PROVISIONS (PUBLIC)

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,

_____, Grantee, and

_____, 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. Buildings 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.

OWNER'S CERTIFICATE OF DEDICATION

MREC VH Mequon, LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

MREC VH Mequon, LLC, does further certify that this plat is required by S236.10 or S236.12 Wisconsin Statutes to be submitted to the following agencies for approval or objection:

1. Department of Administration
2. Department of Transportation
3. City of Mequon

In witness whereof, MREC VH Mequon, LLC, has caused these presents to be signed by its official officer(s) of said limited liability company at _____, this _____ day of _____, 20____.

MREC VH Mequon LLC

By: VH Mequon, LLC, Member and Project Manager*

By: _____
 David Simon or Jeff Rosenberg or Karen Simon Dreyer

STATE OF _____)

COUNTY OF _____) S.S

I personally came before me this _____ day of _____, 20____, the above named officer(s) of the above named MREC VH Mequon, LLC to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

_____, Notary Public, _____ County, _____

My Commission Expires: _____

CONSENT OF MORTGAGEE

First Business Bank, a Corporation duly organized and 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, dividing and mapping of the land described on this plat, and does hereby consent to the above Owner's Certificate.

In witness whereof, the said First Business Bank has caused these presents to be signed by Brian E. Hagen, its Vice President, at _____, Wisconsin this _____ day of _____, 20____.

First Business Bank

_____, Brian E. Hagen, Vice President

STATE OF WISCONSIN)

COUNTY OF _____) S.S

Personally came before me this _____ day of _____, 20____, Brian E. Hagen of the above named banking association to me known to be the person who executed the foregoing instrument, and to me known to be such Vice President of said banking association, and acknowledged that they executed the foregoing instrument as such officer as the deed of said banking association, by its authority.

_____, Notary Public, _____ County, WI
 My Commission Expires: _____

COMMON COUNCIL APPROVAL CERTIFICATE:

Resolved, that the plat of THE ENCLAVE AT MEQUON PRESERVE SUBDIVISION in the City of Mequon, is hereby approved by the Common Council.

All conditions have been met as of this _____ day of _____, 20____.

_____, Dan Abendroth, Mayor

I hereby certify that the foregoing is true and correct copy of a resolution adopted by the Common Council of the City of Mequon on this _____ day of _____, 20____.

_____, William Jones, City Administrator

COUNTY TREASURER'S CERTIFICATE

I, Karen Makoutz, being the duly elected, qualified, and acting Treasurer of the County of Ozaukee, 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____ affecting the land included in the plat of THE ENCLAVE AT MEQUON PRESERVE SUBDIVISION.

_____, Karen Makoutz, Treasurer, Ozaukee County, Wisconsin

CITY TREASURER'S CERTIFICATE

I, Tom Watson, being the 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 unpaid special assessments as of this _____ day of _____, 20____ on any of the lands included in the plat of THE ENCLAVE AT MEQUON PRESERVE SUBDIVISION.

_____, Tom Watson, Treasurer, City of Mequon

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

OWNER / DEVELOPER:
 MREC VH MEQUON, LLC
 6801 S. TOWNE DR.
 MADISON, WI 53713

SURVEYOR:
 RYAN J. WILGREEN
 EXCEL ENGINEERING, INC.
 100 CAMELOT DR.
 FOND DU LAC, WI 54935
 920.926.9800



Attachment: Enclave at Mequon Preserve_Final Plat (RESOLUTION 3394 : Enclave Phase I Final Plat)



draft

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

www.ci.mequon.wi.us

Office of the City Clerk

COMMITTEE OF THE WHOLE
Tuesday, June 7, 2016
6:00 PM
Friends of Concordia Room at Concordia University

Minutes

1. Mayor Abendroth call the meeting to order at 6:00 PM with the Pledge of Allegiance and the roll call.

Present:

- Mayor Dan Abendroth
- Alderman Robert Strzelczyk (arrived at 6:11 pm)
- Alderman Connie Pukaite
- Alderman Dale Mayr
- Alderman John Wirth
- Alderman Mark Gierl
- Alderman John Hawkins
- Alderman Andrew Nerbun

Absent:

- Alderman Pam Adams

Also Present: City Clerk/Administrator Jones; Deputy City Clerk Fochs; City Attorney Sajdak; Community Development Director Tollefson; Assistant Director Community Development Zader; Finance Director Watson; press and interested public

2. Approve Committee of the Whole meeting minutes of March 1, 2016

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

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

3. Overview and Discussion Concerning Matters Relating to Mequon Town Center

Administrator Jones stated that the meeting will delve into issues relating to the Mequon Town Center. He highlighted the accomplishments of the City regarding the Town Center, development of property west of the Town Center, construction of the new Public Works Facility, and vacation of the Logemann Center.

Attachment: COW minutes ACCELA_06-07-16 (1785 : Approval of the June 7 and June 19, 2016 meeting minutes)

Director Tollefson explained that the goals of the meeting were to 1) get a shared understanding of the Town Center neighborhood, 2) remind Council of the existing controls and measures in TIF district and zoning districts, 3) consideration of future goals, and 4) receive feedback from Council on key directives.

Staff has identified priority locations along street frontage that would develop underutilized land or inconsistent conditions in the neighborhood. There might be a greater need to incentivize to redevelop at these locations.

a. Tax Increment District: TID No. 3 Dated 2008-2028

Director Tollefson highlighted the successes of the restaurants and shops in the Town Center, Outpost Natural Foods, the American Legion Building, and the Taste of Mequon. TID No. 3 was created in 2008 and has an extended life until 2028. At that time the development expectations were \$44M in new development value. Based on development that has occurred and what is expected to be completed in 2016, the expected development value has increased to \$64M. In terms of development expectations for 2019 with projects expected to be completed by that time, the expected development value will be \$87.5M. It is predicted that there will be a positive cash flow for the TIF District by 2025. Value created is \$2.1M/acre. In 2013 the district was amended to allow for incentives using a “fast track incentive formula”, strictly pay as you go. As the development begins to pay taxes, some tax dollars are returned to the developer to address the gap in the cost of the project. A “gap” is defined as being costs related to demolition and site repair to spur development to occur quicker. At this time, the dollars allocated for the incentive program have all been distributed. Staff recommends continuing the low risk “pay as you go” incentives. Minimum project required in Town Center TIF District is \$3M above and beyond the base improvement value that existed on the property. Currently she reported that private investment is exceeding expectations, achieving a desired mix of uses, and implementation is meeting policy objectives.

b. New Development

- i. Land Uses and Value
- ii. Expectations of Next Phase of Development

Staff has identified 4-5 priority locations for redevelopment in the Town Center zoning area and not considered for an incentive project. Expectations of the next phase of development are mainly commercial along the two block distance along Mequon Road. New residential development zoning was to deliver moderate density and diverse housing. Projections for 2019 include 300 residential units (150 on city-owned sites), 100 senior living units, and 380 units in the Central Growth Area. It is estimated that there is a net demand of 350 rental units.

Committee of the Whole discussed renting saturation, quality of projects and long-term management of multi-family units, and financial downturn predictions. Are we open to other locations in the City for multi-family units? Committee suggested updating research on the market needs. The market should drive the

demand. The City needs better tools to be able to enforce higher quality and architectural guidelines at the onset of development. It was suggested to plan an in-service workshop on architectural features.

c. Residential Diversity, Character and Influence

Tollefson offered ways to refine residential planning: 1) pinpoint areas where lower density development could go, 2) implement targeted design standards, 3) consider market analysis to support new proposals, 4) look to steer higher density properties in the Town Center area and not the arrival corridor, 5) continue to monitor the supply and demand of the market, and 6) diversify types of housing.

Common Council took a 10 minute recess.

d. Town Center TID Intended Expenditures

i. Phase I: Infrastructure and Streetscape

Director Tollefson summarized the Phase I and Phase II Town Center expenditures. Phase I priority projects for the TIF has been completed at a cost of approximately \$4.18M and included Cedarburg Road infrastructure, light fixtures, on street parking, aerial lighting, and river front park. Phase II projects included similar street scaping, light fixtures, improvements to entire cross section, bike lanes and on street parking for part of Mequon Road between Cedarburg Road and Buntrock Road, burying all overhead utilities along Mequon Road, modification of civic campus parking facilities, and improvements to civic aesthetics and cost approximately \$910K. Gateway features are still being considered. Village of Thiensville and local community organizations have been involved in the process and fundraising is a possibility.

ii. Phase II: Civic Campus Planning

Commercial and civic campus parking solutions have not yet been addressed. Since the closing of the Logemann Center there has been interest in different commercial or semi-public uses of the property.

e. Funding Sources

Director Tollefson offered a summary of other funding sources other than relying on the TIF. There are no dollars budgeted in the TIF to fund the priority improvements that were suggested initially in 2008. Options include: 1) Inter-TIF fund borrowing, but it is limited and highly competitive, 2) park impact fees could help with the cost of a parking structure, 3) grants, 4) ask developers to include more and more of the street scaping in their projects.

f. Policy Directives

Director Tollefson asked for directives on the following items: 1) Which has the higher priority, public improvements or civic campus planning?, 2) Does the City want to partnership for the Gateway features?, 3) Is there a consensus on the plans for the

Logemann Center?; 4) Which funding sources should staff pursue?, and 5) Are there any funding sources that were overlooked?

Council discussion ensued on more accessible and handicap friendly walkways to the Town Center, especially from current parking locations, building a parking structure, importance in maintaining a consistent “look” of the Town Center throughout the development, handicap parking for Legion Post, attracting nonresidents to Town Center, signage/street markings for parking, plans for Logemann Center, revisiting a parking study, and enforcing parking restrictions.

Moved by Alderman Hawkins, seconded by Alderman Wirth to tear down the Logemann Center.

Straw vote taken on the following items: Council recommended the following policy directives to staff: 1) Staff brings proposals for demolition of Logemann Center with scenarios for establishing short-term, temporary parking while Council develops a long-range plan, 2) Emphasis on Town Center rather than arrival corridor, 3) Street scaping higher priority than civic campus planning, 4) Low risk incentives primarily for commercial development, with benchmark percentage of commercial to qualify for incentives, 5) Develop high standard housing and architectural standards, 6) Pursue partnered gateway features, 7) Impact fees should be used, and 8) Research viability of using capital improvement funds for civic campus parking or Logemann’s demolition.

4. Other Matters

None.

5. Announcements

None.

6. Adjourn at 9:05 pm.

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

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

Attachment: COW minutes ACCELA_06-07-16 (1785 : Approval of the June 7 and June 19, 2016 meeting minutes)

**draft**

11333 N. Cedarburg Road
Mequon, WI 53092
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www.ci.mequon.wi.us

Office of the City Clerk

COMMITTEE OF THE WHOLE

Tuesday, July 19, 2016

6:00 PM

Christine Nuernberg Hall

Minutes

1. Call to order, 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 Administrator Jones, City Clerk Fochs, Finance Director Watson, Assistant Finance Director Rudychev, Community Development Director Tollefson, City Engineer/Public Works Director Lundeen, Police Chief Graff, Fire Chief Bialk, press and interested public.

2. FY2016 Status Update

Administrator Jones provided an overview of the evening's agenda. Topics include FY2016 status, debt service, capital funding, asset management, considerations for FY2017, long term financial planning, and future milestones. Finance Director Watson discussed the results of the 2015 audit. The City had budgeted the use of \$300K of fund balance. However, since revenues were more than budgeted and expenses were less than budgeted, the deficit was only \$68K. Post-audit recommendations for staff were to get more support staff for utility management, review regulations for other post-employment benefits and an actuarial study. FY2016 permit fees and other revenue categories (i.e., cell tower leases, franchise agreements, fund balance) are slightly lower than budgeted. Conversely, FY2016 Common Council expenditures are slightly higher and will be watched (i.e., Fun Before the Fourth purchases).

Administrator Jones recapped the 2016 major initiatives: Public Works Facility, 2016 road improvements, Emergency Medical Dispatch, SUV Patrol Vehicle Fleet Conversion, Building Inspector Supervisor, Agenda Management System, City Website upgrade. It was

Attachment: ACCELA 07-19-16_COW (1785 : Approval of the June 7 and June 19, 2016 meeting minutes)

recommended to present the short-list of website candidates to Council before the award. Discussion ensued on proprietary info, aldermanic involvement in the review process, vetting procedures.

Council looked at trends over the last ten years, such as a decline of inter-governmental revenues, increase in licenses and permits, decrease of investment income. Taxes are becoming the mechanism to balance the budget, general government and public works has spent increasingly less over the years, and capital outlays and debt service have increased.

3. Review of Long-Range Financial Planning Considerations

Council's priorities are to ensure public safety, maintain infrastructure and keep taxes low. Director Watson recapped the Public Works Facility bond issue: \$8.9M of general obligation debt to pay off by 2031; principal and interest is approximately \$688M/year; will combine three facilities into one for cost savings; vacated buildings/land could be used for Town Center. SCR rating for main and subdivision roads and lane miles has increased. Principal and interest debt has been increasing over recent years. Interest is currently \$1M/year. Council discussed unwinding the cyclical borrowing. That would mean borrowing less to reduce principal and interest and rededicate money from savings into a levy. However, that may mean a couple years of reduced road funding. Council asked how can the roads be analyzed in order to identify cost saving opportunities. Alderman Pukaite stated that taxes have not been increased in seven years and this trend is not sustainable citing increased road miles and parks to maintain, and an increase in public safety threats. The City's goal is to maintain the roads at a 6-7 SCR value.

An update on the state of our facilities and parks and their deferred maintenance was presented to Council, i.e. paving at parks, pool deck replacement, ash tree replacement, replacement of fleet and equipment for police and fire departments. An Asset Management Plan to determine assets we should be buying and how they will be financed could be done. This could enable the Council to make funding decisions across facilities, roads, fleets, equipment, parks, and signage.

4. Discussion Concerning Development of FY2017 Budget

Director Watson outlined what will impact the FY2017 budget, i.e., mid-year hires, health insurance premiums, assessor contract, Wisconsin Retirement System share increase, Police Department contract, Affordable Care Act ramifications for paid on-call firefighters, utility/fixed asset accountant, and initial expenses for Public Works Combined Facility.

Discussion ensued on the fund balance ratio. The City's fund balance policy is to keep it 10-15%. GFOA recommends 16-25%. Using the fund balance to plug the gap of ongoing operations is not a sustainable way to manage its monies. If taxes remain the same then the fund balance would take a huge hit funding the approximately \$660K new debt expense for the Combined Public Works Facility. The tax rate is currently 3.06/1000. A fifteen cent increase in taxes would keep the status quo. Likewise, a twenty-five cent increase would give us an additional \$400K/year to address capital projects.

Council was reminded that new debt service is not subject to the state levy limit. Straw poll indicated 1) Desire to bring back more information to Council regarding borrowing vs. pay-as-you-go, 2) Review an asset management plan prior to deciding capital projects budget, and 3) Council does not have enough information to decide on a tax rate for FY2017.

Next steps include: 1) providing budget instructions to Departments in July, 2) draft budgets and budget requests due to Administration/Finance by mid-August, 3) budget reviews by end of August, 4) draft budget by beginning of October.

5. Review of FY2017 Budget Development Milestones

Tentative dates for the Appropriations Committee were discussed by Council. Council recommended departments review cost saving measures, present a no-tax rate hike budget, increase fire and police department budget, present a budget using the fund balance monies, present essential budget items, department need lists, and debt expiration details.

6. Other Matters

None.

7. Motion to adjourn at 8:12 PM.

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

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

Attachment: ACCELA 07-19-16_COW (1785 : Approval of the June 7 and June 19, 2016 meeting minutes)

TO: Common Council
FROM: Kim Tollefson, Director of Community Development
DATE: August 10, 2016
SUBJECT: Overview of Proposed Architecture Related to Shaffer Development's Town Center Planned Unit Development

Background

The Shaffer Development team is requesting approval of rezoning the City-owned Town Center to Town Center zoning with a Planned Unit Development (PUD). The rezoning was approved by unanimous vote of the Planning Commission on July 25, 2016. The rezoning is scheduled for first reading by the Common Council on August 10, 2016, with second reading and formal action on September 13, 2016. As such, the full rezoning and concept plan analysis is part of this month's Council packet of materials under Ordinances.

At the June Common Council Committee of the Whole meeting in which staff focused on Town Center planning efforts, the Council expressed an interest in greater control related to architecture. One of the suggested outcomes was to provide the Council with an opportunity during an ordinance's first reading to focus specifically on the architecture related to any proposal. Therefore, staff is providing the renderings and details associated with each proposed building within the PUD for consideration. Please find attached a color perspective and description of each building. In addition, the Planning Commission's commentary and required conditions related to architecture are listed for each structure. Further, the Council's meeting minutes from the workshop held in March related to this specific project are also attached.

Analysis

The site plan shows seven distinct buildings located on the site. The residential buildings are all shown to be clad with brick and fiber cement siding with an asphalt shingled roof. Since the developer will maintain the existing commercial buildings and because final tenants have not been determined, final designs for the commercial buildings have not been completed. The renderings show the introduction of large windows into the design of the existing brick structures.

The Council was supportive of the reuse of the existing buildings provided that the open space along the entire street frontage from the railroad tracks to the beginning of the retaining wall becomes activated, while also incorporating hardscape or landscaping elements that will enhance the area as public gathering space and create separation between the street and semi-public realm. Architectural features and site amenities shall be consistent with the Mequon River Station theme. If it not feasible to use the former Ross Wells building or large public works building, a PUD amendment will be required.

Fiscal Impact

The estimated value of the project ranges from \$29M - \$34M.

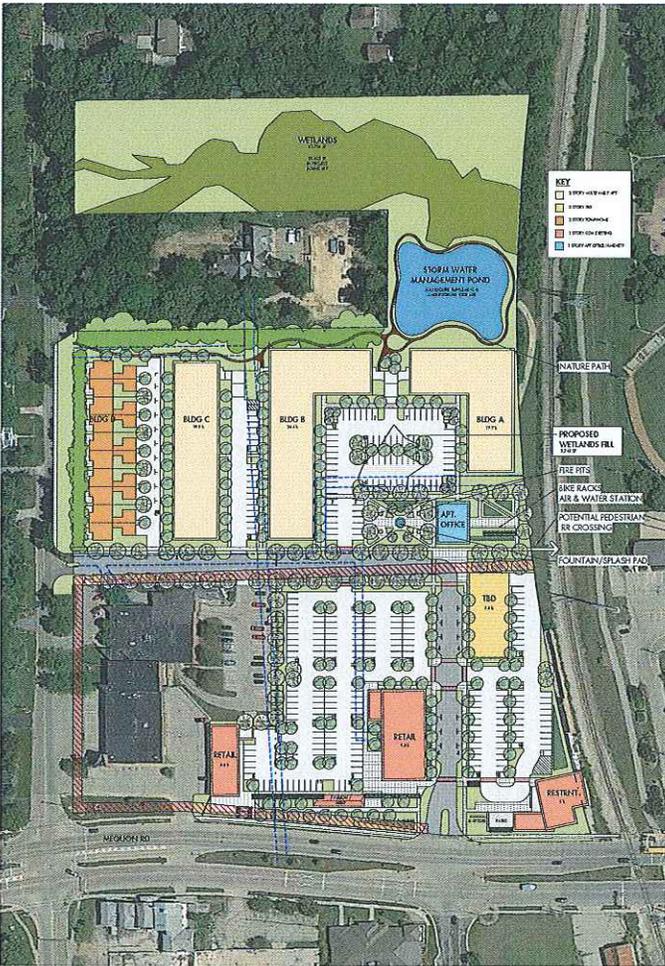
Staff Comments

The residential buildings represent traditional architectural form and style and transition well from the commercial (southern) portion of the site to the single-family residential (northern) portion of the site. Neighborhood feedback at a recent open house meeting related to the proposed architecture was generally positive. The scale, and height, of the buildings are lower at the periphery of the site. The townhomes along Buntrock Avenue are two stories in height and the commercial buildings fronting on Mequon Road are all one story in height. Since the grade slopes in a downward fashion from west to east, the height difference between the townhomes and the apartments will be less apparent from the public view along Buntrock Avenue (see plan showing sight lines).

Attachments:

CCArchitecture (PDF)

SITE PLAN 4



AERIAL PERSPECTIVE - WITH PHASE II 8



Planning Commission's Recommendation:

- The gable ends on the townhouses and the chimneys shall be clad in masonry with a cap treatment.
- The front façade shall include more articulation by projecting the gable ends closer to the street.
- The fencing adjacent to the townhouses shall be limited to 4.5 feet in height and be treated with landscaping on the public side.
- All of the residential building should achieve a higher percentage of masonry versus siding. There should be 50-60 percent brick or stone.

TOWNHOMES **8**



PAGE 13

Building D:

Footprint 14,650 sq. ft.

Floor Area 20,000 sq. ft.

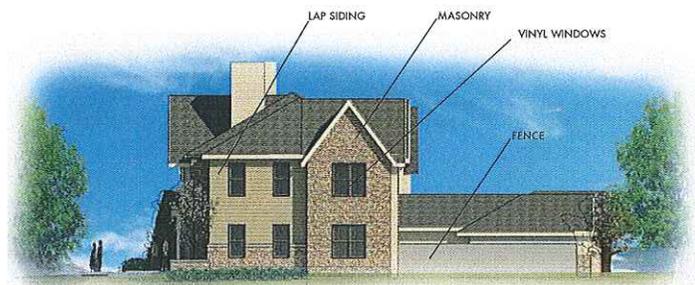
Height 2 stories

Unit /Type 10 – 3 bedrooms

Materials brick, fiber cement siding, vinyl windows,

Asphalt dimensional shingles

TOWNHOME ELEVATIONS 8

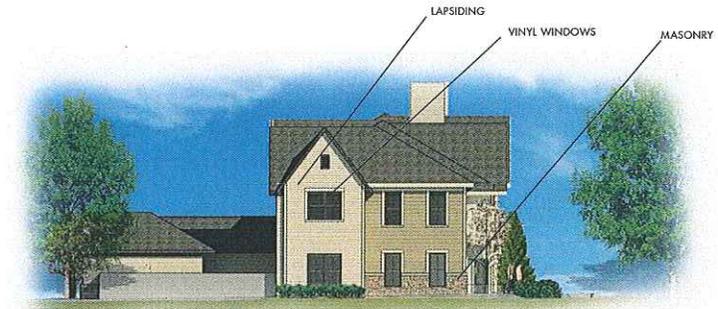


SOUTH ELEVATION



WEST ELEVATION

TOWNHOME ELEVATIONS 8

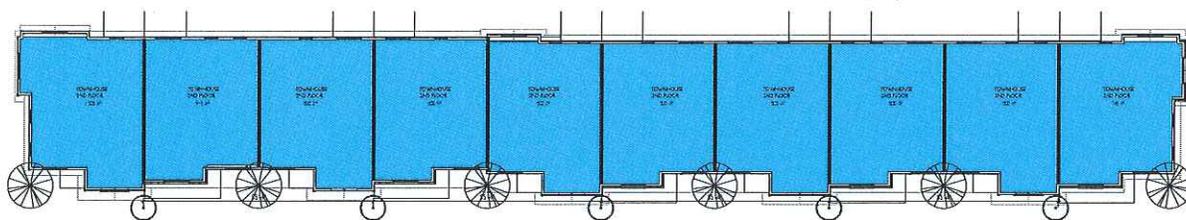


NORTH ELEVATION

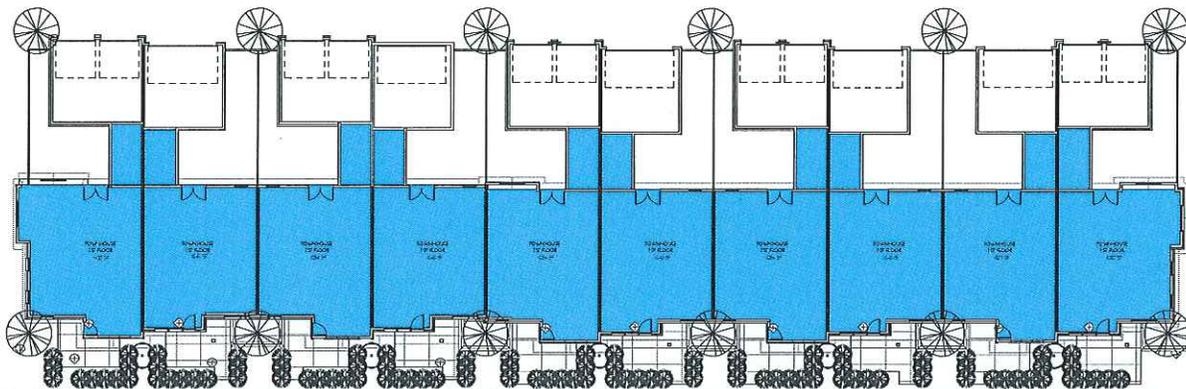


EAST ELEVATION

TOWNHOME FLOOR PLANS 9



Town Home - 2nd Flr



Town Home - First Flr

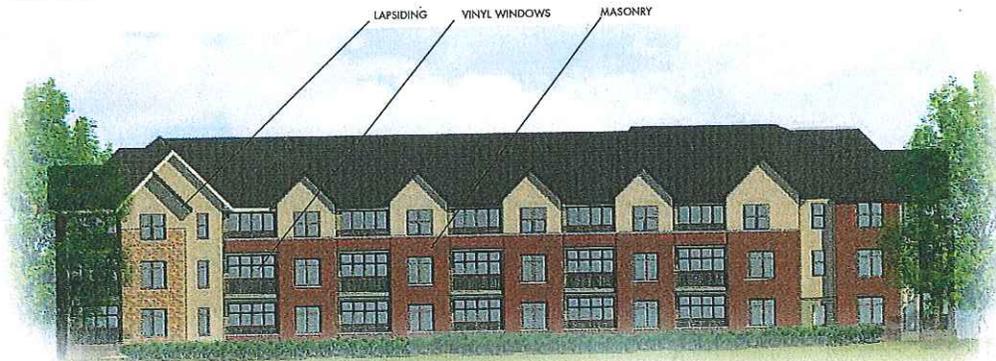
Planning Commission's Recommendation:

- The east elevation of Building A should reduce the amount of gables along the roof line.
- All of the residential building should achieve a higher percentage of masonry versus siding. There should be 50-60 percent brick or stone.
- Replace the red brick on Building A with an earth tone color.
- Building A should include more articulation along the east and west elevations of the building to lessen the scale and massing of the building. This shall include a district first floor treatment.
- The first floor entryways of the multi-family buildings should be more substantial and include additional architectural features that project into the front yards.

MULTIFAMILY ELEVATIONS - BUILDING A **8**



NORTH ELEVATION



EAST ELEVATION

Building A:

| | |
|-------------------|-----------------|
| <i>Footprint</i> | 17,700 sq. ft. |
| <i>Floor Area</i> | 61,030 sq. ft. |
| <i>Height</i> | 3 stories |
| <i>Unit /Type</i> | 48 Total |
| | 19 – 1 bedrooms |
| | 29 – 2 bedrooms |

Materials brick, lap siding, vinyl windows, asphalt dimensional shingles

MULTIFAMILY ELEVATIONS- BUILDING A 8



SOUTH ELEVATION



WEST ELEVATION

Planning Commission's Recommendation:

- The west elevation of Building B should reduce the amount of gables along the roof line.
- All of the residential building should achieve a higher percentage of masonry versus siding. There should be 50-60 percent brick or stone.
- Replace the red brick on Building B with an earth tone color.
- Building B should include more articulation along the east and west elevations of the building to lessen the scale and massing of the building. This shall include a district first floor treatment.
- The first floor entryways of the multi-family buildings should be more substantial and include additional architectural features that project into the front yards.
- All of the residential building should achieve a higher percentage of brick versus siding. Staff feels that at a minimum, there should be 50-60 percent brick or stone. A greater ratio of brick may make the building appear too heavy.

MULTIFAMILY ELEVATIONS - BUILDING B 8



NORTH ELEVATION



EAST ELEVATION

Building B:

Footprint 24,400 sq. ft.
Floor Area 94,461 sq. ft.
Height 3 stories

Unit /Type 60 Total
 10 – 1 bedrooms
 50 – 2 bedrooms

Materials brick, lap siding, vinyl windows, asphalt dimensional shingles

MULTIFAMILY ELEVATIONS- BUILDING B 8



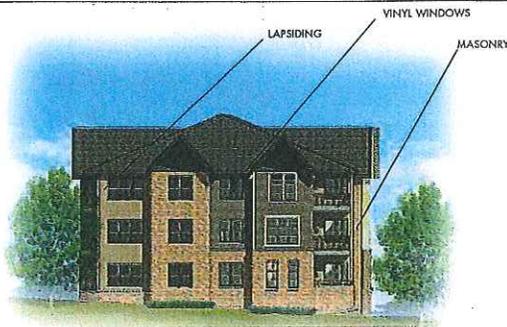
SOUTH ELEVATION



WEST ELEVATION

Planning Commission's Recommendation:

- The west elevation of C should reduce the amount of gables along the roof line.
- All of the residential building should achieve a higher percentage of brick versus siding. There should be 50-60 percent brick or stone.
- Buildings C should include more articulation along the east and west elevations of the building to lessen the scale and massing of the building. This shall include a district first floor treatment.
- The first floor entryways of the multi-family buildings should be more substantial and include additional architectural features that project into the front yards.

MULTIFAMILY ELEVATIONS - BUILDING C 8

SOUTH ELEVATION



WEST ELEVATION

Building C:

Footprint 19,816 sq. ft.

Floor Area 59,448 sq. ft.

Height 3 stories

Unit /Type 47 Total

20 – 1 bedrooms

27 – 2 bedrooms

Materials brick, lap siding, vinyl windows, asphalt dimensional shingles

MULTIFAMILY ELEVATIONS - BUILDING C 8

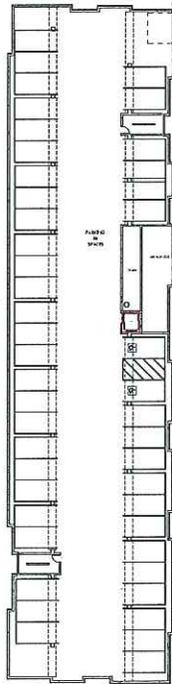


NORTH ELEVATION



EAST ELEVATION

MULTIFAMILY FLOOR PLANS - BUILDING C 9



MULTIFAMILY HOUSING 8



MULTIFAMILY HOUSING 8



RESIDENTIAL SITE SECTION 8



Planning Commission's Recommendation:

- Principle entrances on Mequon Road will remain operable
- The front façade shall contain between 60 and 90 percent windows.
- Buildings along Mequon Road shall provide pedestrian connections to the public sidewalk.
- The final design of the pavilions and covered dining areas along Mequon Road shall be more open to the public street without heavy landscaping that limits views to the interior. Architectural features and amenities shall be consistent with the Mequon River Station theme (see attached plan).
- All commercial buildings shall achieve compliance with the principal entrance and fenestration requirements of the Town Center Zoning District.
- All commercial buildings shall incorporate additional windows and other architectural features (awnings, etc.) on all facades with public view. All service type building elements shall be removed (glass block windows, service doors, etc.).

RETAIL - MEQUON ROAD **8**

PAGE 10

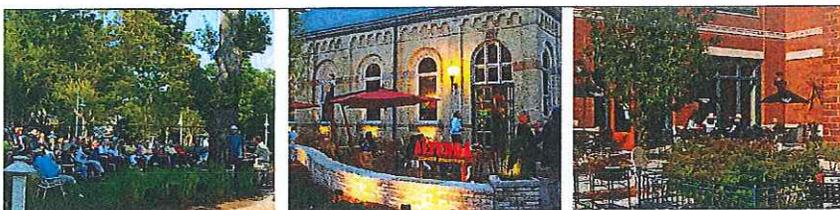
Restaurant (Former Ross-Wells Building):

| | |
|-------------------|---------------|
| <i>Footprint</i> | 6,000 sq. ft. |
| <i>Floor Area</i> | 5,430 sq. ft. |
| <i>Height</i> | 1 story |
| <i>Materials</i> | masonry |

- Principle entrances on Mequon Road will remain operable.
- Buildings along Mequon Road shall provide pedestrian connections to the public sidewalk.
- The final design of the building is not complete and is dependent on the final tenant(s). The concept rendering shows the introduction of large windows added to the façade of the building. This treatment is appropriate for the building and will require that the same level of fenestration is achieved on all four sides of the building and shall comply with all architectural standards in the code. This building shall include an awning(s) as part of the design.
- The final design of the pavilions and covered dining areas along Mequon Road shall be more open to the public street without heavy landscaping that limits views to the interior. Architectural features and amenities shall be consistent with the Mequon River Station theme (see attached plan).
- All commercial buildings shall achieve compliance with the principal entrance and fenestration requirements of the Town Center Zoning District.
- All commercial buildings shall incorporate additional windows and other architectural features (awnings, etc.) on all facades with public view. All service type building elements shall be removed (glass block windows, service doors, etc.).

RETAIL - LARGE PUBLIC WORKS BUILDING

8



PAGE 11

Retail (Large Public Works Building):

| | |
|-------------------|---------------|
| <i>Footprint</i> | 9,000 sq. ft. |
| <i>Floor Area</i> | 8,467 sq. ft. |
| <i>Height</i> | 1 story + |
| <i>Materials</i> | brick |

- Principle entrances on Mequon Road will remain operable.
- Buildings along Mequon Road shall provide pedestrian connections to the public sidewalk.
- The final design of the building is not complete and is dependent on the final tenant(s). The concept rendering shows the introduction of large windows added to the east façade of the building. The south and east elevations of the building will have the highest public exposure and will require the highest amount of fenestration and architectural detail and shall comply with all architectural standards in the code. This building shall include an awning(s) as part of the design.
- The final design of the pavilions and covered dining areas along Mequon Road shall be more open to the public street without heavy landscaping that limits views to the interior. Architectural features and amenities shall be consistent with the Mequon River Station theme (see attached plan).
- All commercial buildings shall achieve compliance with the principal entrance and fenestration requirements of the Town Center Zoning District.
- All commercial buildings shall incorporate additional windows and other architectural features (awnings, etc.) on all facades with public view. All service type building elements shall be removed (glass block windows, service doors, etc.).

RETAIL - SMALL PUBLIC WORKS BUILDING 8



PAGE 12

Retail (Small Public Works Building):

| | |
|-------------------|---------------|
| <i>Footprint</i> | 4,600 sq. ft. |
| <i>Floor Area</i> | 4,264 sq. ft. |
| <i>Height</i> | 1 story |
| <i>Materials</i> | brick |

MILWAUKEE RIVER RESTATION

Contemporary interpretation of the Milwaukee River and how it has shaped the cultural and natural historic character of the community.

Built form and sculptural elements that represent river flora and fauna.

a. Define opportunities to integrate water into streetscape design elements and at corridor nodes or "eddies"

b. Gateway and "node" water elements,.... Artistic interpretation of river, water forms, fountain, water wall, views to river.

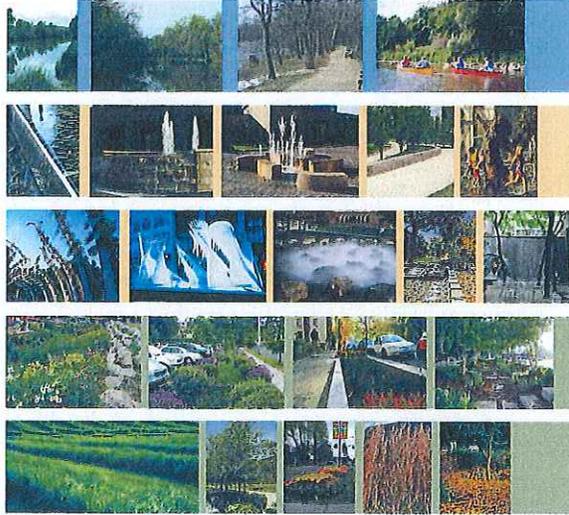
Landscaping: Flowing Perennial flower beds in medians, boulevards and public R.O.W.

a. Stormwater management in Public R.O.W.
b. Rich diversity of mass plantings that add year round color, texture and visual interest.

c. Plantings draw pedestrians through the corridor to seating nodes, gathering areas and public places.

d. Double boulevard trees,.... Increase tree canopy, stormwater management and urban forest

e. Sustainable maintenance and irrigation
Reference for Design - Milwaukee River Center Design Guidelines 2.11 General Site Design Guidelines Page 4-17



MILWAUKEE RIVER RESTATION

Construction Materials:

a. Stone - Limestone, dolomite, river rocks and pebbles

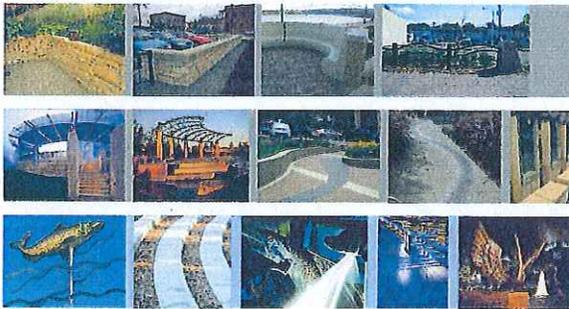
b. Metal - steel and aluminum for arbor structures, farmers market canopies, railing and seating

c. Wood - Seating, decking

d. Concrete - paving, edges, seating

e. Water - color, texture, sound and access

f. Utilize glass in combination with stone and metal for accessory elements
Reference for Design - Milwaukee River Center Design Guidelines 2.11 Building Materials Priority and Seating materials, Page 4-9



Interpretive/ Informational: Role of the river in the community and region.

a. Public art, paving art, structural wayfinding signage
b. History of river...native an ericans, first settlers, dam, milling, river commerce, river flows, fish migrations, etc..

Iconography/ Identity:



Names:

Mequon River Station, River Station, Mequon Crossings, Mequon Confluence, Mequon Landings, Mequon River Landing, The Landings, Mequon Common(s), River Place, Mequon River City



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

www.ci.mequon.wi.us

Office of the City Clerk

COMMITTEE OF THE WHOLE
March 1, 2016 – Christine Nuernberg Hall
MINUTES

PRESENT: Mayor Abendroth, Aldermen Strzelczyk, Pukaite, Mayr, Leszczynski, Gierl, Hawkins, Nerbun, Adams, City Attorney Sajdak, City Administrator Jones, Deputy City Clerk Fochs, Acting City Engineer/Public Works Director Keegan, Community Development Director Tollefson, Assistant Community Development Director Zader, press and interested public.

ABSENT: None

ALSO PRESENT: Cindy Shaffer of Shaffer Development LLC, Mark Endberg of Engberg Anderson Architects, Tim Wimmer of The Sigma Group, Attorney Deborah Tomczyk of Reinhart Boerner Van Deuren s.c.

1) Mayor Abendroth called the meeting to order at 6:05 PM.

2) Town Center Development: Heritage Commons Workshop:

Director Tollefson gave a brief summary of the Town Center project efforts since its 2000 inception. The main intent of the City is to utilize the assets and amenities to create a mixed use, compact, pedestrian-oriented neighborhood. There are two public goals 1) achieve a development proposal in compliance with Town Center zoning and 2) generate money for the city as soon as possible. Shaffer Development was chosen by the Common Council to purchase the 13.4 acre property. Director Tollefson would like Council to understand the conditions of the site that are influencing the project team's decisions to date, and for the Council to share perspectives on design. The structures and key features in and around Heritage Commons and the Town Center were reviewed. Those include wetlands, specimen trees, utilities, easement, existing buildings to remain, ingress and egress points, and pedestrian crossing over the railroad tracks.

Mr. Wimmer of the Sigma Group summarized the steps taken to identify the environmental conditions of the subject properties. Refrigerant oil on gravel areas, gas tanks, above ground fuel tanks, and waste oil storage area were found. They collected soil and water samples to determine damage. In general, there were uniform contaminant levels and sample results from all three wells were negative. The next step would be to file reports to the DNR to see if a full investigation is warranted.

Attorney Tomczyk outlined how the deal will be financially structured, i.e. equity funding, grants. She cautioned that lenders will look at any environmental concerns.

Ms. Shaffer of Shaffer Development LLC, presented the proposal outlining the iconic gateway entrance, green spaces, parking, adaption of existing buildings, potential office and retail, potential hotel, multi-family apartments, townhouses, and connectivity to existing civic campus. The constraints of the site are challenging. They have met with existing

homeowners and current rental tenants to gauge their wants and needs. She presented two options, one with a hotel, and one without a hotel. Research to gauge the feasibility of a hotel is ongoing. The timeline depends on the results of the environmental, civic and civil studies. The developer will work with the City to resolve the flooding issues on both sides of the railroad tracks. Discussion ensued on the smoke stack, interactivity with surrounding areas, architectural style of buildings, public market, parking, artist colony, traffic, pedestrian crossing over/under railroad tracks, market demand for hotel rooms and apartments, financial street scaping or gateway sign(s), construction schedule of the new combined DPW building, need for meeting space, and investor type (local vs. national).

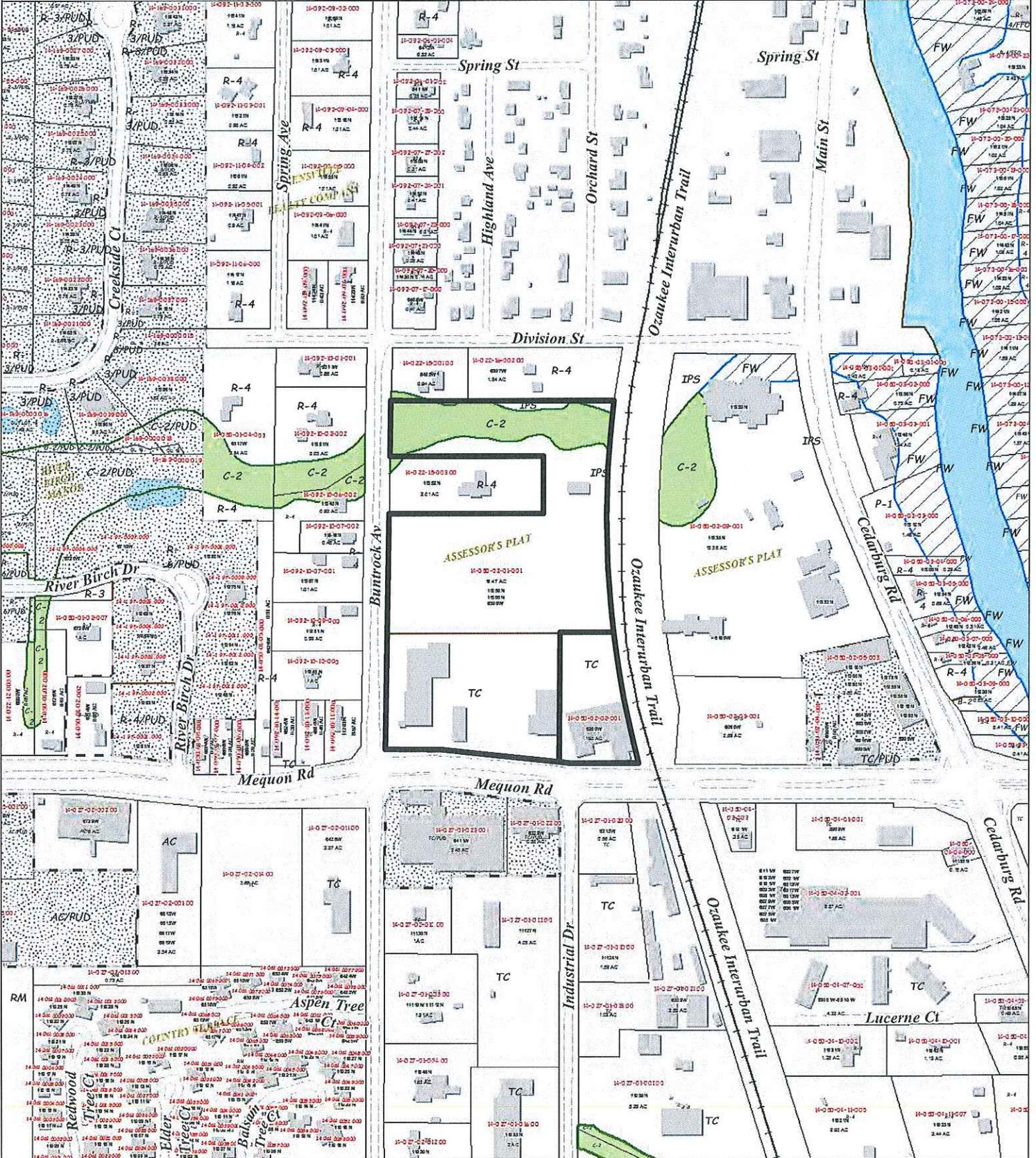
Next steps are to have a neighborhood meeting and development approval submittals for PUD master planning in the coming months. Another meeting for the Committee of the Whole to discuss the Logemann Center will occur in the next couple months.

- 3) **Adjourn:** Moved by Alderman Adams, seconded by Alderman Pukaite to adjourn at 8:45 PM. The motion passed by voice acclamation.

Respectfully Submitted,
CITY OF MEQUON COMMITTEE OF THE WHOLE
Kathy Andrykowski, Administrative Assistant
Approved 06-14-16

Shaffer Development

- | | | | |
|-----|--------------------------------|------|--|
| 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 | | |



TO: Common Council
FROM: Kim Tollefson, Director of Community Development
DATE: August 10, 2016
SUBJECT: Policy Discussion Related to Text Amendments for the Town Center Zoning District

Background:

City staff is proposing to initiate a policy discussion related to the building composition, entrances and window coverings within the Town Center neighborhood. The goal of maintaining natural surveillance through transparent windows and doors relates to the experience that occurs between activities occurring within the building and the pedestrian within the public realm and general consumers as a whole. Regulations pertaining to the amount of windows, coverings of windows, signage, entrances and architectural features are commonplace for municipalities throughout the country. Numerous studies validate the importance of the physical and perceptual qualities of the built environment in contributing to an active street life. Both architecture and transparency adds significantly to the walkability of a neighborhood. This policy discussion will range from architectural standards to the design of window displays.

In a 2003 Urban Land Institute report entitled: *Ten Principles for Rebuilding Neighborhood Retail*, it is stated that:

“Transparency is critical. Buyers want to see inside the store – they want it to look safe, they want to see that it offers the goods and services they are interested in and they want to feel comfortable when they walk in the door. The best design solutions provide visibility into the store and not just into a window display.”

In Wisconsin alone, several municipalities set standards for the amount of windows and doors at the ground floor and coverage ratios for windows and signage. Coverage limits range from 20% - 75%. Communities regulate all elements such as transparency, tint, acceptable obstructions and placement of obstructions, and generally prohibit blocking two-way visibility for ground level windows along streets. Cities also regulate standards for entrances and storefront transparency as do most major shopping malls for the tenant’s storefront windows facing the interior of the mall.

In addition, the regulation of window coverings and displays has represented a long-standing policy for the City of Mequon throughout all of its commercial areas. Therefore, this policy discussion is not only applicable to the Town Center, but the City’s commercial areas as a whole. Staff would caution however that the greatest impact, as a result of successful or failed execution, will be apparent within Town Center. A formal text amendment will be required for the Town Center and Arrival Corridor districts and an amendment may be appropriate for all commercial zoning districts.

Amendment Considerations:

Before formalizing any of the technical standards for further regulating the issues surrounding entrances and windows, coverings, and signage, staff would like to gain the Council's perspective and direction. As a result of the Council's direction, staff will return to the Planning Commission in September with a formal text amendment(s).

The Mequon Town Center (MTC) development constructed by WIRED/Shaffer is a great example and case study to consider. The development allows staff and decision-makers to view several types of treatments that businesses are choosing to express their brand, product or service. As the Council may recall, a few businesses within the development have sought exemptions to current standards and specific conditions for principal entrances and clear, unobstructed windows. Since that time, staff has received feedback expressing the need for some form of window screening. At this time, staff has not pursued any further enforcement actions despite numerous violations of the City's current technical standards. The MTC development and its business owners are seeking flexibility. Staff is looking to accommodate these requests for while maintaining the spirit and intent of the public policy goals established at the onset of planning for this revitalized neighborhood that is in total approximately 100 acres and extends far beyond this one site.

To gain community perspective, staff has conducted a number of meetings with business owners located at MTC. In addition, staff called upon a number of community stakeholders including business owners at other Town Center sites, business owners on Port Washington Road, developers and architects. Staff walked the site with individuals to showcase the varying needs and treatments. There appears to be general consensus for solutions that deliver thoughtful, high-quality design solutions and those that produce unattractive, almost 'nuisance-in-nature' conditions. The following categorizes treatment options based on preferred, acceptable and unacceptable solutions, as determined through the outreach process.

Preferred:

- Awnings
- Architecture that incorporates passive solar design
- Formalized design standards for window displays
- Principal entrances that are operable and functional

Acceptable:

- Perforated or banded decals
- Signage
- Roller shades
- Architectural details and features in lieu of windows (for certain functions/uses)
- Shelving for product display

Unacceptable:

- Film
- Curtains
- Inconsistent treatment applied to same building
- 100 % opacity
- Grilles or metal rollers
- Excessive shelving

Staff will present example imagery of these categorized treatments at the August 10 meeting. It is strongly encouraged that the Council walk around and within the MTC site to explore the various window treatments firsthand.

Other regulations that staff will consider include the following:

- Requiring a percentage of transparency and the placement of obstructions above and below eye levels.
- Product displays that will have set design standards including required change of display at least seasonally, internal illumination, depth and placement of display.
- Prohibitions against reflective, dark-tinted or frosted glass.
- A prohibition against the 100% blockage of two-way visibility, except under certain conditions and subject to timing restrictions and alternative design standards.
- Alternative treatments for parking garages subject to alternative design standards.
- Alternative treatments for office and service uses located on the first floor subject to alternative design standards.
- Controls related to window signage.
- Required treatments when a vacancy occurs.

Staff Comments:

At this time, Planning Division staff is looking to gain direction from the Common Council to begin formalization of the technical standards. Staff introduced this policy discussion with the Planning Commission on July 25, 2016. In general the Commission supported the categories of design treatments as listed above, but acknowledged the need under certain circumstances for 100% opacity within temporary timeframes. The Commission supported parameters within the City Code for regulation in an effort to streamline the process and allow for flexibility. As staff plans for amendments in September, staff will continue dialogue with the business owners and other stakeholders, while also allowing for an opportunity to review any proposed regulations.



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: August 10, 2016
**SUBJECT: An Ordinance Amending the City of Mequon Land Use Plan Map from
Neighborhood Commercial to Residential 1 - 1.5 Acres To Allow for a Single-
Family Home Located at 4200 County Line Road**

Background

The applicant is seeking a Land Use Plan Map amendment for the property located at 4200 County Line Road. The applicant is seeking to rezone the site to allow for a single-family home.

Analysis

The amendment to the Land Use Plan Map is necessary and consistent with the pending action for rezoning the zoning of the site from B-1 (Neighborhood Commercial) with a PUD (Planned Unit Development) under Ordinance 2016-1474 as approved by Council on July 12, 2016.

Recommendation

The Planning Commission recommended approval on June 13, 2016, by a vote of 8-0.

Attachments:

Zoning Map (PDF)

Applicant Project Narrative (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2016-1475

An Ordinance Amending the City of Mequon Land Use Plan Map from Neighborhood Commercial to Residential 1 - 1.5 Acres To Allow for a Single-Family Home Located at 4200 County Line Road

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

SECTION I:

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

SECTION II:

The Planning Commission of the City of Mequon, by majority vote of the Commission on June 13, 2016, has recommended approval of a Land Use Plan Map amendment to designate the property illustrated in Exhibit A as "Residential 1 - 1.5 Acres".

SECTION III:

The City of Mequon Common Council has held a public hearing on this proposed Land Use Plan amendment at their August 10, 2016, meeting in accordance with section 66.1001(4)(d) of the Wisconsin Statutes.

SECTION IV:

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

SECTION 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: August 10, 2016

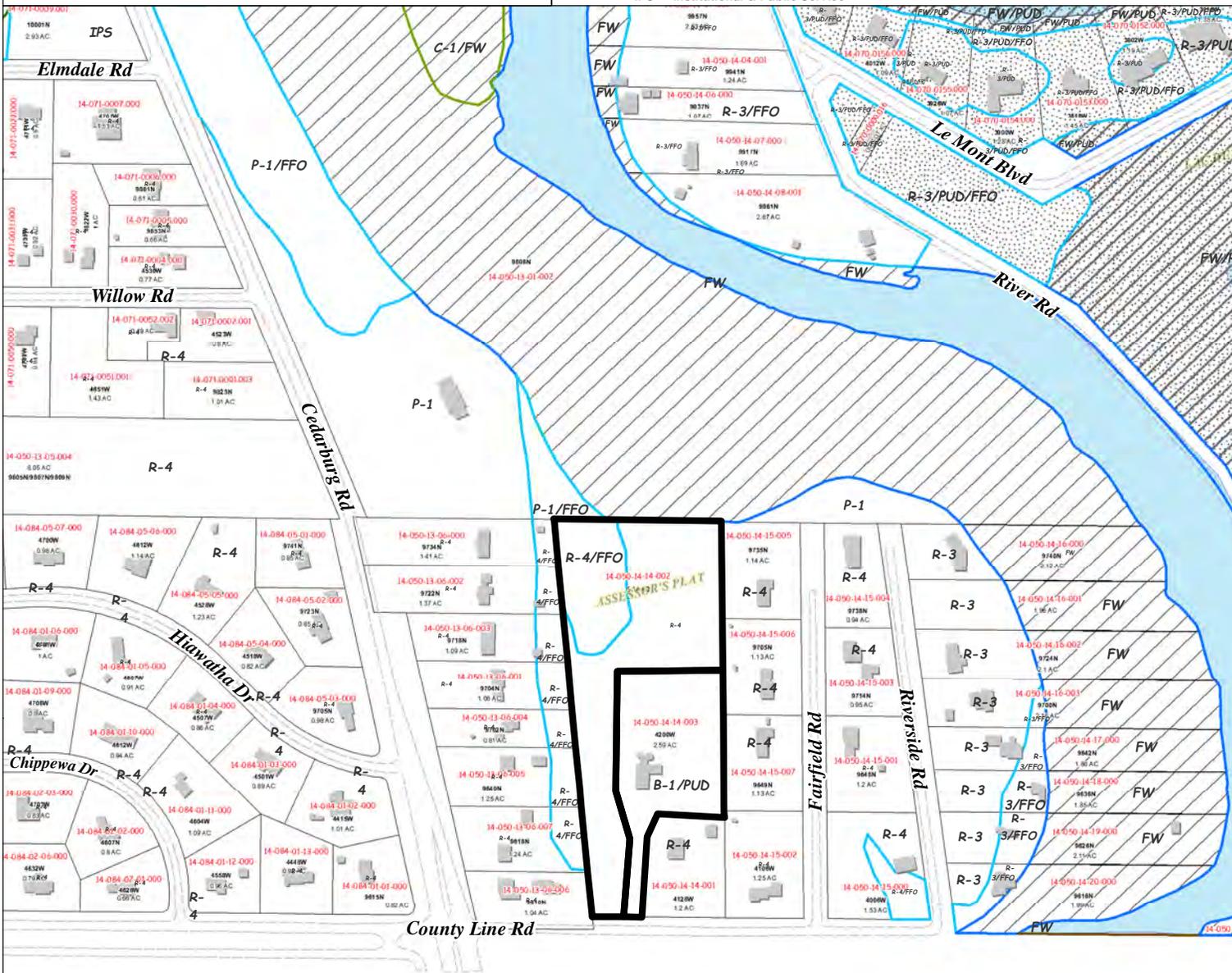
I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on August 10, 2016.

Caroline Fochs, City Clerk

Published: _____

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 |
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| B-4 | Business Park | R-2 | Single-Family Residential (2.0 Ac. Min.) |
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| 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 2016-1475 : County Line Holdings Land Use Plan Map Amendment)

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.

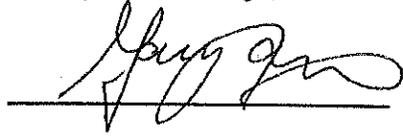
There are currently no plans to increase the footprint or number of floors of the existing building.

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



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www.ci.mequon.wi.us

Office of Community Development

TO: Common Council
FROM: Kim Tollefson, Director of Community Development
DATE: August 10, 2016
SUBJECT: An Ordinance Approving a Rezoning to Town Center with a Planned Unit Development and the Land Use Plan Map for the Properties Located at 6200 & 6300 W. Mequon Road and 11300-11350 N. Buntrock Avenue

Background

Shaffer Development has requested a rezoning and concept plan approval for a mixed-use development for a City-owned property located at 6200 and 6300 W. Mequon Road and 11300-11350 N. Buntrock Avenue. The Common Council selected Schaffer Development as the preferred developer to redevelop the site in 2015. On February 9, 2016 the Council entered into a contract to purchase which is subject to the development achieving land use approval prior to closing on the purchase of the property. The following highlights the plan:

- 19,600 square feet of retail space
- 165 residential apartments
- 186 below grade parking stalls
- 378 surface parking stalls
- Overall density of 12 units/acre without a proposed Phase II building, and 15 units/acre if the Phase II is constructed as residential
- A project value between \$29 - 34M

The contract with the City requires a minimum value of \$26.6M. For a complete, detailed analysis of the proposal, please find attached the Planning Commission staff report dated July 25, 2016.

Neighborhood Meeting

The City and developer cohosted a neighborhood meeting on June 15, 2016. A number of residents from the neighborhood were in attendance (please see attached summary). Amongst the feedback received, the most common suggestions included: installing traffic signals on Industrial Drive and Mequon Road, preserving the tree line along Buntrock Avenue and promoting neighborhood connectivity. The neighbors felt the traffic signals would help mitigate the volume of traffic on Buntrock Avenue.

Analysis

Site Conditions

The site contains a number of specimen trees along Buntrock Avenue. The applicant intends to

save all of the specimen trees in this area. There are also wetlands on the property. An isolated wetland exists in the center of the site and a large wetland and stream exists on the far north end of the site. The DNR has approved the filling of the small wetland in the center of the site. The large wetland on the north end of the parcel will not be impacted by the development.

The proposed land uses will generate more traffic than the current uses, and thus a Traffic Impact Analysis (TIA) is required for the site. The developer will be responsible for commissioning the TIA, with City of Mequon Engineering Department review and approval of the TIA scope. The site specific TIA shall indicate whether the proposed traffic generation and access configuration will be in accordance with the original Mequon Town Center TIA and recommend improvements if warranted. The scope will include, but not be limited to the following:

- Traffic signals at Industrial
- Timing of traffic signals
- Improvements to the Buntrock Avenue entrance

Concept Plan

The proposed concept plan shows a total of four residential buildings, three commercial buildings and a future building with a use yet to be determined. Access to the site is shown along Mequon Road at the intersection of Industrial Drive and through the use of an existing driveway north of the Public Safety Building on Buntrock Avenue. There is a storm water pond shown on the far north portion of the site adjacent to the railroad tracks.

As expected, the plan shows the residential buildings located on the north end of the site. The southern end of the site shows the proposed commercial uses of the development and the adaptive reuse of the existing buildings on site. All proposed uses are permitted in the TC (Town Center) zoning district.

In general, the proposed concept plan meets the purpose of the Town Center zoning district and Design Guidelines. Staff will continue to work with the applicant where the plan needs further refinement and in accordance with Planning Commission comments and Council direction prior to returning for Building/Site Plan and Conditional Use Grant approvals. Specific PUD amendments include the following:

Town Center (TC) District Standards and Design Guidelines:

| Technical Regulations: | TC: | Proposed Use: |
|--------------------------------------|----------------------------|---|
| Minimum Size For Dwellings: | 1,000 square feet | 30% of units less than 1,000 sq. ft. |
| Maximum Building Height: | 3.5 stories/ 42/52 feet | 3 story Bld. A, B, C / 50 feet 2 stories Bld. D / 35 feet 1 story Retail and Restaurant 3 story TBD Building / 50 feet |
| Maximum Building Front Yard Setback: | 10 feet | 5 feet (Restaurant) 40 feet (Retail) 25 feet (Townhomes) |

| | | |
|--|-----|---|
| Required Street Frontage Occupied by Building: | 70% | 20% (Mequon Road) 75% (Buntrock Avenue) |
|--|-----|---|

Building Designs

The site plan shows seven distinct buildings located on the site. The residential buildings are all shown to be clad with brick and fiber cement siding with an asphalt shingled roof. Since the developer will maintain the existing commercial buildings and because final tenants have not been determined, the final designs of the commercial buildings have not been completed. The renderings show the introduction of large windows into the design of the existing brick structures. A detailed description of each building is provided in the Planning Commission report and under the Committee of the Whole discussion item.

Overall, staff is supportive of the proposed conceptual building elevations however further refinement is necessary per Planning Commission approval of the following recommendations:

- The internal road shall be treated with streetscaping consistent with public road streetscaping elements including the use of the TC light fixture, the incorporation of on-street parking and the inclusion of street trees.
- Cross walks shall be provided at regular intervals along the interior road and at the entrances into the development.
- Buildings along Mequon Road shall provide pedestrian connections to the public sidewalk.
- The principle entrance on Mequon Road will remain operable.
- The front façade shall contain between 60 and 90 percent windows.
- The final design of the pavilions and covered dining areas along Mequon Road shall be more open to the public street without heavy landscaping that limits views to the interior. Architectural features and amenities shall be consistent with the Mequon River Station theme (see attached plan).
- The transition from the site to the railroad right-of-way needs to be addressed with landscaping, architectural features, etc. along the entire property line to create a consistent theme along the public area of the Interurban Trail.
- On-site stalls in front of the proposed Public Market shall be eliminated.

Engineering

The development will share access roadway and maintenance responsibilities, therefore an Ingress/Egress Easement and Shared Maintenance Agreement will be required. The developer will be responsible for maintenance, including snow and ice removal, for any new sidewalk constructed within the public right of way (ROW).

The site is located within the City's sewer service area and connection to the public utility for sewer and water is required. Public easements and public main extensions will be required. A Water Service Agreement will also be required for each individual development.

The site proposes an increase in impervious surface in excess of one half acre and therefore requires a storm water management plan (SWMP). The SWMP must be approved by the City

and MMSD. The site proposes land disturbance in excess of one acre, therefore a City erosion control permit is required. Evidence of the WDNR required WRAPP permit shall also be provided for the site.

Recommendation

The Planning Commission recommended approval of the rezoning and land use plan amendment by a vote of 8-0 at its meeting on July 25, 2016.

Attachments:

PC Material (PDF)

Planning Commission Report July 25, 2016 (DOC)

NeighborhoodOpenHouseReport (DOCX)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2016-1476

An Ordinance Approving a Rezoning to Town Center with a Planned Unit Development and the Land Use Plan Map for the Properties Located at 6200 & 6300 W. Mequon Road and 11300-11350 N. Buntrock Avenue

SECTION I:

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

SECTION II:

The Planning Commission of the City of Mequon, by majority vote of the Commission on July 25, 2016, has recommended approval of a Land Use Plan Map amendment to designate the property illustrated in Exhibit A as "Town Center".

SECTION III:

The City of Mequon Common Council has held a public hearing on this proposed Land Use Plan amendment at their September 13, 2016, meeting in accordance with section 66.1001(4)(d) of the Wisconsin Statutes.

SECTION IV:

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

SECTION V:

Following recommendation of the Planning Commission on the 25th day of July, 2016, and after due notice and hearing by the Common Council of the City of Mequon on the 13th day of September, 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 TC (Town Center) with a PUD (Planned Unit Development) subject to the following conditions being met and that the rezoning goes into effect at the time a building permit for the approved mixed use development is issued:

1. Common Council approval of the rezoning and concept plan.
2. Planning Commission approval of conditional use grant and building and site plan for each of the individual buildings.

3. The final site plan shall incorporate concepts from the Mequon River Station streetscape theme and specifically address the following:
 - The internal road shall be consistent with the public streetscaping elements including the use of the TC light fixture, the incorporation of on street parking and the inclusion of street trees.
 - Public, pedestrian connections between the buildings and the public sidewalks shall be designed, approved by staff and installed by the developer.
 - Cross walks shall be provided at regular intervals along the interior road and at the entrances into the development.
 - The final design of the plaza areas along Mequon Road shall be more open to the public street without heavy landscaping that limits views to the interior. Architectural features and amenities shall be consistent with and adhere to the Mequon River Station theme.
 - The transition from the site to the railroad right of way shall be addressed with landscaping, architectural features, etc. along the entire property line.
4. Total number of residential units shall not exceed 165 for Phase 1 and no more than 195 at full buildout.
5. Final building design shall incorporate the following:
 - The gable ends on the townhouses shall include masonry and the chimneys shall be clad in masonry with a cap treatment.
 - The front façade of the townhomes shall include greater articulation by projecting the gable ends closer to the street.
 - The fencing adjacent to the townhomes shall be limited to 4.5 feet in height and be treated with landscaping.
 - The east elevation of Building A and the west elevation of Building B and C have too many gables along the roof line and therefore the facades shall be modified to vary the elevation detail and rhythm of architectural features.
 - Replace the red brick on Building A and B with an earth tone color.
 - At a minimum, 50-60 percent of each residential building shall be brick or stone.
 - Buildings A, B, and C shall include more articulation along the east and west elevations of the buildings to lessen the scale and massing of the buildings. This shall include a distinct first floor treatment.
 - The first floor entryways of the multi-family buildings should be more substantial and include additional architectural features that project into the front yards.
 - Principle entrances on Mequon Road are required and shall remain unlocked and operable and secondary entrances along the interior road shall also remain unlocked and operable.
 - The front façade of the commercial buildings shall contain between 60 and 90 percent windows.
 - The proposed commercial buildings shall achieve compliance with the fenestration requirements of the Town Center Zoning District.
 - The existing commercial buildings shall incorporate additional windows and other

architectural features (awnings, etc.) on all facades with public view. All service type building elements shall be removed (glass block windows, service doors, etc.) and be treated with architectural features consistent on all four sides.

- The two existing city facility buildings shall incorporate awnings as part of the renovated building design.
6. The proposed Phase II building shall begin construction within 2 years of completion of Phase I or the applicant shall return to the Planning Commission and Council for a PUD amendment.
 7. The portions of the site not initially developed shall be seeded and mulched.
 8. All portions of the Mequon Road street frontage not occupied by a building wall shall contain very significant and active amenities along the public sidewalk that will bridge the gap between the structures, create a defined edge between the street and semi-public area and help screen the interior parking.
 9. No more than 30 percent of the residential units shall be less than 1,000 square feet provided that no unit will be less than 800 square feet.
 10. The development must connect to the City of Mequon public sanitary sewer system.
 11. Sewer connection fees and necessary plan development for sewer is subject to the review and approval of the Engineering Department.
 12. The development must connect to the City of Mequon Water Utility for water service.
 13. Water connection fees and necessary plan development for water is subject to the review and approval of the Engineering Department.
 14. Grading, drainage, erosion control, storm water management and other engineering plans are subject to Engineering Department review and approval.
 15. Street lighting is required and shall be the approved TC fixture and is subject to the approval of the Planning Commission.
 16. Any substantial change to the general concept plan illustrated as full build-out in the attached exhibit shall require appropriate amendments to this approval.
 17. An access agreement is required to allow ingress/egress through the City owned property.
 18. The Common Council shall approve the Development Agreement.
 19. The applicant shall obtain the necessary approval and permits for the installation of the sanitary sewer and water main from the various regulatory agencies. This will require public main extensions and easements.
 20. The private roadway will require an Ingress/Egress Easement and Shared Maintenance Agreement between all benefiting parties.
 21. Engineering Department review and approval of the individual grading, drainage, erosion control, water distribution and sanitary sewer plans along with the shared storm water management plan in conformance to City ordinances and the Standard Specifications for Land Development.
 22. Approval of a shared 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.
 23. Application for and approval of a City erosion control permit, subject to applicable fees and conditioned upon WDNR issuance of a WRAPP permit.
 24. Execution of a Water Service Agreement between the applicant and the Water Utility, subject to applicable fees. The mainline water main shall meet Water Utility standards

- for ISO recommended fire flows.
25. City of Mequon right-of-way permit for any utility or construction within the right-of-way.
 26. Any existing legal documents for the site shall be amended or vacated as appropriate to reflect changes in property ownership and maintenance requirements.
 27. The developer is responsible for commissioning a TIA, with City of Mequon Engineering Department review and approval of the TIA scope.
 28. 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).

SECTION VI:

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

SECTION VII:

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 VIII:

This ordinance shall be in full force and effect upon its passage and on satisfaction of the conditions specified in Section V.

SECTION IX:

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

Approved by: Dan Abendroth, Mayor

Date Approved: August 10, 2016

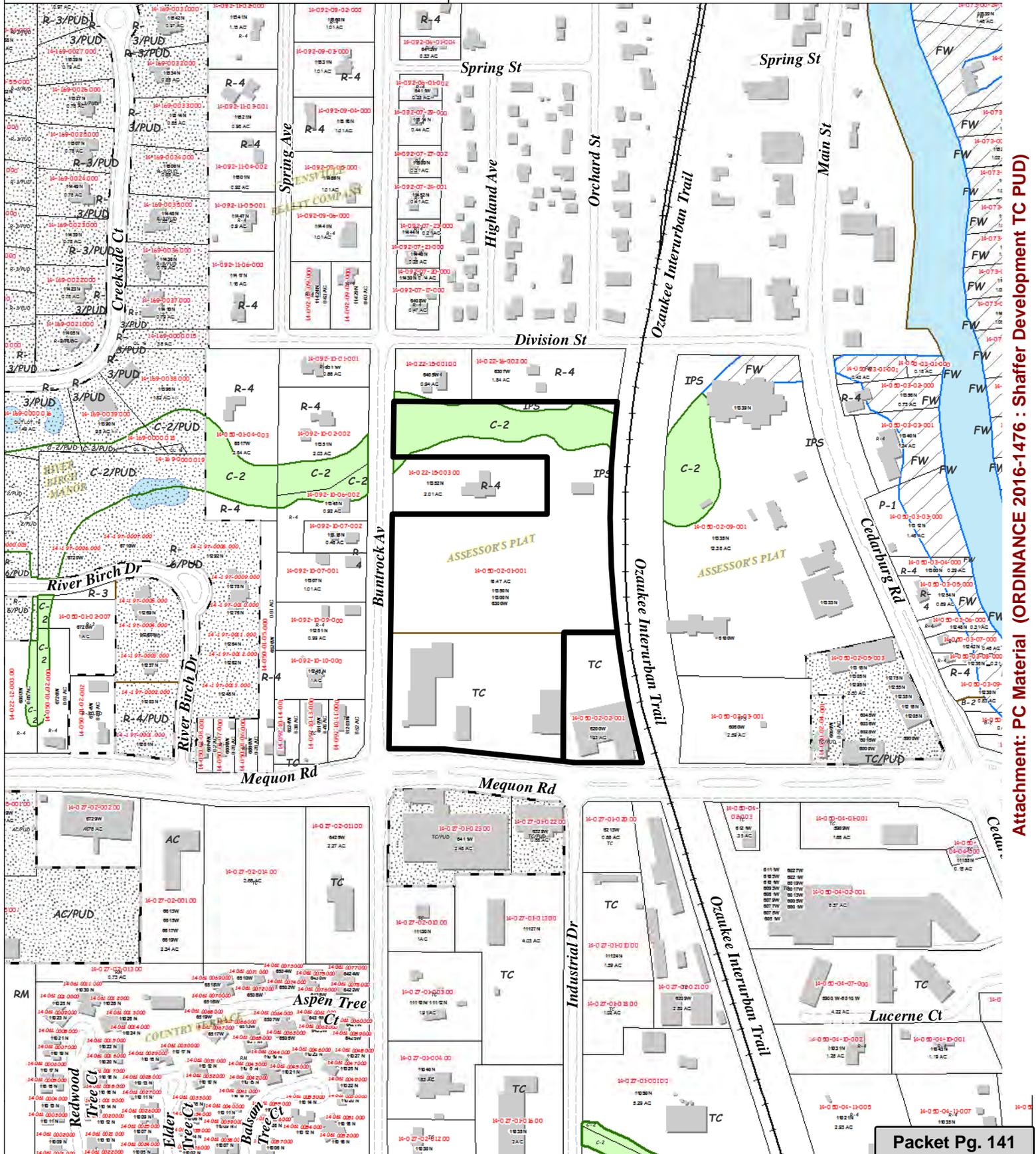
I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on August 10, 2016.

Caroline Fochs, City Clerk

Published: _____

Shaffer Development

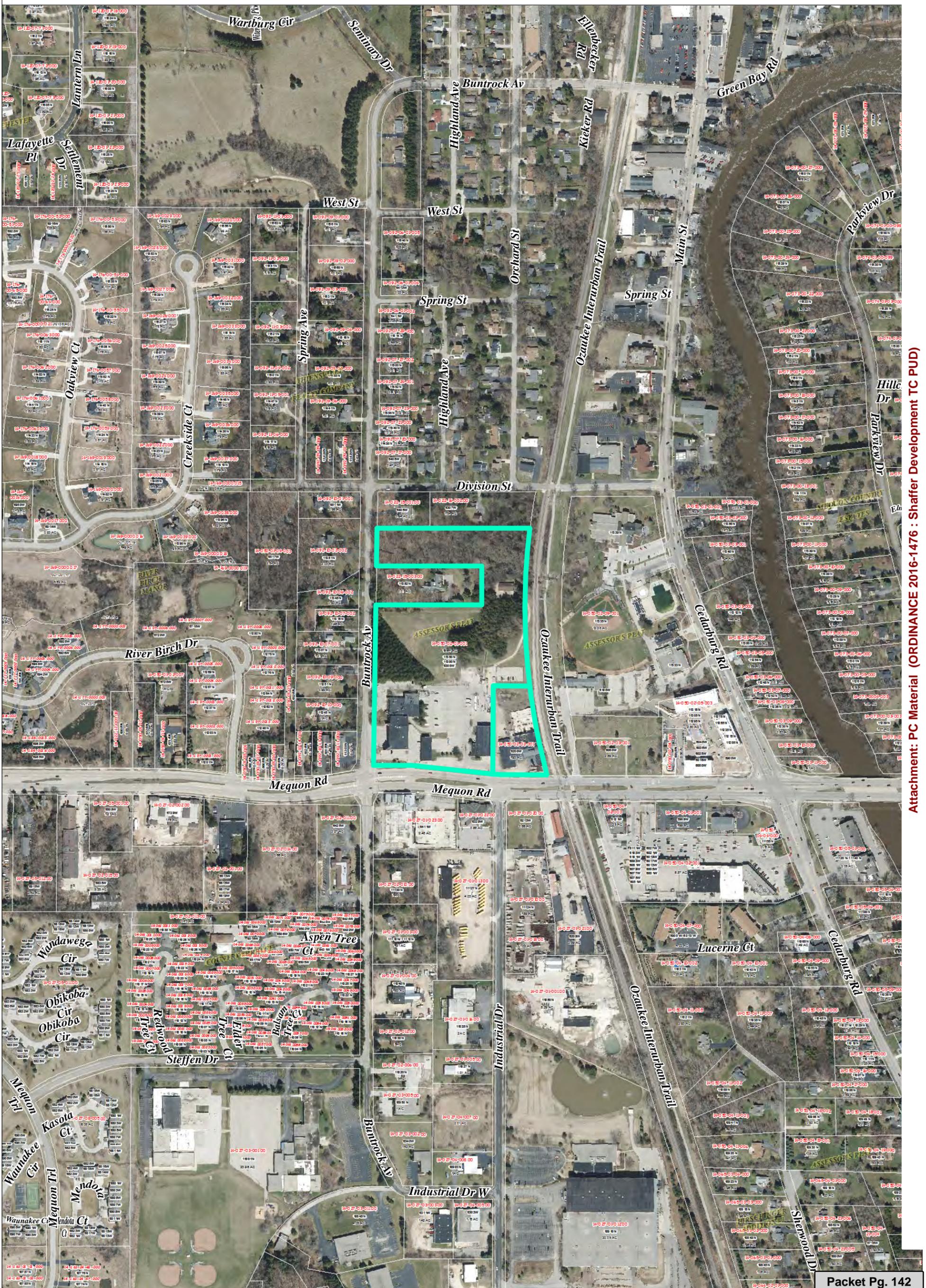
| | | | |
|-----|--------------------------------|------|--|
| AC | Arrival Corridor | LTD | Limited Use |
| A-1 | Agricultural Preserve | OA | Agricultural Overlay |
| A-2 | General Agricultural | PUD | Planned Unit Development Overlay |
| B-1 | Neighborhood Business | P-1 | Park & Recreation |
| B-2 | 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: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)



Shaffer Development



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)



PUD & CONCEPT REVIEW - Mequon Town Center II

MEQUON DEVELOPMENT PLAN
MEQUON, WISCONSIN | JUNE 20, 2016



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

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CONTACT INFORMATION

Cindy Shaffer
Shaffer Development LLC

PH | (414) 405-0860
EMAIL | shafferdevelopment@gmail.com

10046 N Sheridan Drive
Mequon, WI 53092

Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

PROJECT NARRATIVE

1

LOCATION:

13.9 acres located at 6200 and 6300 W. Mequon Road, 11300, 11350 and 11352.

Our proposed redevelopment of this site meets the purpose and intent of the Town Center District:

“to establish, preserve and enhance the unique character of Mequon’s Civic Campus, to create a gateway to the Mequon-Thiensville Town Center, to establish and promote a pedestrian character, to protect the natural environment and improve visual and physical access to the Milwaukee River, to mitigate the impacts of vehicular traffic, to establish and maintain small, neighborhood scale mixed uses, including a broad range of housing type at densities that support the Town Center business and to encourage high quality design standards throughout the Town Center.”

DEVELOPER:

The Developer of this project is Shaffer Development LLC which is owned and operated by Cindy Shaffer a 21 year resident of Mequon. Cindy has over 15 years of development experience working for several top development companies in Wisconsin, including Mandel Group and Fiduciary Real Estate Development. Shaffer has managed, developed and financed over 50 million dollars in real estate projects and is the current owner and co developer of the Mequon Town Center and Lumberyard 1505, a 77 unit mixed use development currently under construction in the Village of Grafton. Shaffer has assembled a team of experts to execute this project.

DEVELOPMENT TEAM:

Project Development: Shaffer Development, LLC
 Project Design: Engberg Anderson Architects, INC
 Project Financial Analyst: Wipfli LLP
 Project Legal Council: Reinhart Boerner Van Deuren SC

PROJECT DESCRIPTION:

Mequon Town Center II (MTC II) will be comprised of approximately 20,000 square feet of retail space in three buildings along Mequon Road. The site plan shows an additional TBD (to be determined) building of approximately 18,000SF, the original proposal showed a boutique hotel at this location. Current market demand does not support a hotel at this time. Economic Development Board asked that we provide an option for residential units at this location as an alternative. Based on market demand this TBD building will be phase II of the total development with anticipated completion in 2019- 2020.

Potential tenants include restaurant, market, office and retail. Contingent on construction estimates existing buildings will be repurposed, if cost is prohibitive, now construction will be of similar, size location and style to match existing buildings.

The residential component of the development will consist of four separate residential buildings comprised of town homes and three story apartment homes. All will have underground parking or attached garages. Total unit count is anticipated at approximately 165 units. The majority of units will be one and two bedrooms with rents ranging from approximately \$1,200 to \$4,000 per month. A variation of the zoning code is requested to allow for 30% of units to be below the existing minimum of 1,000 square feet to allow for flexibility of design and unit mix.

AMENITIES:

All apartment homes will have luxury finishes to include, stainless steel appliances, solid surface counter tops, in unit washer and dryer, some with fireplaces, private balconies or court yards.

Unique features of the development will include an extensive nature/walking path around the property, pet and bike friendly units with ample storage and pet washing station in the basement. Gathering places which will include fire pit, fountain/splash pad. Bike racks with air and water station for the community and visitors arriving via Ozaukee Interurban Trail.

The community will also include a club house with workout facilities, yoga studio, kitchen and gathering space. The option of having the community space open to the public for scheduled events and classes will be explored based on demand.

We intend to build off of and enhance the adjacency to the civic campus and are examining the ability to build a walkway across the railroad tracks.

COMPLETION/PHASING:

Summer 2018: Completion of all residential and retail buildings
 Summer 2019: Completion of additional Retail/Residential building based on market demand.

VALUE:

The estimated value of the project is \$29,000,000 with estimated taxes upon stabilization of \$400,000.

The site plan shows an additional TBD (to be determined) building of approximately 25,000SF (7,800/Floor), the original proposal showed a boutique hotel at this location. Current market demand does not support a hotel at this time. Economic Development Board asked that we provide an option for residential units at this location as an alternative. Based on market demand this TBD building will be phase II of the total development with anticipated completion in 2019- 2020. This would increase the value to approximately \$34,000,000.

NEIGHBORHOOD CONSIDERATIONS:

The development team has spent a considerable amount of time and effort to ensure compatibility with neighboring properties. This includes multiple meetings and input from the Fire and Police chiefs as well as two neighborhood meetings. An open house was held at the existing Mequon Town Center as well as a meeting to allow neighbors to give input to the existing site plan and architectural design elements. Over 30 neighbors attended these meetings with the development team and city staff giving critical input into the site plan and design.

MARKET DEMAND:

In addition to neighborhood meetings focus groups and market research studies have been conducted. The research concludes a high demand for quality rental units in our community. According to the U.S Census Mequon currently has only 12.6% renter occupied housing units, one of the lowest percentage in Ozaukee County compared to Thiensville 31%, Cedarburg 23%, Grafton 27% and Port Washington 32%. Baker Tilly and Tracy Cross studies indicate an anticipated absorption rate of 11 units per month. This would allow for a stabilized occupancy of 95% with in 15 months of completion.

PARKING:

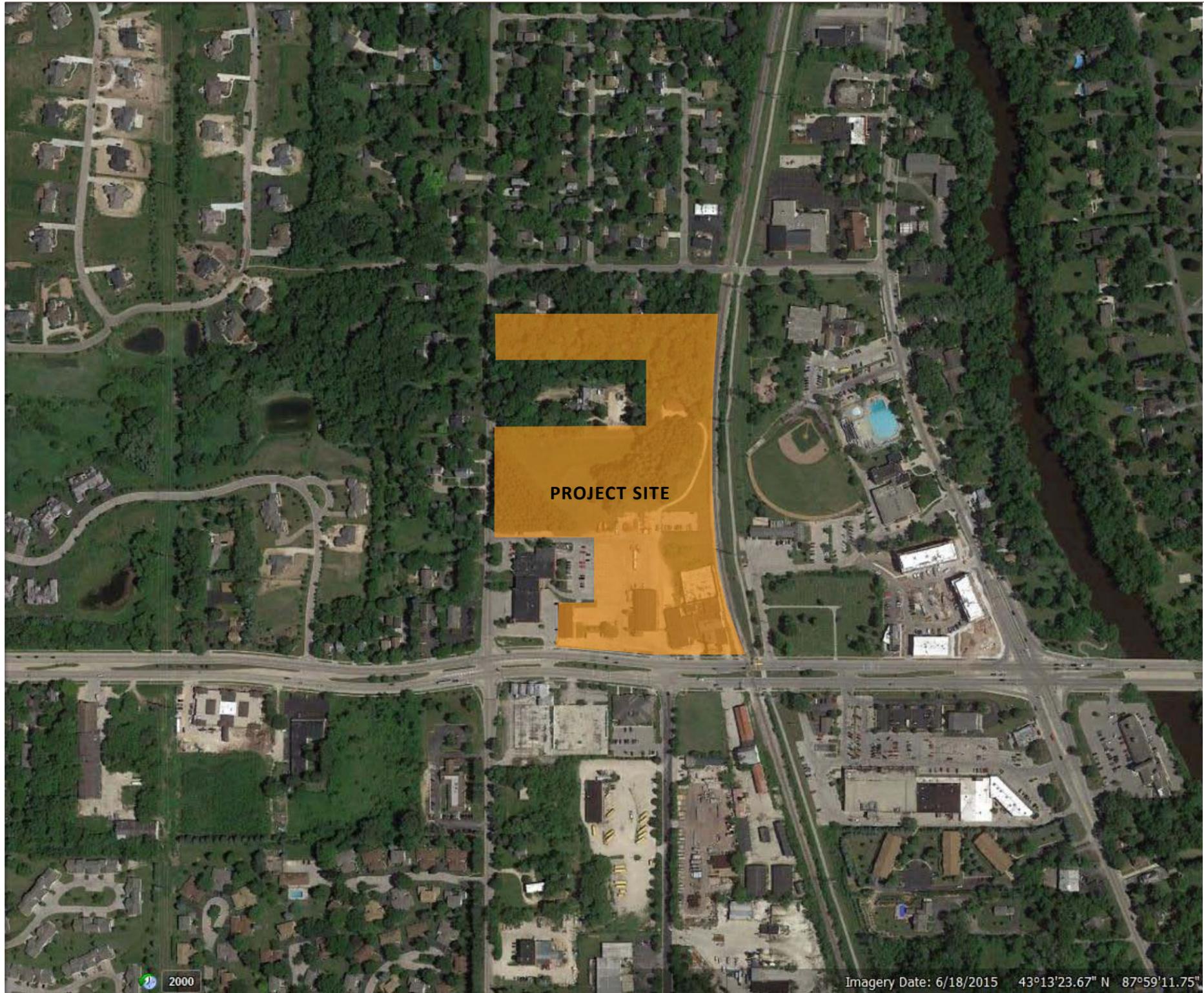
The development team has spent considerable time reviewing parking requirements for this site and has meet and exceeded required parking ratios. Retail parking ratios for phase one of retail is 12 spaces for 1,000SF of retail space. This is almost double of the exiting parking requirements in the zoning code and does not take into account any shared parking calculations.

CIVIL/SITE:

The site plan proposes a retention pond on the north east section of the site for all residential and retail buildings. The site is located within the City’s sewer service area and will connect to public water and sanitary sewer service. A small wetland will be remediated as part of the plan and an application has been submitted and approved by WDNR.

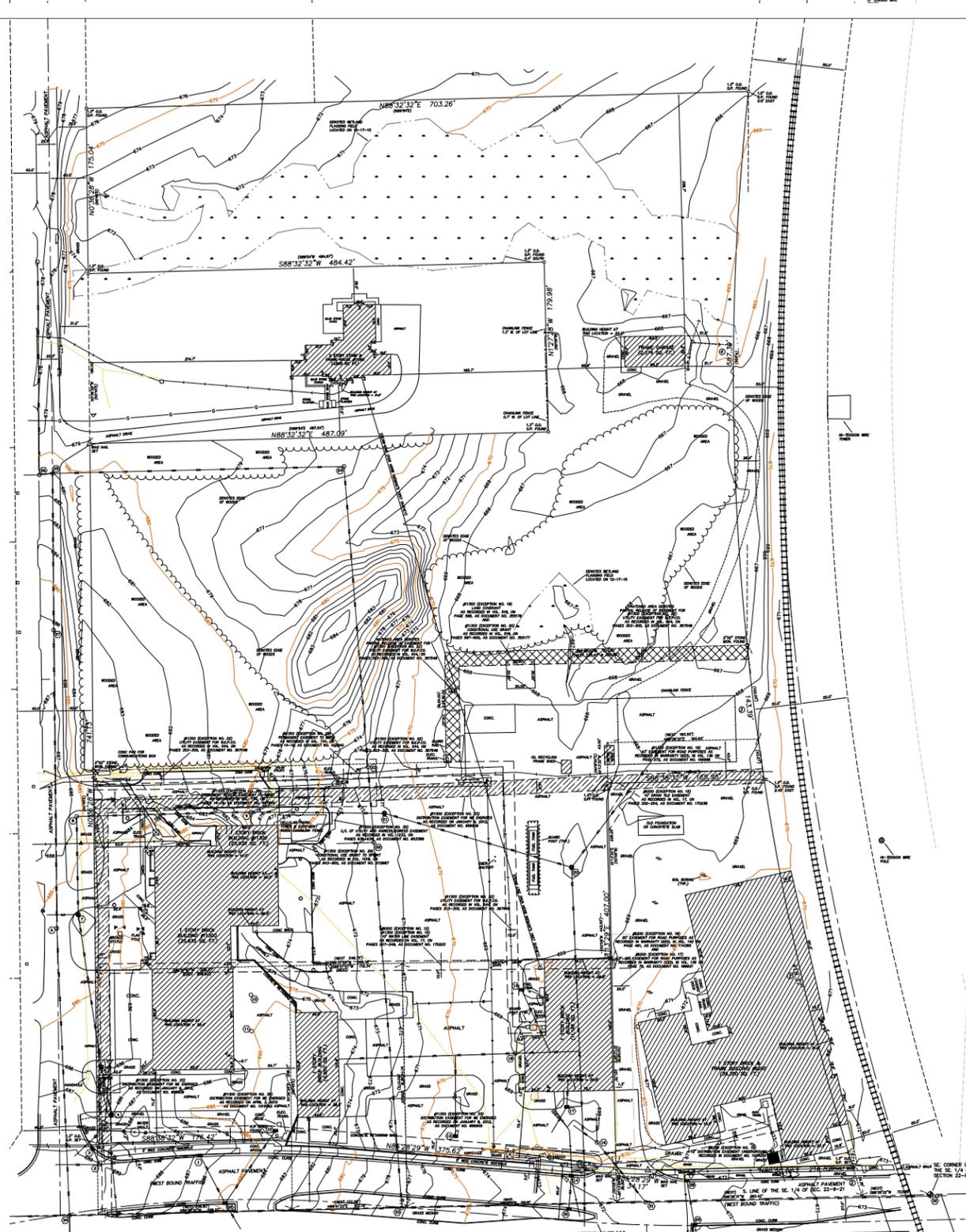
SITE OVERVIEW

2



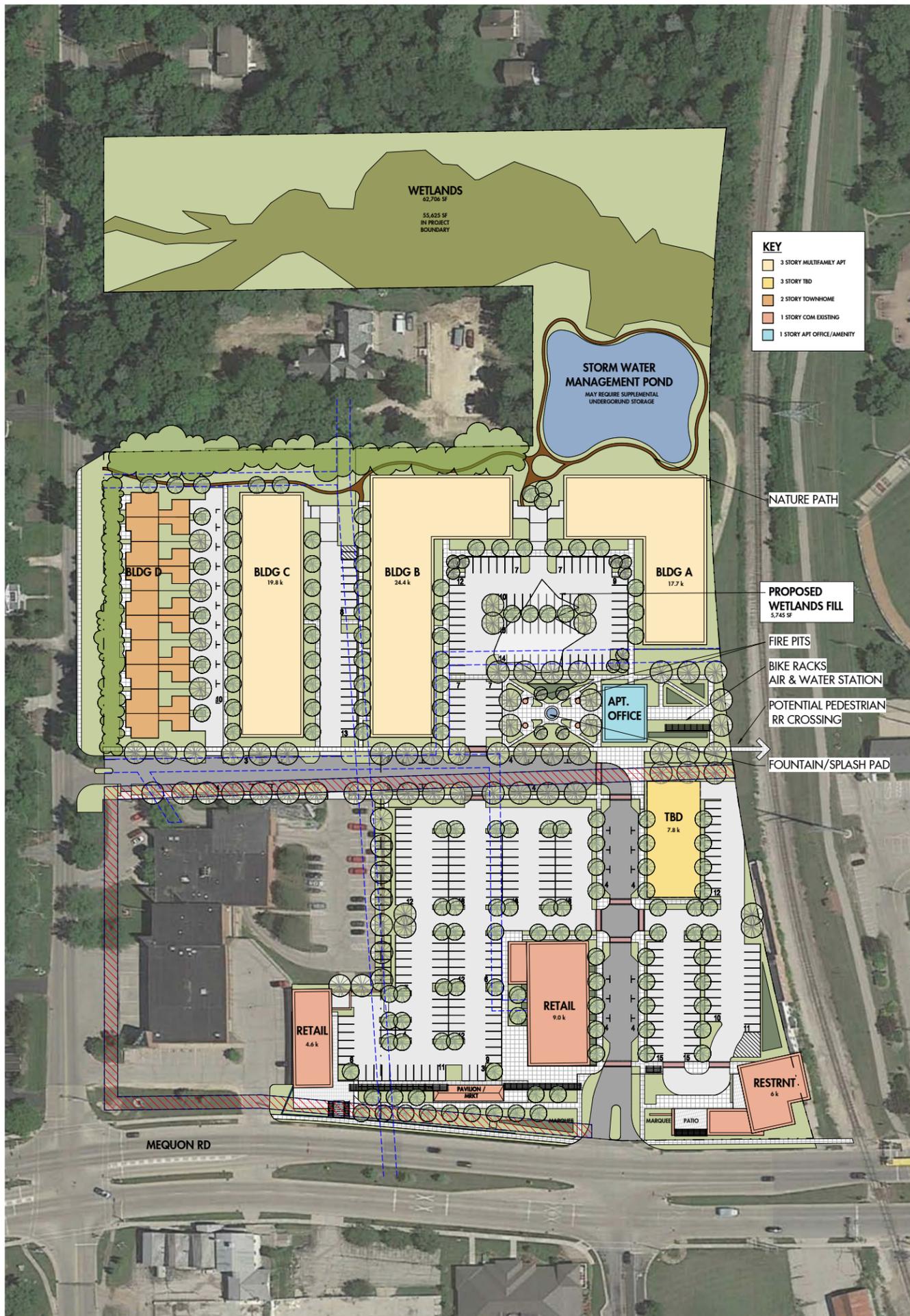
SURVEY

3



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

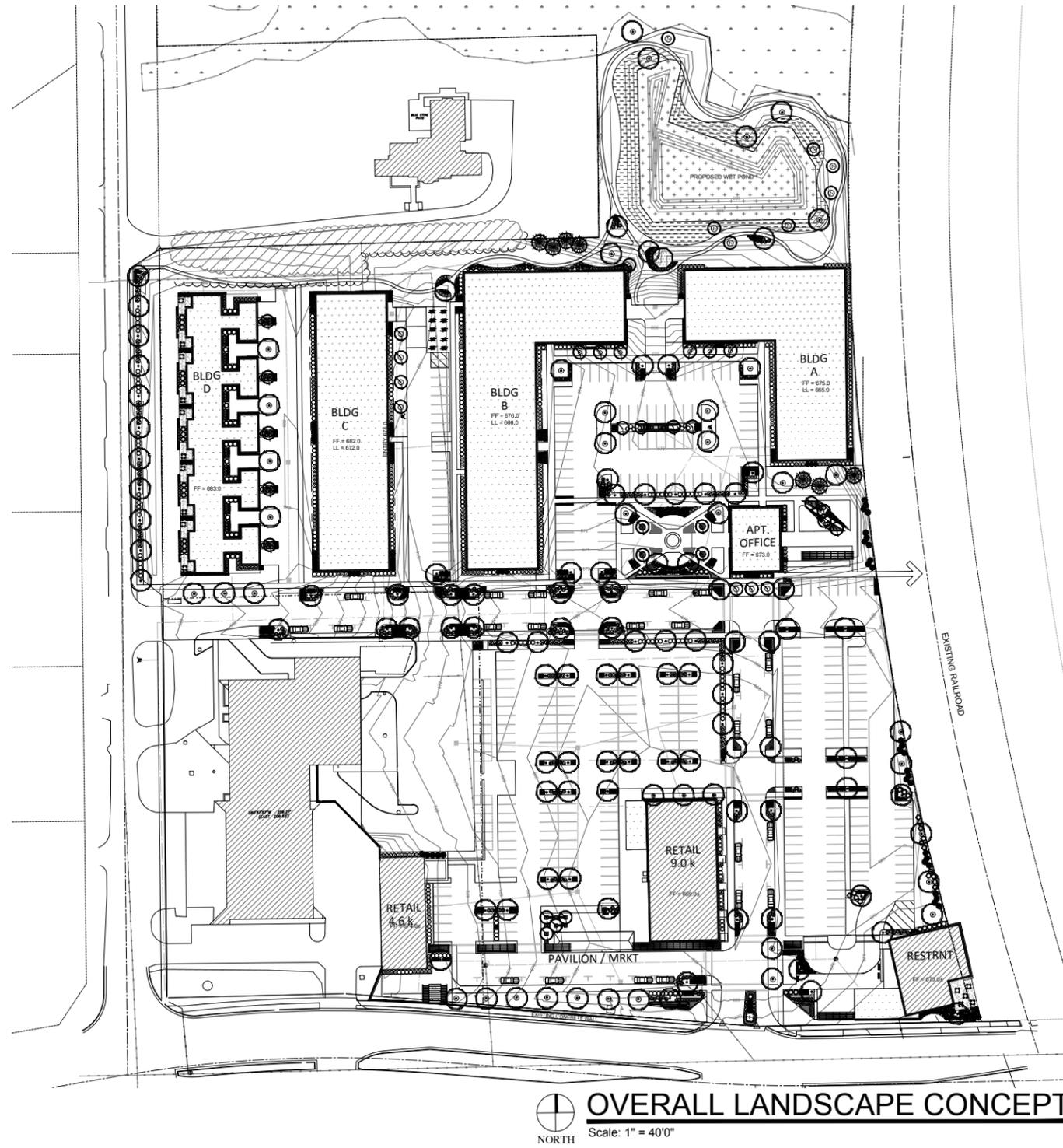
SITE PLAN 4



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

CONCEPT LANDSCAPE PLAN

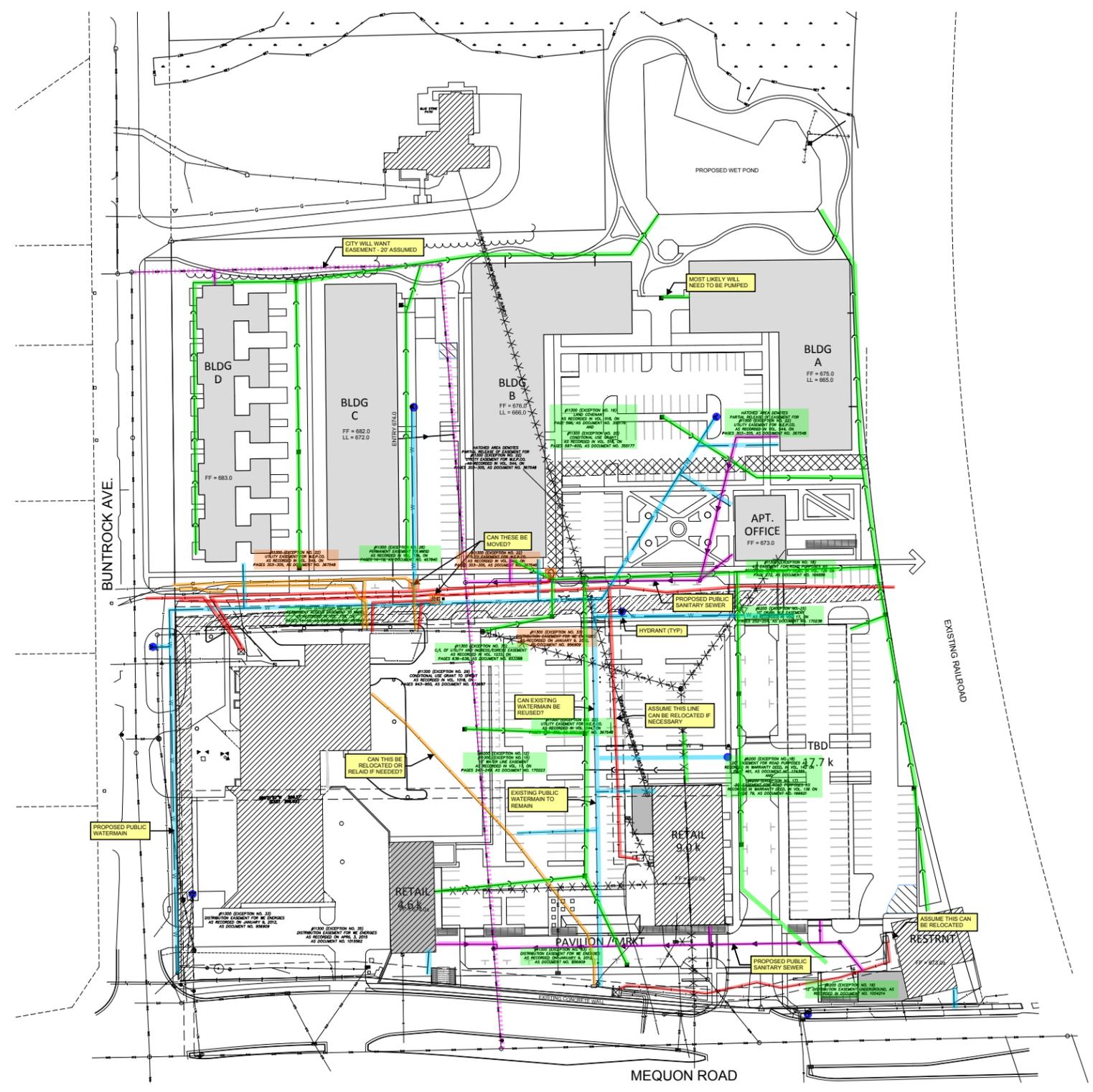
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Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

EXISTING & CONCEPT UTILIITES

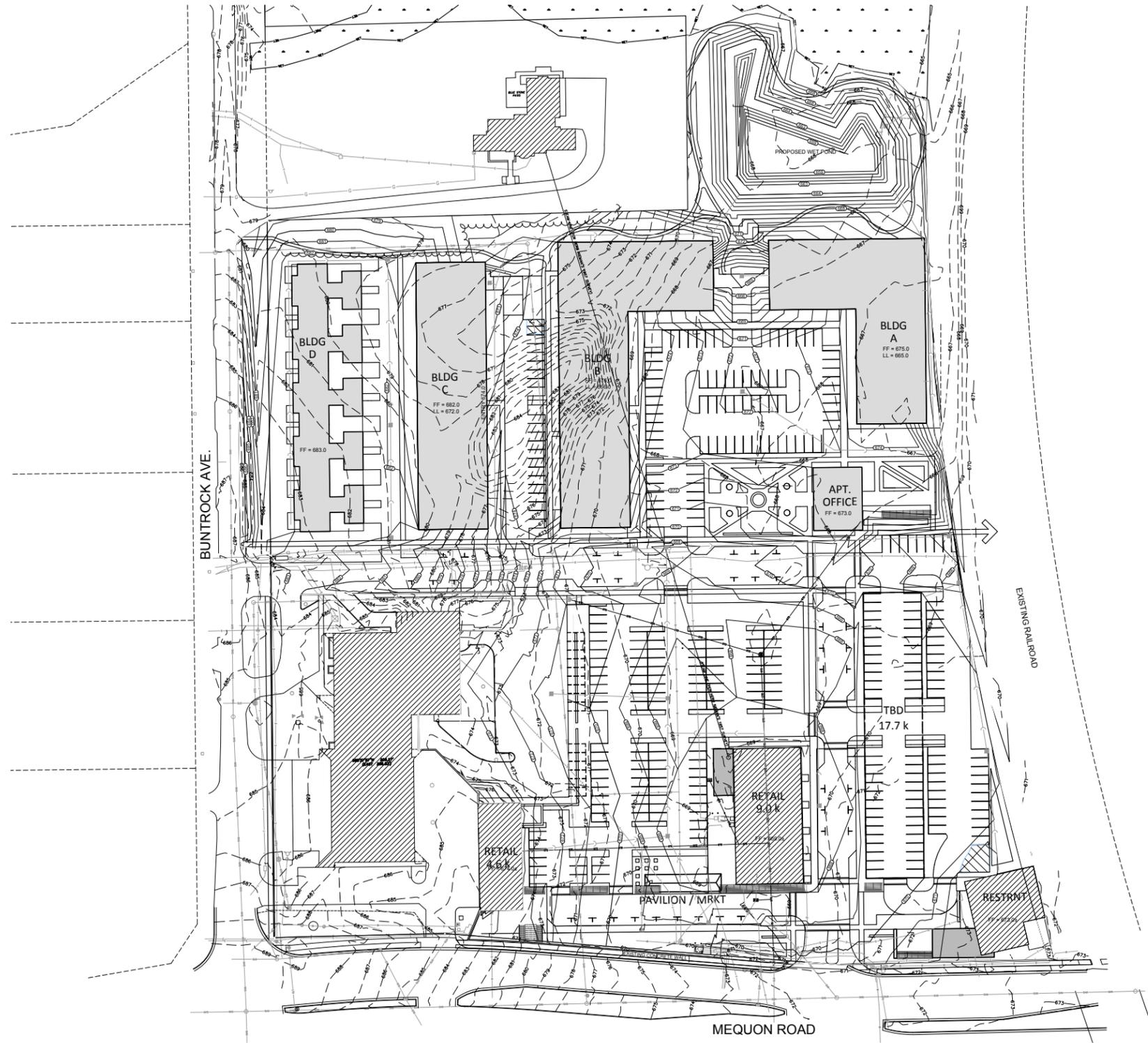
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Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

CONCEPT GRADING PLAN

7



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

AERIAL PERSPECTIVE - WITH PHASE II

8



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

AERIAL PERSPECTIVE - WITHOUT PHASE II

8



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

RETAIL - MEQUON ROAD

8



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

RETAIL - LARGE PUBLIC WORKS BUILDING

8



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

RETAIL - SMALL PUBLIC WORKS BUILDING

8



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

TOWNHOMES

8



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

MULTIFAMILY HOUSING

8



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

MULTIFAMILY HOUSING

8



RESIDENTIAL SITE SECTION

8



Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

TOWNHOME ELEVATIONS

8



SOUTH ELEVATION



WEST ELEVATION

Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

TOWNHOME ELEVATIONS

8



NORTH ELEVATION



EAST ELEVATION

Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

MULTIFAMILY ELEVATIONS - BUILDING A

8



NORTH ELEVATION



EAST ELEVATION

Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

MULTIFAMILY ELEVATIONS- BUILDING A

8



SOUTH ELEVATION



WEST ELEVATION

MULTIFAMILY ELEVATIONS - BUILDING B

8



NORTH ELEVATION



EAST ELEVATION

MULTIFAMILY ELEVATIONS- BUILDING B

8



SOUTH ELEVATION



WEST ELEVATION

Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

MULTIFAMILY ELEVATIONS - BUILDING C

8



SOUTH ELEVATION



WEST ELEVATION

Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

MULTIFAMILY ELEVATIONS - BUILDING C

8



NORTH ELEVATION

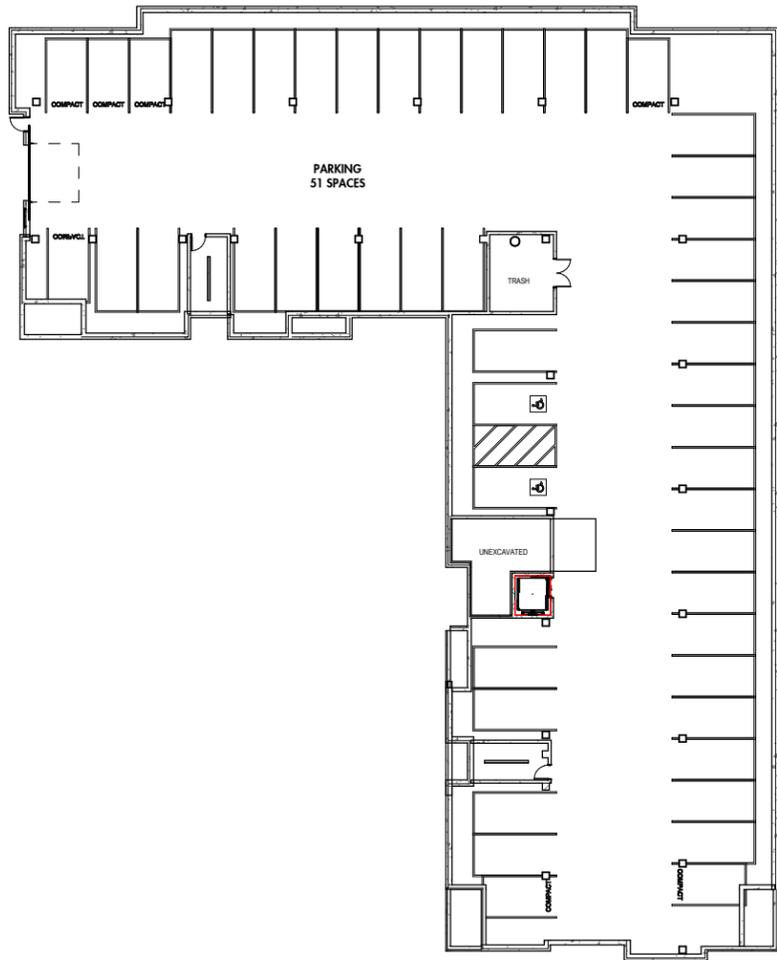


EAST ELEVATION

Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

MULTIFAMILY TYPICAL FLOOR PLANS - BUILDING A

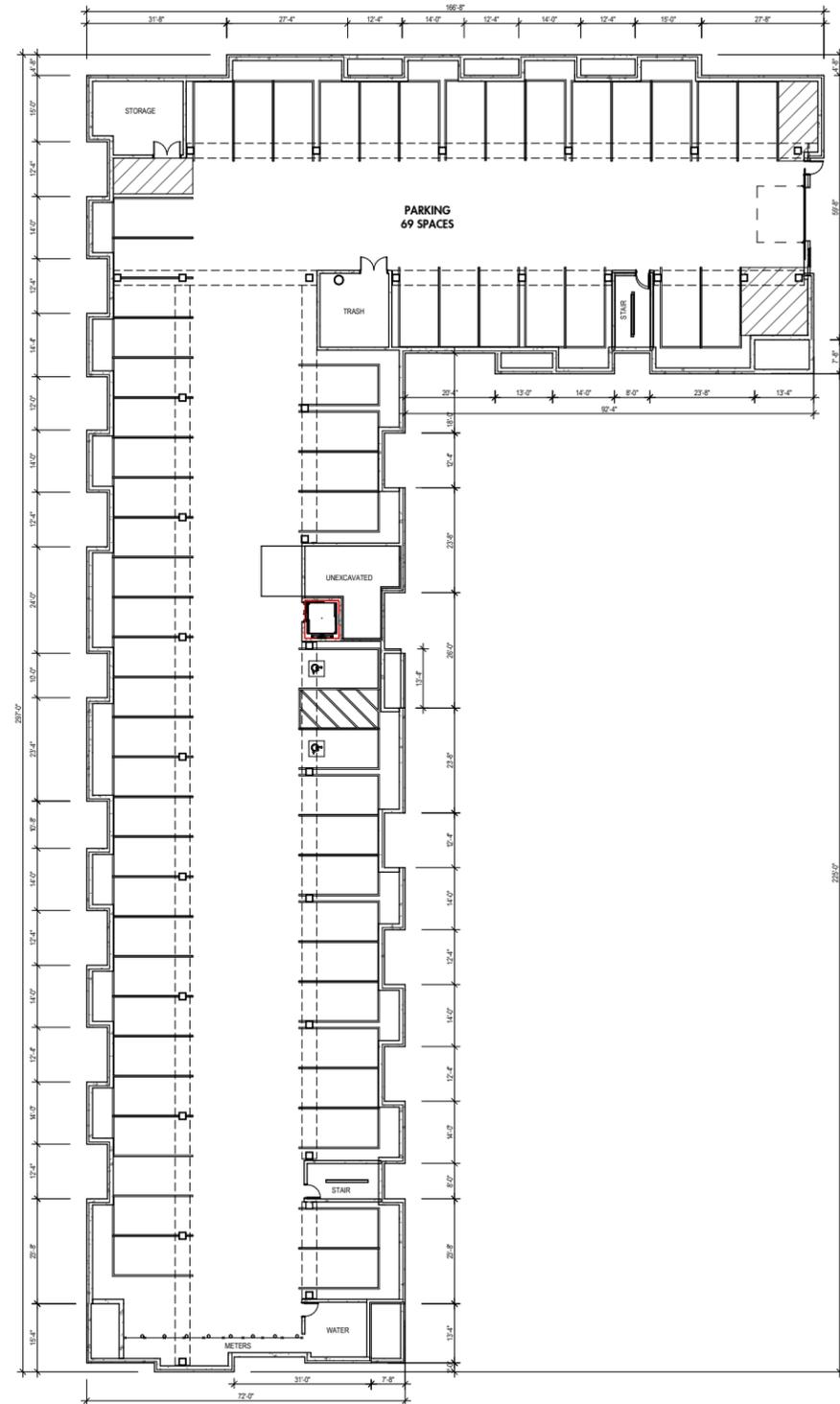
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Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

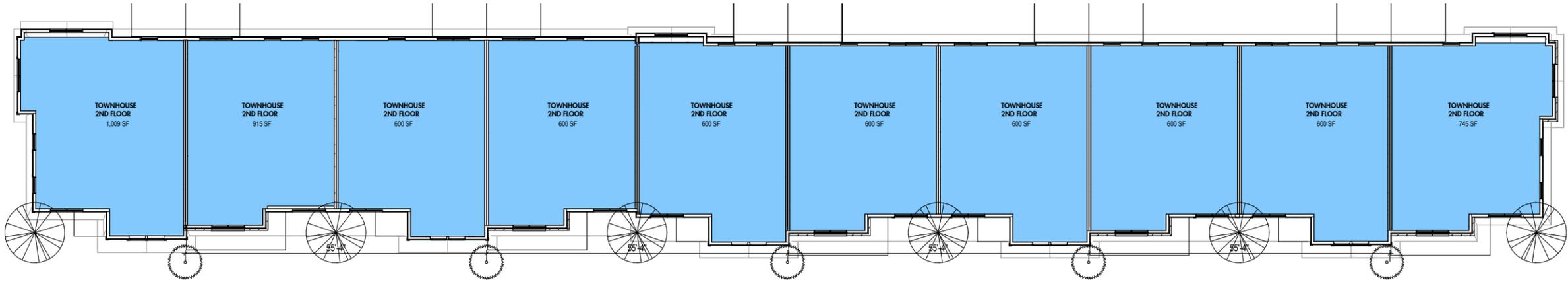
MULTIFAMILY TYPICAL FLOOR PLANS - BUILDING B

9

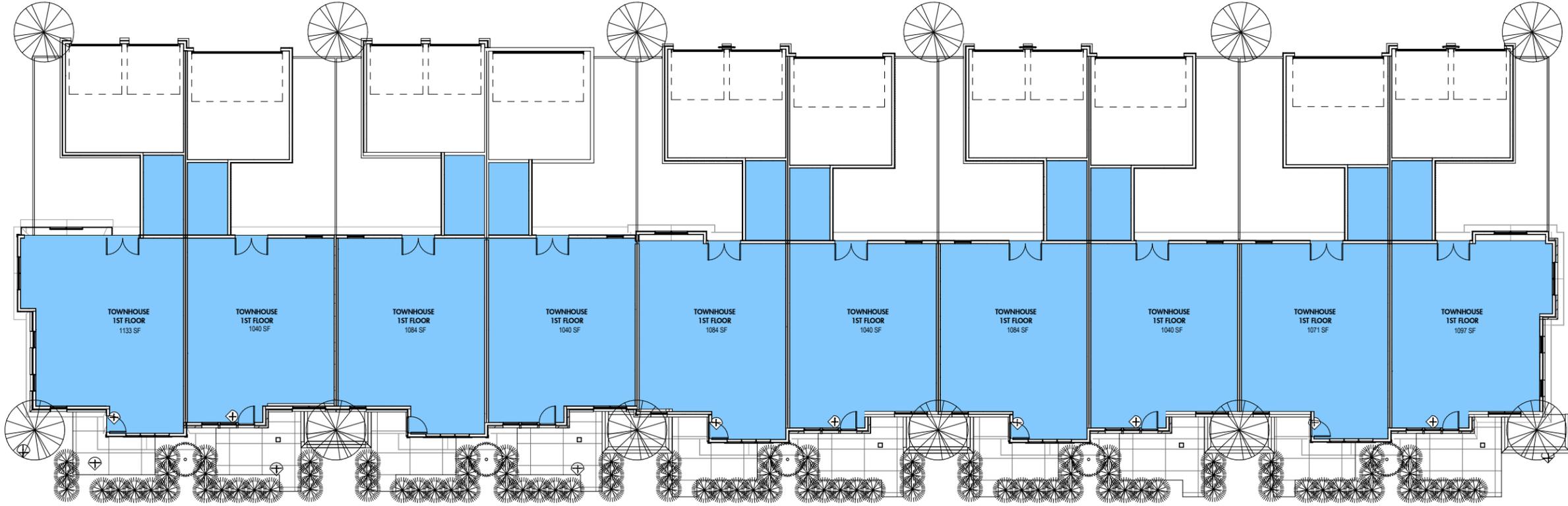


TOWNHOME FLOOR PLANS

9



Town Home - 2nd Flr



Town Home - First Flr

Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

SITE DEVELOPMENT DATA 10

DENSITY

| | ACRES: | PARCEL AREA | OPEN SPACE: | OPEN SPACE RATIO: | FLOOR AREA: | FLOOR AREA RATIO: | UNITS: | DENSITY | ENCLOSED PRKG: | SURFACE PRKG: | TOTAL PRKG RATIO: |
|-------------------|--------------|---------------------|---------------------|-------------------|---------------------|-------------------|------------|-----------------|----------------|---------------|---------------------|
| NORTH PARCEL | 9.66 | 421,162 S.F. | 207,412 S.F. | 49% | 234,939 S.F. | 55% | 165 | 17 u/a | 189 | 142 | 2.0 PER UNIT |
| SOUTH PARCEL | 4.31 | 188,091 S.F. | 10,552 S.F. | 5% | 18,161 S.F. | 9% | 0 | | 0 | 236 | 12.0 PER 1,000 S.F. |
| TOTAL SITE | 13.97 | 609,253 S.F. | 217,965 S.F. | 35% | 250,313 S.F. | 41% | 165 | 11.8 u/a | 189 | 378 | |

BUILDING AREAS:

| | FOOTPRINT AREA: | BUILDING FLOOR AREA: |
|--------------------------|--------------------|----------------------|
| BUILDING A | 17,700 S.F. | 61,030 S.F. |
| BUILDING B | 24,400 S.F. | 94,461 S.F. |
| BUILDING C | 19,816 S.F. | 59,448 S.F. |
| BUILDING D | 14,650 S.F. | 20,000 S.F. |
| APT OFFICE | 3,285 S.F. | 2,886 S.F. |
| SM PUBLIC WORKS BUILDING | 4,600 S.F. | 4,264 S.F. |
| LG PUBLIC WORKS BUILDING | 9,000 S.F. | 8,467 S.F. |
| RESTAURANT | 6,000 S.F. | 5,430 S.F. |
| TOTAL | 99,451 S.F. | 255,986 S.F. |

LEASEABLE COMMERCIAL:

| | S.F.: |
|-------------------------------|--------------------|
| RETAIL (SM PUBLIC WORKS BLDG) | 4,600 S.F. |
| RETAIL (LG PUBLIC WORKS BLDG) | 9,000 S.F. |
| RESTAURANT | 6,000 S.F. |
| TOTAL | 19,600 S.F. |

| | |
|----------------------|----------------------------|
| PARKING | 236 |
| PARKING RATIO | 11.8 PER 1,000 S.F. |

LEASEABLE COMMERCIAL + TBD:

| | S.F.: |
|--------------|--------------------|
| TBD | 7,800 S.F. |
| TOTAL | 27,400 S.F. |

| | |
|----------------------|---------------------------|
| PARKING | 259 |
| PARKING RATIO | 8.6 PER 1,000 S.F. |

BUILDING HEIGHTS:

| | HEIGHT: | EAVE: |
|------------|---------|---------|
| BUILDING A | 35'-40' | 45'-50' |
| BUILDING B | 35'-40' | 45'-50' |
| BUILDING C | 35'-40' | 45'-50' |
| BUILDING D | 20'-25' | 30'-35' |
| APT OFFICE | 15'-20' | 25'-30' |

SITE DEVELOPMENT DATA

At the time of this PUD submittal, the proposed development design results in the following site data. The exact data is subject to change slightly as the project's design is further developed. However, the Density, Floor Area Ratios and Building Heights shall not be exceeded.

Note:
Footprint Area includes balconies, etc, and Building Floor Area includes only the interior floor areas.
Building height varies due to the changes in topography throughout the site.

Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

SITE DEVELOPMENT DATA **10**

RESIDENTIAL:

| BLDG A | TYP. UNIT SF | FLOOR: | | | | | % | PARKING: | | TOTAL | PER UNIT |
|---------------|---------------------|------------|------------|------------|--------------|-------------|-----------------|----------------|--------------|-----------------|----------|
| | | 1ST | 2ND | 3RD | TOTAL | ENCLOSED | | SURFACE | | | |
| 3-BED | - | - | - | - | - | 0.0% | - | - | - | 0.0 | |
| 2-BED | 1200 S.F. | 9 | 10 | 10 | 29 | 60.4% | 31 | 28 | 59 | 2.03 | |
| 1-BED | 800 S.F. | 7 | 6 | 6 | 19 | 39.5% | 20 | 18 | 38 | 2.00 | |
| TOTAL | | 16 | 16 | 16 | 48 | 100% | 51 | 46 | 97 | 2.02 | |
| BLDG B | TYP. UNIT SF | 1ST | 2ND | 3RD | TOTAL | % | ENCLOSED | SURFACE | TOTAL | PER UNIT | |
| 3-BED | - | - | - | - | - | 0.0% | - | - | - | 0.0 | |
| 2-BED | 1200 S.F. | 16 | 17 | 17 | 50 | 83.3% | 56 | 45 | 101 | 2.02 | |
| 1-BED | 800 S.F. | 4 | 3 | 3 | 10 | 16.7% | 13 | 8 | 21 | 2.10 | |
| TOTAL | | 20 | 20 | 20 | 60 | 100% | 69 | 53 | 122 | 2.03 | |
| BLDG C | TYP. UNIT SF | 1ST | 2ND | 3RD | TOTAL | % | ENCLOSED | SURFACE | TOTAL | PER UNIT | |
| 3-BED | - | - | - | - | - | 0.0% | - | - | - | 0.0 | |
| 2-BED | 1200 S.F. | 9 | 9 | 9 | 27 | 57.4% | 25 | 8 | 33 | 1.22 | |
| 1-BED | 800 S.F. | 6 | 7 | 7 | 20 | 42.6% | 21 | 5 | 26 | 1.20 | |
| TOTAL | | 15 | 16 | 16 | 47 | 100% | 49 | 13 | 62 | 1.94 | |
| BLDG D | TYP. UNIT SF | 1ST | 2ND | 3RD | TOTAL | % | ENCLOSED | SURFACE | TOTAL | PER UNIT | |
| 3-BED | 1600 S.F. | 10 | - | - | 10 | 100.0% | 20 | 30 | 50 | 5.00 | |
| 2-BED | - | - | - | - | - | 0.0% | - | - | - | 0.0 | |
| 1-BED | - | - | - | - | - | 0.0% | - | - | - | 0.0 | |
| TOTAL | | 10 | 0 | 0 | 10 | 100% | 20 | 30 | 50 | 5.00 | |
| TOTAL | TYP. UNIT SF | | | | | % | ENCLOSED | SURFACE | TOTAL | PER UNIT | |
| 3-BED | 1600 S.F. | - | - | - | 10 | 5.9% | 20 | 30 | 50 | 5.00 | |
| 2-BED | 1200 S.F. | - | - | - | 106 | 63.0% | 112 | 81 | 193 | 1.82 | |
| 1-BED | 800 S.F. | - | - | - | 49 | 29.1% | 54 | 31 | 85 | 1.73 | |
| TOTAL | | - | - | - | 165 | 100% | 189 | 142 | 331 | 1.95 | |

ESTIMATED VALUATION **10**

RESIDENTIAL:

| | NUMBER OF UNITS | VALUE PER UNIT | TOTAL VALUE | MILL RATE | TOTAL INCREMENT |
|--------------|-----------------|----------------|---------------------|-----------|------------------|
| BUILDING A | 48 | \$140,000.00 | \$6,720,000 | 14.826 | \$99,631 |
| BUILDING B | 60 | \$140,000.00 | \$8,400,000 | 14.826 | \$124,538 |
| BUILDING C | 47 | \$140,000.00 | \$6,580,000 | 14.826 | \$97,555 |
| BUILDING D | 10 | \$140,000.00 | \$1,400,000 | 14.826 | \$20,756 |
| TOTAL | 165 | | \$23,100,000 | | \$342,481 |

COMMERCIAL:

| | SQUARE FEET (S.F.) | RENT PER S.F. | YEARLY NOI | CAP RATE | TOTAL VALUE | MILL RATE | TOTAL INCREMENT |
|-----------------------|--------------------|---------------|---------------------|----------|-----------------------|-----------|-----------------|
| SM. PUBLIC WORKS BLDG | 4,600 S.F. | \$20.00 | \$92,000.00 | 6.5% | \$1,415,384.62 | 14.826 | \$20,984 |
| LG. PUBLIC WORKS BLDG | 9,000 S.F. | \$20.00 | \$180,000.00 | 6.5% | \$2,769,230.77 | 14.826 | \$134,917 |
| RESTUARANT | 6,000 S.F. | \$20.00 | \$120,000.00 | 6.5% | \$1,846,153.85 | 14.826 | \$27,371 |
| TOTAL | 19,600 S.F. | | \$392,000.00 | | \$6,030,769.23 | | \$89,412 |

| | | | | | | | |
|---|--|--|--|--|------------------------|--|------------------|
| TOTAL RESIDENTIAL & COMMERCIAL | | | | | \$29,130,769.23 | | \$431,893 |
|---|--|--|--|--|------------------------|--|------------------|

PHASE II TBD

| | | | | | | | |
|-------------|------------|--------------|-----------|------|-------------|--------|----------|
| COMMERCIAL | 7,800 S.F. | \$20.00 | \$156,000 | 6.5% | \$2,400,000 | 14.826 | \$35,582 |
| RESIDENTIAL | 36 UNITS | \$140,000.00 | | | \$5,040,000 | 14.826 | \$74,723 |

| | | | | | | | |
|------------------------|--|--|--|--|---------------------|--|------------------|
| POTENTIAL TOTAL | | | | | \$34,170,769 | | \$467,475 |
|------------------------|--|--|--|--|---------------------|--|------------------|

DEVELOPMENT TEAM 11

DEVELOPMENT TEAM BIOS:

Shaffer Development, LLC

Shaffer Development, LLC is owned and operated by Cindy Shaffer a 21-year resident of Mequon. Cindy holds a degree in Business Communication from the University of Wisconsin, Madison. She began her career in the corporate world working for several fortune 500 companies such as S.C. Johnson and Son and Marriot Corporation. In 2001, she began purchasing and redeveloping properties in Ozaukee County. In 2005 Shaffer purchased two of the five parcels that now comprise the Mequon Town Center and is the current owner and co developer. Shaffer Development is currently developing a \$17 million dollar 77 unit mixed use project in the Village of Grafton slated to be competed in the spring of 2017.

Shaffer's strategy is to focus on infill development projects in Ozaukee County. By bringing together and collaboratively working with adjacent property owners, investors and the community, Shaffer Development is able to achieve innovative and financially sound developments that are beneficial to all concerned.

"Our goal is to make a difference while making a living and enhance the communities we live in."

Shaffer is the current Vice President of the Mequon Thiensville Sunrise Rotary, a former instructor at MATC Mequon and a supporter of many community programs.

Engberg Anderson Architects

Engberg Anderson is a full service architecture, planning, and interior design firm with offices in Milwaukee, Madison, Tucson and Chicago. With their clients in mind, Engberg Anderson takes a collaborative approach in working to help strengthen the communities for which they are designing. Engberg Anderson is committed to building intelligently, using sustainable practices and following energy efficient guidelines. Engberg Anderson's portfolio contains a wide range of world wide projects including libraries, housing, cultural facilities, healthcare and aviation projects. The EA team on this project includes the following: with clients, a commitment that can be seen in his leadership in the Milwaukee-area design community and numerous other civic, professional and community groups. Mark stays active in the community as a member of the US Green Building Council, Urban Land Institute, Congress for New Urbanism and the Wisconsin Trust for Historic Preservation.

Mark Ernst, Partner, LEED AP BD +C, NCARB

While Mark Ernst has an impressive design portfolio of Cultural projects and award-winning Urban Design, he says, "My generalist skills are a strength that allows me to orchestrate complex projects." His career experience as a designer on large-scale, international projects and as an architecture professor, serve his clients well as he sets the vision and tone for projects and engages the team as critic and teacher throughout the design process.

Mark understands the importance of "visibility and strong relationships"

Mark Taylor, AICP

Highly regarded for his full range of technical experience and proactive approach to meeting a client's programmatic concerns and design goals, Mark plays a critical role in the design and project management of multi-family housing and senior living projects. He remains involved at every phase of a project from conceiving and developing sound plans to navigating the regulatory process.

Mark attended the University of Wisconsin – Milwaukee where he received a Masters of Architecture & Urban Design and has been featured as a guest critic at the school. He is a Certified Planner and Associate Member with the American Institute of Architecture (AICP). In addition to his work at Enberg Anderson, Mark is a Board Member and All-Star Team Head Coach with Lake Park Little League and a Football Coach with Marquette Junior Hilltoppers.

Kate Bartlett, Architectural Designer

Graduated from Kansas State University with Master of Architecture. Focused on Public Interest Design and Social Architecture, collaborating with communities. Kate spent past two years working in small communities to improve quality of life through design and leadership. She is interested in designing healthy and sustainable spaces, whether educational, residential or public.

John Schwab, CPA Wipfli LLP

John Schwab is the partner in charge of Wipfli LLP's firm wide construction and real estate practice, where he coordinates the strategic direction of the firm's practice.

John has over 24 years of experience dedicated to providing his clients with straightforward, honest, thorough, and expert information upon which they can rely. He was partner in charge of the Milwaukee office tax department from 1995 to 2001.

He serves a full range of construction and real estate organizations with operations ranging from small specialty subcontractors to national real estate organizations.

John possesses strong analytical and long-range planning abilities, as well as the keen ability to build strong lasting relationships. He is extraordinarily adept at readily comprehending clients' unique needs and identifying creative, yet practical, solutions.

Deeply involved in professional and civic groups, John is a board member of the NAIOP-WI Chapter and a member of the Membership Committee, an NAIOP National board member, and an NAIOP National Medical & Life Sciences Development Forum member, a Common Bond Community Advisory Board member, and a member of the American and Wisconsin Institutes of Certified Public Accountants.

Deborah C. Tomczyk, Reinhart Boerner Van Deuren SC

Deborah C. Tomczyk is a shareholder in Reinhart's Real Estate and Corporate Law practices, and chair of the firm's Entitlements Group. Debby assists clients in all aspects of real estate development, from structuring deals to obtaining financing and permits to ensuring that projects are successful. Debby's specialties include government relations, zoning, land use, eminent domain, licensing, tax increment financing and business improvement districts. Deborah graduated with a J.D., magna cum laude, University of Wisconsin Law School; Order of the Coif B.A., magna cum laude, Smith College; Phi Beta K

State of Wisconsin
 DEPARTMENT OF NATURAL RESOURCES
 Plymouth Service Center
 1155 Pilgrim Road
 Plymouth, WI 53073

Scott Walker, Governor
 Cathy Stepp, Secretary
 Telephone 608-266-2621
 Toll Free 1-888-936-7463
 TTY Access via relay - 711



July 6, 2016

GP-SE-2016-46-02036

Shaffer Development LLC
 Cindy Shaffer
 10046 N. Sheridan Drive
 Mequon, WI 53092

RE: Coverage under the wetland statewide general permit for wetland fill or disturbance for residential, commercial, or industrial development, located in the City of Mequon, Ozaukee County, also described as being in the SE1/4 of the SE1/4 of Section 22, Township 9 North, Range 21 East.

Dear Ms. Shaffer:

Thank you for submitting an application and additional information for coverage under the wetland statewide general permit for wetland fill or disturbance for residential, commercial, or industrial development, s. 281.36, Wis. Stats.

You have certified that your project meets the eligibility criteria and conditions for this activity. Based upon your signed certification you may proceed with your project to fill 0.1318 acres of wetlands. Please take this time to re-read the permit eligibility standards and conditions. The eligibility standards can be found on your application checklist or in the statewide general permit WDNR-GP1-2012 (found at <http://dnr.wi.gov/topic/waterways/construction/wetlands.html>). The Department has determined that this project meets the general permit standards based on alternatives and not based on the economic information you provided.

The permit conditions are attached to this letter. You are responsible for meeting all general permit eligibility standards and permit conditions. This includes notifying the Department before starting the project, and submitting photographs within one week of project completion. Please note your coverage is valid for 5 years from the date of the department's determination or until the activity is completed, whichever occurs first. This permit coverage constitutes the state of Wisconsin's wetland water quality certification under USCS s. 1341 (Clean Water Act s. 401).

The Department conducts routine and annual compliance monitoring inspections. Our staff may follow up and inspect your project to verify compliance with state statutes and codes. If you need to modify your project please contact your local Water Management Specialist, Kathi Kramasz at (920) 893-8531 or email Kathleen.Kramasz@wisconsin.gov to discuss your proposed modifications.

The Department of Natural Resources appreciates your willingness to comply with wetland regulations, which help to protect the water quality, fish and wildlife habitat, natural scenic beauty and recreational value of Wisconsin's wetland resources for future generations. Please be sure to obtain any other local, state or federal permits that are required before starting your project.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

For project details, maps, and plans related to this decision, please see application number WP-GP-SE-2016-46-X06-07T15-37-00 on the Department's permit tracking website at <https://permits.dnr.wi.gov/water/SitePages/Permit%20Search.aspx>.

If you have any questions, please call me at (920) 893-8531 or email Kathleen.Kramasz@wisconsin.gov.

Sincerely,

Kathi Kramasz
Water Management Specialist

cc: April Marcangeli, U.S. Army Corps of Engineers
City of Mequon
Conservation Warden Matt Groppi
Stantec

WDNR-GP1-2012 Permit Conditions – Residential/Commercial/Industrial

You agree to comply with the following conditions:

1. **Application.** You shall submit a complete application package to the Department as outlined in the application materials and section 2 of this permit. If requested, you shall furnish the Department, within a reasonable timeframe, any information the department needs to verify compliance with the terms and conditions of this permit.
2. **Certification.** Acceptance of general permit WDNR-GP1-2012 and efforts to begin work on the activities authorized by this general permit signifies that you have certified the project meets all eligibility standards outlined in Section 1 of this permit and that you have read, understood and have agreed to follow all terms and conditions of this general permit.
3. **Reliance on Applicant's Data.** The determination by this office that a confirmation of authorization is not contrary to wetland water quality standards will be based upon the information provided by the applicant and any other information required by the DNR.
4. **Project Plans.** This permit does not authorize any work other than what is specifically described in the notification package and plans submitted to the Department and you certified is in compliance with the terms and conditions of WDNR-GP1-2012
5. **Expiration.** This WDNR-GP1-2012 expires on October 9, 2017. The time limit for completing work authorized by the provisions of WDNR-GP1-2012 ends 5 years after the date on which the discharge is considered to be authorized under WDNR-GP1-2012 or until the discharge is completed, whichever occurs first.
6. **Other Permit Requirements.** You are responsible for obtaining any other permit or approval that may be required for your project by local zoning ordinances, other local authority, other state permits and by the U.S. Army Corps of Engineers before starting your project.
7. **Authorization Distribution.** You must supply a copy of the permit coverage authorization to every contractor working on the project.
8. **Project Start.** You shall notify the Department before starting construction.
9. **Permit Posting.** You must post a copy of this permit coverage letter at a conspicuous location on the project site prior to the execution of the permitted activity, and remaining at least five days after stabilization of the area of permitted activity. You must also have a copy of the permit coverage letter and approved plan available at the project site at all times until the project is complete.
10. **Permit Compliance.** The department may modify or revoke coverage of this permit if the project is not constructed in compliance with the terms and conditions of this permit, or if the Department determines the project will be detrimental to wetland water quality standards. Any act of noncompliance with this permit constitutes a permit violation and is grounds for enforcement action. Additionally, if any applicable conditions of this permit are found to be invalid or unenforceable, authorization for all activities to which that condition applies is denied.

11. **Construction Timing.** Once wetland work commences, all wetland construction activities must be continuous until the permitted activity is completed and the site is stabilized.
12. **Construction.** No other portion of the wetland may be disturbed beyond the area designated in the submitted plans.
13. **Project Completion.** Within one week of completion of the regulated activity, you shall submit to the Department a statement certifying the project is in compliance with all the terms and conditions of this permit, and photographs of the activities authorized by this permit. This statement must reference the Department-issued docket number, and be submitted to the Department staff member that authorized coverage.
14. **Proper Maintenance.** You must maintain the activity authorized by WDNR-GP1-2012 in good condition and in conformance with the terms and conditions of this permit utilizing best management practices. Any structure or fill authorized shall be properly maintained to ensure no additional impacts to the remaining wetlands.
15. **Site Access.** Upon reasonable notice, you shall allow access to the site to any Department employee who is investigating the project's construction, operation, maintenance or permit compliance with the terms and conditions of WDNR-GP1-2012 and applicable laws.
16. **Erosion and siltation controls.** The project site shall implement erosion and sediment control measures that adequately control or prevent erosion, and prevent damage to wetlands as outlined in NR 151.11(6m), Wis. Adm. Code.
17. **Equipment use.** The equipment used in the wetlands must be low ground weight equipment as specified by the manufacturer specifications.
18. **Invasive Species.** All project equipment shall be decontaminated for removal of invasive species prior to and after each use on the project site by utilizing other best management practices to avoid the spread of invasive species as outlined in NR 40, Wis. Adm. Code. For more information, refer to <http://dnr.wi.gov/topic/Invasives/bmp.html>.
19. **Federal and State Threatened and Endangered Species.** WDNR-GP1-2012 does not affect the DNR's responsibility to insure that all authorizations comply with Section 7 of the Federal Endangered Species Act, s. 29.604, Wis. Stats and applicable State Laws. No DNR authorization under this permit will be granted for projects found not to comply with these Acts/laws. No activity is authorized which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act and/or State law or which is likely to destroy or adversely modify the critical habitat of a species as identified under the Federal Endangered Species Act.
20. **Special Concern Species.** If the Wisconsin National Heritage Inventory lists a known special concern species to be present in the project area you will take reasonable action to prevent significant adverse impacts or to enhance the habitat for the species of concern.

21. **Historic Properties and Cultural Resources.** WDNR-GP1-2012 does not affect the DNR's responsibility to insure that all authorizations comply with Section 106 of the National Historic Preservation Act and s. 44.40, Wis. Stats. No DNR authorization under this permit will be granted for projects found not to comply with these Acts/laws. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places. If cultural, archaeological, or historical resources are unearthed during activities authorized by this permit, work must be stopped immediately and the State Historic Preservation Officer must be contacted for further instruction.
22. **Preventive Measures.** Measures must be adopted to prevent potential pollutants from entering a wetland or waterbody. Construction materials and debris, including fuels, oil, and other liquid substances, will not be stored in the construction area in a manner that would allow them to enter a wetland or waterbody as a result of spillage, natural runoff, or flooding. If a spill of any potential pollutant should occur, it is the responsibility of the permittee to remove such material, to minimize any contamination resulting from this spill, and to immediately notify the State Duty Officer at **1-800-943-0003**.
23. **Suitable fill material.** All fill authorized under this permit must consist of clean suitable soil material, as defined by s. NR 500.03(214), Wis. Admin. Code, free from hazardous substances as defined by s. 289.01(11), Wis. Stats., and free from solid waste as defined by s. 289.01(11) and (33), Wis. Stats.
24. **Standard for Coverage.** Wetland impacts from the project will cause only minimal adverse environmental impacts as determined by the Department.
25. **Transfers.** Coverage under this permit is transferable to any person upon prior written approval of the transfer by the Department.
26. **Limits of State Liability.** In authorizing work, the State Government does not assume any liability, including for the following:
- Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the State in the public interest.
 - Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - Design or construction deficiencies associated with the permitted work.
 - Damage claims associated with any future modification, suspension, or revocation of this WDNR-GP1-2012.
27. **Reevaluation of Decision.** The Department may suspend, modify or revoke authorization of any previously authorized activity and may take enforcement action if any of the following occur:
- The applicant fails to comply with the terms and conditions of WDNR-GP1-2012.
 - The information provided by the applicant in support of the permit application proves to have been false, incomplete, or inaccurate.
 - Significant new information surfaces which this office did not consider in reaching the original public interest decision.

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION NO. 3346

A Resolution Approving A Contract to Purchase between the City of Mequon and Shaffer Development for a City of Mequon Owned 13 Acre Property Located within the Town Center at 6200 & 6300 W Mequon Road and portions of 11300 & 11350 N Buntrock Avenue

WHEREAS, in February of 2015, the City of Mequon purchased the property located at 6200 West Mequon Road to assemble a comprehensive redevelopment site that provides direct access to Mequon Road; and

WHEREAS, in September of 2015, the Common Council, with assistance of the Economic Development Board, offered a 13.4 acre site located in the Town Center for \$1.00 and received six development proposal; and

WHEREAS, on November 10, 2015, the Common Council, after a thorough and strategic review process, approved a resolution to further negotiate a contract to sell a 13.4 acre Town Center, City owned site to Shaffer Development; and

WHEREAS, the Common Council of the City of Mequon, in furtherance and for the benefit of TID #3, is committed to the redevelopment efforts of Town Center as a pedestrian oriented mixed-use neighborhood; and

WHEREAS, negotiations between City Staff and the Buyer has led to the preparation of a Contract of Purchase which provides with particularity and specificity all of the terms, conditions, and provisions necessary to contract for and consummate said sale;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Mequon, Wisconsin, that the contract for the purchase of the property to Shaffer Development in the substance and form as attached is hereby authorized and ratified;

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized and directed to execute all necessary documents to effectuate the sale of the property at 6200 and 6300 West Mequon road and 11300 and 11350 North Buntrock Avenue consistent with the contract herein authorized and ratified.

Approved by: Dan Abendroth, Mayor

Date Approved: February 12, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on February 9, 2016.

William H. Jones, Jr., City Clerk

Published: NA

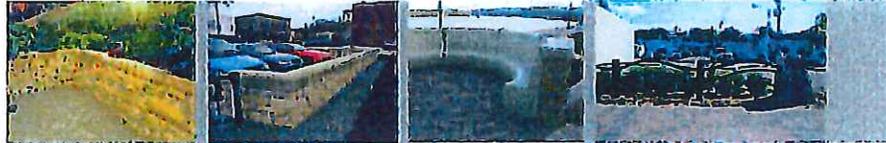
Attachment: PC Material (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

MEQUON RIVER STATION

Construction Materials:

- a. Stone – Limestone, dolomite, river rocks and pebbles
- b. Metal - steel and aluminum for arbor structures, farmers market canopies, railing and seating
- c. Wood - Seating, decking
- d. Concrete - paving, edges, seating
- e. Water - color, texture, sound and access
- f. Utilize glass in combination with stone and metal for accessory elements

Reference to Mequon - Wisconsin Town Center Design Guidelines 2.3 Building Materials Primary and Secondary materials, Page 1-3



Interpretive/ Informational: Role of the river in the community and region.

- a. Public art, paving art, structural wayfinding signage
- b. History of river...native americans, first settlers, dam, milling, river commerce, river flows; fish migrations, etc..

Iconography/ Identity:



Names:

Mequon River Station, River Station, Mequon Crossings, Mequon Confluence, Mequon Landings, Mequon River Landing, The Landings, Mequon Common(s), River Place, Mequon River City

MILWAUKEE RIVER RESTORATION

Contemporary interpretation of the Milwaukee River and how it has shaped the cultural and natural historic character of the community.

Built form and sculptural elements that represent river flora and fauna.

- a. Define opportunities to integrate water into streetscape design elements and at corridor nodes or "eddies"
- b. Gateway and "node" water elements.... Artistic - Interpretation of river, water forms, fountain, water wall, views to river.



Landscaping: Flowing Perennial flower beds in medians, boulevards and public R.O.W.

- a. Stormwater management in Public R.O.W.
- b. Rich diversity of mass plantings that add year round color, texture and visual interest.
- c. Plantings draw pedestrians through the corridor to sealing nodes, gathering areas and public places.
- d. Double boulevard trees... Increase tree canopy, stormwater management and urban forest
- e. Sustainable maintenance and irrigation



Reference for Design - Reference from Center Design Guidelines 2.11 General Site Design Guidelines, Page 1-12

STAFF REPORT

To: Mequon Planning Commission

Prepared by: Jac Zader

Agenda Item: 8

Date: July 25, 2016

General Information:

Applicant:

Shaffer Development LLC

Status of Applicant:

Contract to Purchase

Requested Action:

Rezoning Recommendation
Concept Plan

Existing Zoning:

Town Center (TC)
IPS (Institutional)
C-2 (Conservancy)

Proposed Zoning:

Town Center (TC)
C-2 (Conservancy)
PUD (Planned Unit Development)

Existing Land Use Plan:

Town Center
Institutional
Critical Environmental

Proposed Land Use Plan:

Town Center
Critical Environmental

Lot Size:

13.97 acres

Location:

6200 and 6300 W Mequon Road and
11300-11350 N Buntrock Ave

Background: The applicant requests a rezoning recommendation and concept plan approval for a mixed-use development on property owned by the City of Mequon. The Common Council selected Schaffer Development as the preferred developer to redevelop the site. On February 9, 2016 the council entered into a contract to purchase (see Resolution 3346) which is subject to the development achieving land use approval prior to closing. The following highlights the plan:

- 19,600 square feet of retail space
- 165 residential apartments
- 186 below grade parking stalls
- 378 surface parking stalls
- Overall density will be approximately 12 units/acre without the future TBD building and 15 units/acre if it is constructed.
- Project value of the development will range between 29-34 million dollars.

The contract with the City requires a minimum value of 26.6 million dollars. The overall number of residential units exceeds 16 units which requires the project to be approved as part of a PUD. The applicant intends to complete the residential buildings and

Attachment: Planning Commission Report July 25, 2016 (ORDINANCE 2016-1476 : Shaffer Development TC PUD)

STAFF REPORT

renovations as part of Phase 1. There is a building labeled as TBD which intended to be part of Phase 2. The applicant states that the completion of Phase 2 will occur no later than two years after the completion of Phase 1.

Site Conditions:

The site contains a number of specimen trees along Buntrock Avenue. The applicant is intending to save all of the specimen trees in this area. There are also wetlands on the property. A small isolated wetland exists in the center of the site and a large wetland and stream exists on the far north end of the site. The applicant has received approval from the DNR (see attached correspondence) to fill the small wetland in the center of the site. The large wetland on the north end of the parcel will not be impacted by the development.

Neighborhood Meeting:

The applicant held a neighborhood meeting regarding the project on June 15, 2016. A number of residents from the neighborhood were in attendance. Among the suggestions of the residents the most common were to require traffic signals on Industrial Drive and Mequon Road and to preserve the tree line along Buntrock Avenue. The neighbors felt the traffic signals would help mitigate some of the traffic on Buntrock Avenue.

Concept Plan:

The proposed concept plan shows a total of four residential buildings, three commercial buildings and a future building with a use yet to be determined. Access to the site is shown along Mequon Road at the intersection of Industrial Drive and at the existing driveway north of the Public Safety Building on Buntrock Avenue. There is a storm water pond shown on the far north portion of the site adjacent to the railroad tracks.

Northern Portion of Site:

The plan shows the residential buildings located on the north end of the site. Along Buntrock Avenue, two story townhomes are shown as a transition from the single family across the street to the higher density buildings to the east. Buildings A, B, and C are shown to be three story apartment buildings which are approximately 50 feet in height. The height requirement in the TC zone allows buildings up to 52 feet in height. All buildings over two stories require conditional use grant approval. Since the grade slopes down from west to east, the height difference between the townhomes and the apartments will be less apparent from the public view along Buntrock Avenue (see plan showing sight lines). The plan also shows an apartment office/club house on the east end of the development adjacent to other outdoor and semi-public amenities including a fountain, splash pad and fire pit.

Southern Portion of Site:

The southern end of the site shows the proposed commercial uses of the development and the adaptive reuse of the existing buildings on site. The plans show a 6,000 square foot restaurant in a portion of the former Ross Wells building adjacent to the railroad tracks with an addition that fronts along Mequon Road. The applicant has provided some conceptual imagery of the frontage along Mequon Road. The design includes abundant windows and an outdoor dining area as encouraged by the zoning district. The existing sewer maintenance building and storage building are shown to be retail in nature with the potential use of a public market. All proposed uses are permitted in the TC (Town

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Center) zoning district. The plan shows the addition of a stairway on the west end of the site adjacent to the city storage building which will provide a connection to the sidewalk on Mequon Road.

The southern portion of the site includes a building labeled TBD. The applicant states that the future use of the building could include a hotel, commercial tenants or an additional three story apartment building with 30 units. The applicant states that the building will be completed within two years of the completion of Phase 1. If the applicant does not construct the TBD building within the prescribed timeline, an amendment to the PUD will be required.

In general, the proposed concept plan meets the purpose of the Town Center zoning district by accomplishing the following:

- Provides a mix of uses that promotes vitality at a highly visible location and within close proximity to the civic campus.
- This mix of uses will create activity throughout the day and evening and the residential component will provide a critical mass of new residents that will help support Town Center businesses and add vitality to the area.
- Creating a coordinated well thought out site design with the incorporation of sidewalks, shared surface parking and on-street parking to promote a more urban and pedestrian setting.
- Incorporates pedestrian linkages between the residential and commercial uses within the site and as well as providing connectivity to adjacent sites and residential neighborhoods.

Staff will continue to work with the applicant where the plan needs further refinement including the following:

- The area located to the south of the apartments is shown to include a splash pad, fountain, and an apartment office. Staff recommends that greater amenities should be provide based on the number of units proposed. This could involve a commercial use that could provide outdoor recreation or entertainment or a more substantial private amenity such as the pool and roof top deck that was approved for the P2 development on Mequon Road.
- The area to the east of the apartment office shows bike racks and a watering station that takes advantage of the proximity to the Interurban Trail. City staff has been working with the Central Pacific railroad on a pedestrian crossing that will link this site to the trail and the civic campus. However, the final use of the Logeman Building and civic campus programming is yet to be determined. Some of these bike related features may be better suited on the civic campus allowing alternative use of this space. Staff recommends further analysis of the area prior to building and site plan approval.
- The parking area behind the TBD building does not have adequate space for a turnaround. The issue needs to be addressed in both the short term (no building) and long term (building completed).
- The site has more parking than needed even when the TBD building is taken into consideration. While staff realizes there has been a strong demand for parking at the MTC (Mequon Town Center) site, an oversupply of parking on this site will

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not help alleviate that issue. Possible solutions to this issue include adding more open space amenities, retention of some of the land by the city, or additional commercial uses on the site.

- Building A has a very tight offset to the railroad tracks. The applicant is required to provide improvements within this area to provide an attractive setting for the residents of the first floor units.
- To address interests raised by the city and neighborhood stakeholders, staff recommends a TIA be completed prior to building and site plan review. The scope will address the following:
 - Traffic signals at Industrial
 - Timing of traffic signals
 - Improvements to Buntrock Ave entrance

Building Design:

The site plan shows seven distinct buildings located on the site. The residential buildings are all shown to be clad with brick and fiber cement siding with an asphalt shingled roof. Since the developer will maintain the existing commercial buildings and because final tenants have not been determined, the final designs of the commercial buildings have not been completed. The renderings show the introduction of large windows into the design of the existing brick structures. A detailed description of each building is as follows.

Townhomes

The two story townhomes are located along Buntrock Avenue and include ten 3 bedrooms units. The buildings are designed with the primary entrance along Buntrock Avenue with the attached garages to the rear (east). The building is clad with brick, fiber cement siding, vinyl windows and dimensional shingles. The Town Center guidelines require primary materials on at least 80 percent of the building and the front elevation along the public street to contain between 15-50% windows. The proposed plan falls short with regard to the percentage of primary materials. Brick accounts for 25 percentage of the building while the lap siding accounts for 75 percent.

Multi-family

There are three multi-family buildings shown on the plan. All three of the buildings are shown at three stories in height and are designed with brick, lap siding, vinyl windows and dimensional shingles. The buildings are differentiated from one another by using different colors of brick and siding. The Town Center guidelines require primary materials on at least 80 percent of the building. Brick accounts for 45 percentage of the building while the lap siding accounts for 55 percent.

Restaurant (Ross Wells Building)

Final plans for the restaurant have not been completed. The proposed concept rendering shows the addition of windows and outdoor patio. Staff recommends that the final plans incorporate all the design requirements listed in the Town Center zoning district. This includes the following.

- Principle entrance on Mequon Road will remain operable
- The front façade shall contain between 60 and 90 percent windows.

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Large Public Works Building

The final design of the building is not complete and is dependent on the final tenant(s). The concept rendering shows the introduction of large windows added to the façade of the building. Staff feels that this treatment is appropriate for the building and will require that the same level of fenestration is achieved on all four sides of the building and shall comply with all architectural standards in the code. This building shall include an awning(s) as part of the design.

Small Public Works Building

The final design of the building is not complete and is dependent on the final tenant(s). The concept rendering shows the introduction of large windows added to the east façade of the building. The south and east elevations of the building will have the highest public exposure and will require the highest amount of fenestration and architectural detail and shall comply with all architectural standards in the code. This building shall include an awning(s) as part of the design.

Overall staff is supportive of the proposed conceptual building elevations. Further refinement is necessary. Staff recommends the following changes be incorporated into the final building designs:

- The gable ends on the townhouses and the chimneys shall be clad in masonry with a cap treatment.
- The front façade shall include more articulation by projecting the gable ends closer to the street.
- The fencing adjacent to the townhouses shall be limited to 4.5 feet in height and be treated with landscaping on the public side.
- The east elevation of Building A and the west elevation of Building B and C should reduce the amount of gables along the roof line.
- Replace the red brick on Building A and B with an earth tone color.
- All of the residential building should achieve a higher percentage of brick versus siding. Staff feels that at a minimum, there should be 50-60 percent brick or stone. A greater ratio of brick may make the building appear too heavy.
- Buildings A, B, and C should include more articulation along the east and west elevations of the building to lessen the scale and massing of the building. This shall include a district first floor treatment.
- The first floor entryways of the multi-family buildings should be more substantial and include additional architectural features that project into the front yards.
- All commercial buildings shall achieve compliance with the fenestration requirements of the Town Center Zoning District.
- All commercial buildings shall incorporate additional windows and other architectural features (awnings, etc.) on all facades with public view. All service type building elements shall be removed (glass block windows, service doors, etc.).

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Town Center (TC) District Standards and Design Guidelines:

| Technical Regulations: | TC: | Proposed Use: |
|---|----------------------------|--|
| Minimum Lot Area: | 1/2 acre | 13.7 acres |
| Minimum Street Frontage: | 100 feet | 600 feet (Mequon Rd) 345 feet (Buntrock Ave) |
| Minimum Size For Dwellings: | 1,000 square feet | 30% of units less than 1,000 sq. ft |
| Minimum Gross Floor Area For Commercial: | 1,200 square feet | 4,600 square feet |
| Maximum Commercial Building Size: | 25,000 square feet | 9,000 square feet |
| Open Space Ratio: | 30% | 35% |
| Maximum FAR: | 100% | 41% |
| Maximum Density: | 32 units/acre | 12 units/acre without TBD building 15 units/acre with TBD building |
| Maximum Building Height: | 3.5 stories/ 42/52 feet | 3 stories Bld. A, B, C / 50 feet 2 stories Bld. D /35 feet 1 story Retail and Restaurant 3 story TBD Building / 50 feet |
| Maximum Building Front Yard Setback: | 10 feet | 5 feet (Restaurant) 40 feet (Retail) 25 feet (Townhouses) |
| Building Side/Rear Yard Offset: | 10 feet | 30 feet Building B, C, D |
| Required Street Frontage Occupied by Building: | 70% | 20% (Mequon Rd) 75% (Buntrock Ave) |
| Off-Street Parking: | 501 stalls | 543 (Surface and Underground) |

Compliance with the Town Center Zoning and Design Standards:

The concept plan complies with the Town Center Zoning and Design Standards except in the following cases which will require waivers:

Minimum unit size less than 1,000 square feet

The applicant is requesting that 30% of the units be less than 1,000 square feet in order to attract renters who desire more modest square footage. The final size determination of the units will be based on market demand but no unit will be less than 800 square feet. The city has approved a similar ratio for all three apartment projects in the Town Center. Staff is supportive of the waiver to the minimum size requirement.

Maximum 10 foot front yard setback and 70% building frontage requirement

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The code requires that 70% of the lot frontage to be occupied by a building with a setback no greater than 10 feet. Roughly 20 percent of the lot is occupied by buildings at the 10 foot setback. The primary reason for lack of compliance with the code standard is due the existing grade change along Mequon Road and the preservation of the existing structures. Over half of the frontage along the road is below grade and obscured by a retaining wall. The applicant is also intending to reuse the existing portion of the Ross Wells building and the large and small public works buildings. The two public works buildings are currently located 40 and 80 feet from the front property line. The Council is supportive of the reuse of the existing buildings provided that the open space along the entire street frontage from the railroad tracks to the beginning of the retaining wall becomes activated while also incorporating hardscape or landscaping elements that will enhance the area as public gathering space and create a defined edge between the street and semi-public realm.

If it not feasible to use the existing Ross Wells building or large public works building, a PUD amendment is required and the zoning district requires compliance with the 70 percent standard.

The townhouses are shown setback approximately 25 feet from Buntrock Avenue. The increased setback is meant to preserve a number of specimen trees along Buntrock Avenue. It was also in response to a number of residents who attended the neighborhood meeting and live along Buntrock Avenue who requested saving as many trees as possible along the street.

Height Requirement-3.5 stories

The code allows, as a conditional use, up to 3.5 stories and a maximum height of 52 feet provided the building is setback an additional 10 feet from the property line. Residential buildings labeled A, B, C are shown to be three stories in height. The TBD building also has the potential to be three stories in height. The Planning Commission will consider, among other things the following factors when determining the appropriate height:

- Access to light and air of surrounding properties.
- Shadowing of residential properties or significant public spaces.
- The scale and character of the surrounding uses.
- Preservation of significant open spaces, water bodies or landmark buildings.

Site Planning Summary:

Staff is supportive of the concept plan in general. Prior to building and site plan approval, staff feels the proposal will need to address the following:

- The internal road shall be treated with streetscaping consistent with the public road streetscaping elements including the use of the TC light fixture, the incorporation of on street parking and the inclusion of street trees.
- Cross walks shall be provided at regular intervals along the interior road and at the entrances into the development.
- Buildings along Mequon Road shall provide pedestrian connections to the public sidewalk.

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- The final design of the pavilions and covered dining areas along Mequon Road shall be more open to the public street without heavy landscaping that limits views to the interior. Architectural features and amenities shall be consistent with the Mequon River Station theme (see attached plan).
- The transition from the site to the railroad right of way needs to be addressed with landscaping, architectural features, etc. along the entire property line to create a consistent theme along the public area of the Interurban Trail.
- On site stalls in front of the proposed Public Market shall be eliminated.

Engineering Report:

James Keegan, Deputy Director of Engineering, has reviewed the application and has the following comments:

Access is provided through two proposed private roadway connections, one onto Mequon Road (STH167) via an access point north of the Industrial Dr. extended, and a second onto N. Buntrock Ave, north of the City of Mequon Public Safety Building. The southern proposed access point will connect to Mequon Road, which is a Connecting Highway portion of STH 167. As this portion of Mequon Road is Connecting Highway, the City of Mequon has jurisdiction over this access point.

The private roadway connection to Buntrock Ave. will be through the northern driveway connection from the City of Mequon Public Safety Building to Buntrock Ave. As the development will share the access roadway and maintenance responsibilities, an Ingress/Egress Easement and Shared Maintenance Agreement will be required. The developer will be responsible for the maintenance, including snow and ice removal, for any new sidewalk constructed within the public right of way (ROW).

The proposed land uses will generate more traffic than the current uses, and thus a Traffic Impact Analysis (TIA) is required for the site. The developer will be responsible for commissioning the TIA, with City of Mequon Engineering Department review and approval of the TIA scope. The site specific TIA shall indicate whether the proposed traffic generation and access configuration will be in accordance with the original Mequon Town Center TIA and recommend improvements if warranted.

The site is located within the City's sewer service area and connection to the public utility is required. As a new development and as a condition of approval, the development must connect to the public water main. There is currently sanitary sewer service and water service available on the site, as sanitary and water mains have been extended onto the property. Public easements and public main extensions will be required. A Water Service Agreement will also be required for each individual development.

The site proposes an increase in impervious surface in excess of one half acre and therefore requires a storm water management plan (SWMP). The SWMP must be approved by the City and MMSD. The site plan proposes shared storm water facilities

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for the proposed developments. The proposed shared storm water facility would be on the north portion of the property, to the east of the 11352 Buntrock Ave. property.

The site proposes land disturbance in excess of one acre, therefore a City erosion control permit is required. Evidence of the WDNR required WRAPP permit shall also be provided for the site.

Staff Recommendation: Planning staff recommends approval of the rezoning recommendation and concept plan subject to the following conditions:

1. Common Council approval of the rezoning and concept plan.
2. Planning Commission approval of conditional use grant and building and site plan for each of the individual buildings.
3. The final site plan shall incorporate the following:
 - The internal road shall be consistent with the public streetscaping elements including the use of the TC light fixture, the incorporation of on street parking and the inclusion of street trees.
 - Cross walks shall be provided at regular intervals along the interior road and at the entrances into the development.
 - Buildings along Mequon Road shall provide pedestrian connections to the public sidewalk.
 - The final design of the plaza areas along Mequon Road shall be more open to the public street without heavy landscaping that limits views to the interior. Architectural features and amenities shall be consistent with the MTC vertical elements and adhere to the Mequon River Station theme (see attached plan).
 - The transition from the site to the railroad right of way needs to be addressed with landscaping, architectural features, etc. along the entire property line.
4. Total number of residential units shall not exceed 165 for Phase 1 and no more than 195 overall.
5. Final building design shall incorporate the following recommendations:
 - The gable ends on the townhouses and the chimneys shall be clad in masonry with a cap treatment.
 - The front façade should include more articulation by projecting the gable ends closer to the street.
 - The fencing adjacent to the townhouses shall be limited to 4.5 feet in height and be treated with landscaping.
 - The east elevation of Building A and the west elevation of Building B and C have too many gables along the roof line.
 - Replace the red brick on Building A and B with an earth tone color.
 - All of the residential buildings should achieve a higher percentage of brick versus siding. Staff feels that at a minimum, there should be 50-60 percent brick or stone.

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- Buildings A, B, and C should include more articulation along the east and west elevations of the building to lessen the scale and massing of the building.
 - The first floor entryways of the multi-family buildings should be enhanced and include additional architectural features.
 - The proposed commercial buildings shall achieve compliance with the fenestration requirements of the Town Center Zoning District.
 - The existing commercial buildings shall incorporate additional windows and other architectural features (awnings, etc.) on all facades with public view. All service type building elements shall be removed (glass block windows, service doors, etc.).
6. The applicant shall conduct a traffic study to determine whether traffic signals at Industrial Drive are warranted.
 7. The TBD building shall begin implementation within 2 years of completion of first phase or the applicant shall return to the Planning Commission and Council for a PUD amendment.
 8. The portions of the site not initially developed shall be seeded and mulched.
 9. All portions of the Mequon Road street frontage not occupied by a building wall shall contain very significant and active amenities along the public sidewalk that will bridge the gap between the structures, create a defined edge between the street and semi- public area and help screen the interior parking.
 10. No more than 30 percent of the residential units shall be less than 1,000 square feet provided that no unit will be less than 800 square feet.
 11. The development must connect to the City of Mequon public sanitary sewer system.
 12. Sewer connection fees and necessary plan development for sewer is subject to the review and approval of the Engineering Department.
 13. The development must connect to the City of Mequon Water Utility for water service.
 14. Water connection fees and necessary plan development for water is subject to the review and approval of the Engineering Department.
 15. Grading, drainage, erosion control, storm water management and other engineering plans are subject to Engineering Department review and approval.
 16. Street lighting, if proposed, is subject to the approval of the Planning Commission.
 17. Any substantial change to the general concept plan illustrated as full build-out in the attached exhibit shall require appropriate amendments to this approval.
 18. An access agreement is required to allow ingress/egress through the City owned property.
 19. Common Council approval of the Development Agreement.
 20. Connection to public water and sanitary sewer. The applicant shall obtain the necessary approval and permits for the installation of the sanitary sewer and water main from the various regulatory agencies. This will require public main extensions and easements.
 21. The private roadway will require an Ingress/Egress Easement and Shared Maintenance Agreement between all benefiting parties.
 22. Engineering Department review and approval of the individual grading, drainage, erosion control, water distribution and sanitary sewer plans along with the shared storm water management plan in conformance to City ordinances and the

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Standard Specifications for Land Development.

23. Approval of a shared 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.
24. Application for and approval of a City erosion control permit, subject to applicable fees and conditioned upon WDNR issuance of a WRAPP permit.
25. Execution of a Water Service Agreement between the applicant and the Water Utility, subject to applicable fees. The mainline water main shall meet Water Utility standards for ISO recommended fire flows.
26. City of Mequon right-of-way permit for any utility or construction within the right-of-way.
27. Any existing legal documents for the site shall be amended or vacated as appropriate to reflect changes in property ownership and maintenance requirements.
28. The developer is responsible for commissioning a TIA, with City of Mequon Engineering Department review and approval of the TIA scope.
29. 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).

Prepared By: _____

Neighborhood Open House Report



Site plans and sample boards with various architectural renderings were displayed. Attendees had the opportunity to place sticky notes with comments directly on the boards as well as filling out a comment card with suggestions.

Kim Tolefson Director of Community Development, Cindy Shaffer Owner of Shaffer Development, Kate Bartlet Architect Engberg Anderson and Connie Pukaite, District Alderman were present to answer questions and listen to comments.

Of the thirty people who attended our meeting, most expressed concerns for public safety, lighting, traffic and parking. Some attendees wanted to see lots of retail space—specifically, the inclusion of health-food restaurants. In regard to design, attendees expressed that they would like the development to blend in with the surrounding area, incorporating traditional architecture.

Comment Card Suggestions:

“Street light at Cedarburg and Division”

“Traffic lights on Industrial Rd. and Mequon Rd”

“Sidewalks on Buntrock.”

“Biggest concern parking!”

“My concern is for the safety of foot traffic on Division”

“Open job opportunities to local residents first, since they will have the most vested interest in its success.”

“Retail: something unique such as Mediterranean food which will will attract people to the idea of healthy good living.”

“Traffic lights on Industrial and Mequon”

“Traffic lights at intersection”

“Fits in w/ neighborhood”

“Parking and retail”

“Safe pedestrian traffic on Division”

“Vegetative screening thru-out”

“traffic light more.”

“more traditional”

“road system w/in res.”

“don’t like white”

“Plenty of ginger-bread”

“Front porches project into front”

Attendees:

| | | | |
|----------------------|------------------------------|---------------------------------|--------------|
| Tom Zabjek | 11845 Sandhill Cir. | thz@lakesidedevelopment.com | 414-254-5452 |
| Bob Balh | 6836 W. Mequon Rd. | robert3balh@aol.com | 414-573-1147 |
| Paul & Lora Reinholz | 11264 N. River Birch Dr. | lorar@twc.com | 262-617-4868 |
| Erika Janik | 6614 W. Mequon Rd. | ejanik@deloitte.com | 262-365-3942 |
| Tyler & Melody Hicks | 3608 W. Normandy Ct. | ----- | 239-246-3400 |
| Dick Widmer | 1236 N. Cedarburg Rd. | ----- | 262-242-9236 |
| Danielle Oberndorfer | 323 Washington Ct. | danielleo@dermonds.com | 262-853-3018 |
| Jim Glassfond | 715 Oak Ridge Dr. | jimglassford@frommfamily.com | 920-254-1794 |
| Ken Hosale | 11019 N. Wauwatosa Rd. | ----- | 262-242-2306 |
| Tom Anderson | 11005 N. Elder Tree Ct. | clareander@yahoo.com | 262-242-5768 |
| Connie Meyer | 11305 N. Buntrock Ave. | csmeyer2003@yahoo.com | 414-254-0023 |
| John Pipkorn | 12600 N. Granville Rd. | j_agrarlan@yahoo.com | 262-343-5001 |
| Scott Humber | 1500 W. Market St. | scott@lakesidedevelopment.com | 262-292-2308 |
| Jerry Phillips | 6504 W. Aspen Tree Ct. | ggphillips01@gmail.com | 262-242-6884 |
| Mary & Mark Cherwin | 11251 N. Buntrock Ave. | mary.cherwin@gmail.com | 262-242-9373 |
| Sue Domencich | 11351 N. Buntrock Ave. | ----- | 414-588-1672 |
| Tom Nieman | 8148 W. Bonniwell Rd. | tom.nieman@frommfmaily.com | ----- |
| Alan H. Siggelkow | 204 Division St. | ahsiggelkow@gmail.com | 262-242-2752 |
| John Graham | 11501 N. Port Washington Rd. | jgaraham@advisorsre.com | 262-938-4405 |
| James Marshall | 6329 W. Mequon Rd. | jfmarshall@spectruminvestor.com | 262-238-4010 |
| Jim & Sandy Siebers | 11430 N. Buntrock | assessor@wi.rr.com | 262-623-0656 |
| Carole Stuckert | 229 S. Orchard St. | czstuckert@gmail.com | 262-242-5834 |



11333 N. Cedarburg Road
 Mequon, WI 53092-1930
 Phone: 262-236-2941
 Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Administration

TO: Common Council
FROM: Brian Sajdak, City Attorney
DATE: August 10, 2016
**SUBJECT: An Ordinance Creating § 2-137(b)(9) of the Mequon Municipal Code
 Relating to the Imposition of an Affirmative Duty Upon Officials to Act with
 Honesty in Their Dealings with the Public**

Background

The City's Ethics Board was created in 1978 and a formal Code of Ethics was codified in 1998 after a comprehensive review/update performed by the City's Ethics Board. Prior to 1998, the City's "Ethics Code" existed in the form of a policy manual.

The Municipal Code of the City formally codifies both the Ethics Code and the Employee Personnel Code. Those sections include provisions related to ensuring honest conduct:

- Section 2-137(b)(8) of the Ethics Code prohibits an official from obtaining a personal gain through the use of dishonesty.
- Section 2-230 (1) of the Personnel Code specifically includes the term "honesty" within the expectations of conduct.
- Section 2-230 (1)(c) of the Personnel Code specifically includes "dishonesty" as an action that may warrant disciplinary action.

At the request of Alderman Gierl, the Public Welfare Committee considered the apparent lack of express requirement to be honest within the Ethics Code. At its May 2016 meeting, the Public Welfare Committee forwarded a request to the Ethics Board to have the Board consider the following language be added as a new provision within the Ethics Code:

(9) No city official or employee may, in that official's or employee's official capacity dealing with the public or other city officials or employees, communicate any material fact that:

- a. is materially untrue; and
- b. the official or employee knew to be untrue when communicated or that the official or employee communicated with a reckless disregard for the truth.

Due to a staff oversight, the Ethics Board was provided with the staff's original language drafted by staff instead of the language that was finalized at the Public Welfare Committee. That language created a definition of Honest and Truthful:

Honest and truthful means conduct that is free of deceit and untruthfulness and is in accordance with facts or reality known to the person at the time the conduct is engaged.

The language also incorporated the term honest and truthful into the provisions of the Ethics Code with the following language:

(9) No city official or employee may, in that official's or employee's dealings

with the public and/or other city officials or employees, act in any manner that is not honest and truthful.

On June 21, 2016 the Ethics Board met to consider the proposed changes. At that meeting, the Ethics Board unanimously passed a motion to:

recommend to the Public Welfare Committee and Common Council that the suggested changes not be adopted because they would be difficult to administer and constitute a departure from the State ethics code; however, if compelled to do something to recommend that the definition be eliminated and that Sec. (b)(9) be amended to read “City Officials and employees shall be honest and truthful in their dealings with the public and/or other City Officials or employees.”

The Public Welfare Committee then considered the Ethics Board’s recommendation at its July 2016 meeting. At that meeting, the Committee determined to forward its previously recommended language to the Common Council with direction to staff to request that the Ethics Board provide input on that language before the Common Council meeting. The Ethics Board is meeting on August 4, 2016 to consider this language.

Analysis

The Public Welfare Committee voted to forward its original language to the Common Council. This action was taken following the recommendation from the Ethics Board that no changes be made. That Ethic’s Board recommendation was based upon three primary reasons:

1. Adding honesty to the ethics code would be difficult to administer.
As the Board considered the changes, it determined that honesty is a difficult concept to administer because there are often more questions than answers. Some of the questions the Board considered: At what point does dishonesty become actionable under the code? Any single lie, or is there some arbitrary number of lies that need to be reached first? Only a lie that results in some harm to another person? If so, how much (or what kind of) harm qualifies? Does it matter if the lie was an intentional or an honest mistake? Board members noted that these provisions apply to all officials, including those that are elected officials. Does it matter that politicians routinely “color” the facts to support their position? Is it a “lie” for an alderperson in debate at the Council to represent only those facts that support their position even if there are known facts to the contrary?
2. Changing the ethics code would be a departure from the State ethics code.
The Board also considered the language of the State Ethics Code for local officials and noted that there are no honesty provisions in the State Code. The State Code has substantial history behind it - not only in terms of drafting history that can be reviewed, but also a body of applications, interpretations and case law from across the State that can help a local ethics board interpret and apply their local codes. Deviations from the State code mean that there is no similar assistance available.
3. The proposed changes bring an element of politics to the ethics code.
While not specified in the motion itself, most of the Board members expressed concern at some point during the discussion that the changes bring an element of politics to ethics code. Their concern is that, unlike the other provisions of the ethics code, the proposed

changes are more subjective in nature. This subjective nature could result in opponents of a particular elected official filing complaints with the Ethics board for the purposes of achieving political gain themselves.

Despite their recommendation to not adopt any changes, the Ethics Board also recognized that because this recommendation came from the Public Welfare Committee it was likely that the Committee may reject a “do nothing” recommendation. Accordingly, the Board also recommended changes to the proposed rules in the event that the Committee wishes to “do something.” That recommendation was to eliminate the definition and to amend the proposed language to:

(9) City Officials and employees shall be honest and truthful in their dealings with the public and/or other City Officials or employees.

In light of the error in the transfer between the Committee and the Ethics Board, and because the Ethics Board will be meeting to discuss the correct language, the reasons behind this recommendation may be of limited value and will not be described here. Accordingly, Staff will provide an additional update to the Council following the Ethics Board meeting on August 4.

Fiscal Impact

There is no applicable fiscal impact.

Recommendation

As discussed above, and assuming there are no changes at their meeting on the 4th, the recommendation of the Ethics Board to the Committee is to not adopt any changes to the Ethics code at this time. The Public Welfare Committee has approved a recommendation regarding its proposed language for consideration, and that language is reflected in the attached proposed ordinance. Any amended recommendation from the Ethics Board will be forwarded following its meeting.

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2016-1477

An Ordinance Creating § 2-137(b)(9) of the Mequon Municipal Code Relating to the Imposition of an Affirmative Duty Upon Officials to Act with Honesty in Their Dealings with the Public

WHEREAS, the Common Council of the City of Mequon previously adopted an Ethics Code for City Officials and employees which is presently codified in Sections 2-135 through 2-148 of the Mequon Municipal Code; and

WHEREAS, the Ethics Code is designed to ensure high moral and ethical standards of conduct for City Officials and employees; and

WHEREAS, while implied within the provisions of the Ethics Code and in the practices of good governance, there is no affirmative duty to act with honesty in an official's dealings with other officials and/or the public; and

WHEREAS, the Common Council desires to include such affirmative duty within the Ethics Code;

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

SECTION I

Section 2-137(b) is hereby amended to read as follows (NOTE: Added text is underlined; Deleted text is ~~struck through~~):

- (b) Prohibited practices.
- (1) No city official or employee may use his or her public position or office to obtain financial gain or anything of substantial value for the city official's or employee's private benefit or that of his or her immediate family, or for an organization with which he or she is associated. This subsection does not prohibit an elected official from using the title or prestige of his or her office to obtain contributions permitted and reported under Wis. Stats ch. 11.
 - (2) No person may offer or give to a city official or employee, directly or indirectly, and no city official or employee may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the city official's vote, the city official's or

employee's official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the city official or employee. This subsection does not prohibit a city official or employee from engaging in outside employment.

- (3) No city official or employee may intentionally use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family, or for any other person, if the information has not been communicated to the public or is not public information. This provision shall not be interpreted to prevent such city official or employee from reporting violations of this division or other illegal acts to the proper authorities.
- (4) No city official or employee may use or attempt to use his or her position to influence or gain unlawful benefits, advantages or privileges for himself or herself or others.
- (5) No city official or employee, member of such city official's or employee's immediate family, nor any organization in which the city official or employee or a member of such city official's or employee's immediate family owns or controls at least ten percent of the outstanding equity, voting rights, or outstanding indebtedness may enter into any contract or lease with the City of Mequon involving a payment or payments of more than \$3,000.00 within a 12-month period unless the city official or employee has first made written disclosure of the nature and extent of such relationship or interest to the board and to the department involved in regard to the contract or lease. Any contract or lease entered into in violation of this subsection may be voided by the city in an action commenced within three years of the date on which the board, or the department or officer acting for the city in regard to the allocation of funds from which such payment is derived, knew or should have known that a violation of this subsection had occurred. This subsection does not affect the application of Wis. Stats. § 946.13.
- (6) No city official or employee may represent a person for compensation before a city department or any employee thereof, council, board, committee, commission or similar entity, except:
 - a. In a contested case which involves a party other than the city with interests adverse to those represented by the city official or employee; or
 - b. At an open hearing at which a stenographic or other

record is maintained; or

- c. In a matter that involves only ministerial action by the department.

This subsection does not apply to representation by a city official or employee acting in his or her official capacity.

- (7) No former city official or employee for 12 months following the date on which he or she ceases to be a city official or employee, may, for compensation:
- a. On behalf of any person other than a governmental entity, make any formal or informal appearance before, or negotiate with, any officer or employee of a department with which he or she was associated as a city official or employee within 12 months prior to the date on which he or she ceased to be a city official or employee.
 - b. On behalf of any person other than a governmental entity, make any formal or informal appearance before, or negotiate with, any official or city employee of a department in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding which was under the former city official's or employee's responsibility as a city official or employee, within 12 months prior to the date on which he or she ceased to be a city official or employee.
 - c. On behalf of any party other than the city, act in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding in which the former city official or employee participated personally and substantially as a city official or employee.
- (8) No city official or employee may dishonestly obtain financial gain or anything of substantial value for the city official's or employee's private benefit or that of his or her immediate family, or for an organization with which he or she is associated.
- (9) No city official or employee may, in that official's or employee's official capacity dealing with the public or other city officials or employees, communicate any material fact that:
- a. is materially untrue; and
 - b. the official or employee knew to be untrue when communicated or that the official or employee

communicated with a reckless disregard for the truth.

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: August 10, 2016

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on August 10, 2016.

Caroline Fochs, City Clerk

Published: _____



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: Tom Watson, Finance Director
DATE: August 10, 2016
SUBJECT: A Resolution Approving a Transfer of Funds from the Capital Project Fund's Urban Forestry Account to the Emerald Ash Borer Account

Background

The City has historically received monies for the removal of specimen trees, which is prohibited by ordinance. When the removal of a specimen tree is approved based upon the criteria defined in the ordinance, the property owner is required to replace the tree.

Ordinance 84-6(g) states: "Where replacement is required pursuant to this section, the city forester will direct replacement, in accordance with the tree preservation guidelines, on the lot, in public spaces, or by equivalent monetary contribution to a city green infrastructure fund."

Further, the City's tree preservation guidelines specify "If space is not available for replacement trees on the lot, the City Forester or his associate and Planning Commission may direct the planting at a City park, or in lieu of planting, a payment equal to the calculated value from the ISA Guide for Plant Appraisal may be placed in a non lapsing account for future street tree and urban forest projects."

Historically, tree replacement funds have been deposited in the Capital Project Fund's Urban Forestry account. Per the tree policy, these funds are to be utilized for street tree and urban forest projects.

Subsequently, the City of Mequon, over the last few years, has also engaged in the removal of ash trees in the City which have been affected by Emerald Ash Borer (EAB) and subsequent replanting of trees due to removal of trees affected with EAB. The tax revenue funds for EAB have also been deposited into the Capital Project Fund's Urban Forestry account.

Analysis

Over the years, it has become difficult to track both the revenues and expenditures for these two distinctly different projects in the same account. Therefore, staff is requesting that both revenues and expenditures associated with EAB be moved into their own distinct account, the Capital Projects Fund's Emerald Ash Borer account. This will allow staff to better track revenues and expenditures related to the two projects. It will also ensure that the fund distribution follows the City's ordinance and tree policy requirements, where funds for tree replacement will be utilized for street tree and urban forestry projects and not for tree removal associated with EAB.

Fiscal Impact

Since this modification is being introduced mid-fiscal year, staff is proposing that revenues in the amount of \$50,000.00 and expenditures in the amount of \$58,424.10 be transferred from the Urban Forestry account to the newly created Emerald Ash Borer account in the Capital Projects Fund, in order to properly account for revenues and expenditures associated with EAB.

Recommendation

Separation of the project accounts further delineates these specific uses, and is in keeping with the City's ordinance and tree preservation policy. 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 \$50,000.00 in revenue and \$58,424.10 in expenditures from the Capital Project Fund Urban Forestry project account to the Emerald Ash Borer project account.

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3384

A Resolution Approving a Transfer of Funds from the Capital Project Fund's Urban Forestry Account to the Emerald Ash Borer Account

A Resolution Approving a Transfer of Funds from the Capital Project Fund's Urban Forestry Account to the Emerald Ash Borer Account

WHEREAS, the City receives funding for replacement of specimen trees in the Capital Project Fund Urban Forestry Account; and

WHEREAS, the City funds Emerald Ash Borer Capital Project in the Capital Project Fund Urban Forestry Account; and

WHEREAS, it is difficult to track the revenues and expenditures for the two distinctly differently projects in the same Capital Project Fund account; and

WHEREAS, the City of Mequon Finance & Personnel Committee, after reviewing the information presented by staff, recommends a transfer of \$50,000.00 in revenues and \$58,424.10 in expenses from the Capital Projects Fund Urban Forestry account to the Emerald Ash Borer 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: August 10, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on August 10, 2016.

Caroline Fochs, City Clerk



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: August 10, 2016
SUBJECT: A Resolution Canceling the Special Assessment Against Benefited Property (The Enclave at Mequon Preserve) in Connection with Completion of the Wauwatosa Road Sanitary Sewer Expansion Project

Background

In 2015, the City passed Resolution 3309 approving written agreements addressing assignment of special assessments within the Central Growth Area. Several properties within the special assessment district were under purchase agreements at the time which required the buyer to pay the special assessment rather than the current property owner. The City and the future property owner, in this case the developer of the property, entered into special assessment development agreements which allowed the developer to ultimately defer the special assessment until the time of final plat. The City agreed to then cancel the special assessment, allowing the recording of the final plat, to be immediately followed with a reallocation of the special assessment.

Resolution 3395 addresses the cancellation of the special assessment to allow for recording of the final plat for the Enclave at Mequon Preserve.

Analysis

Wisconsin Statute 236.21(3) requires a certificate of the clerk or treasurer of the municipality in which the subdivision lies and a certificate of the treasurer of the county in which the subdivision lies stating that there are no unpaid taxes or unpaid special assessments on any of the lands included in the plat. Therefore in keeping with the special assessment development agreement, the City must cancel the special assessment to allow for final plat recording. It should be noted that the special assessment development agreement protects the City in disallowing the transfer of title on any of the parcels created by the final plat, until such time that the special assessment is reallocated. Resolution 3396 addresses the reallocation of the special assessment.

Fiscal Impact

The cancellation and reallocation of the special assessment is fiscally neutral for the City. The entirety of the deferred principal and accrued interest to date will be reallocated in conjunction with the adoption of Resolution 3396.

Recommendation

Staff recommends that the Public Works Committee endorse and the Common Council approve Resolution 3395 canceling the special assessment against benefited property (The Enclave at

Mequon Preserve) in connection with completion of the Wauwatosa Road Sanitary Sewer Expansion Project.

Attachments:

Sp Assess DA (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3395

A Resolution Canceling the Special Assessment Against Benefited Property (The Enclave at Mequon Preserve) in Connection with Completion of the Wauwatosa Road Sanitary Sewer Expansion Project

WHEREAS, the City approved and levied a special assessment for a sanitary sewer extension to serve certain properties including the property owned by MREC VH Mequon LLC (Owner); and

WHEREAS, the Owner maintains ownership of three properties within the Special Assessment District which are included in the final plat for “The Enclave at Mequon Preserve”, which include 14-028-03-006.00, 14-028-03-007.00, and 14-028-03-008.00; and

WHEREAS, Wisconsin Statute 236.21(3) requires that a certificate of the clerk or treasurer of the municipality in which the subdivision lies and a certificate of the treasurer of the county in which the subdivision lies stating that there are no unpaid taxes or unpaid special assessments on any of the lands be included in the plat; and

WHEREAS, the City and Owner entered into a special assessment development agreement allowing the Owner the right to reallocate the special assessment to individual lots, subject to specific terms; and

WHEREAS, as a part of the special assessment development agreement the Owner waived all rights to notice and hearing related to the special assessments and waived all rights to object to any procedural irregularities in the imposition of the special assessments; and

WHEREAS, Wisconsin Statute 66.0703(10) allows the City to reconsider and reopen any assessment to amend, cancel or confirm the prior assessment;

NOW THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Mequon as follows:

1. With the approval of the final plat for “The Enclave at Mequon Preserve”, the City hereby cancels the special assessment on properties 14-028-03-006.00, 14-028-03-007.00, and 14-028-03-008.00, to allow for the recording of the final plat and completion of the certificate as outlined in 236.21(3).
2. That the City will subsequently pass a resolution reallocating the special assessment to the individual subdivision Lots 1-17, as included in the final plat for “The Enclave at Mequon Preserve”.
3. That the owner shall not transfer title to the properties or any lots created therein between the recording of the final plat and the reallocation of the special assessment.

Approved by: Dan Abendroth, Mayor

Date Approved: August 10, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on August 10, 2016.

Caroline Fochs, City Clerk

DEVELOPMENT AGREEMENT

THIS AGREEMENT is entered into by and between the City of Mequon, a municipal corporation of the State of Wisconsin located in Ozaukee County, hereinafter called the "City," and MREC VH Mequon LLC, a Wisconsin limited liability company, hereinafter referred to as "Developer".

WHEREAS, the City has heretofore approved and levied a special assessment for a sanitary sewer extension to serve certain properties including property owned by the Developer; and

WHEREAS, the Developer owns, or is under contract to purchase the lands more specifically described in the attached Exhibit A (the "Property"); and

WHEREAS, Developer desires to subdivide Property which is subject to the existing special assessment; and

WHEREAS, Wis. Stat. § 236.21 requires that a final plat be accompanied by a certification that there are no outstanding special assessments at the time of plat approval; and

WHEREAS, had the sanitary sewer extension been completed by the Developer using a build and contribute model, Developer would have been able to pass that cost onto the individual subdivision lots; and

WHEREAS, the City and the Developer each wish to complete the sanitary sewer extension in the most beneficial manner to both parties;

NOW, THEREFORE, in consideration of these recitals, the mutual agreements, benefits and responsibilities outlined herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Preliminary plat approval was granted by the Planning Commission on March 9, 2015.
2. Developer requests a deferral of the special assessment in accordance with Section 10 of the Final Resolution Levying Assessment (City of Mequon Resolution No. 3278) and that this document shall serve as the required written request for deferral. The terms of such deferral shall be pursuant to the terms of the Resolution.
3. At the time of final plat approval, and upon the request of the Developer hereunder, the City shall utilize Wis. Stat. § 66.0703(10) to reopen the special assessment for the purposes of reallocating the assessment to individual subdivision lots as follows:
 - A. The City shall publish the applicable notices under Wis. Stat. § 66.0707(7)(a) for a public hearing on the reopening of the assessment. This hearing shall be on the

same day the Common Council considers final plat approval. At that time, provided the final plat is approved by the Common Council, the City shall approve a resolution canceling the assessment as it relates to the Property thereby allowing final plat approval and recording without payment of the special assessment.

- B. The City shall hold a second public hearing, with applicable notices, as soon as possible following the date that the final plat is recorded at which time the City shall approve a resolution adding the individual subdivision parcels into the Assessment District under terms identical to those terms remaining on the assessment as originally levied (e.g., no additional deferments or annual payments will be granted).
- C. The resolutions contemplated hereunder may be made only upon the waiver and consent to such special assessments by all parties then with an interest in the land as shown by a current title report and any and all banks or financing institutions which may have an interest in the Property upon final plat recording.
4. Developer shall not transfer title to the Property, or any lot created thereon, between the time of the adoption of any resolution under paragraph 3.A. and the adoption of any resolution under paragraph 3.B.
5. Developer shall bear all of the City's costs with respect to paragraph 3 above including updated title and publication fees.
6. Developer acknowledges and admits the special benefit to the Property of the City's improvements. Developer consents to the imposition of special assessments against the Property and/or the individual lots created thereon for the cost of the City's improvements, including but not limited to costs relating to design, inspection, financing and construction. **Developer waives all rights to notice and hearing related to the special assessments and waives all rights to object to any procedural irregularities in the imposition of the special assessments.**
7. This agreement shall be binding upon the heirs, successors, executors and assigns of the parties hereto.

[SIGNATURE PAGES FOLLOW]

EXHIBIT A Property Description

PARCEL A:

The South One-half (1/2) of the North One-half (1/2) of the North One-half (1/2) of the Southeast One-quarter (1/4) and the North One-half (1/2) of the North One-half (1/2) of the North One-half (1/2) of the Southeast One-quarter (1/4) and the South Ten (10) acres of the South One-half (1/2) of the South One-half (1/2) of the South One-half (1/2) of the Northeast One-quarter (1/4) all in Section Twenty-eight (28), in Township Nine (9) North, Range Twenty-one (21) East, in the City of Mequon, County of Ozaukee, State of Wisconsin.

AND

That part of the South One-half (1/2) of the North One-half (1/2) of the Southeast One-quarter of Section Twenty-eight (28), in Township Nine (9) North, Range Twenty-one (21) East in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows: Commencing at a point in the East line which is 1970.85 feet North of the Southeast corner of said ¼ section; thence West along the fence line and extension thereof 704 feet to a point; thence North on a line 15.7 feet to a point in the North line of the South ½ of the North ½ of said ¼ Section; thence East along the North line of the South ½ of the North ½ of said ¼ Section 704 feet to a point in the East line of said ¼ Section; thence South along the East line of said ¼ Section 16.9 feet to the place of beginning.

Excepting therefrom those lands conveyed to Ozaukee County in a conveyance recorded on June 21, 1965 in Volume 167, Page 440, as Document No. 205208

Also excepting therefrom those lands described as Certified Survey Map No. 3178 and recorded on November 5, 1999 in Volume 22 of Certified Survey Maps, at pages 264 to 266, inclusive, as Document No. 646472.

Tax Key No. 14-028-03-006.00

PARCEL B:

Lot One (1) of CERTIFIED SURVEY MAP NO. 3178, being a part of the Northeast One-quarter (1/4) of the Southeast One-quarter (1/4) of Section Twenty-eight (28), in Township Nine (9), Range Twenty-one (21) East, in the City of Mequon, Ozaukee County, Wisconsin, recorded in the Register of Deeds for Ozaukee County on November 5, 1999 in Volume 22 at Page 264, as Document No. 646472.

Tax Key No. 14-028-13-007.00

Address: 10729 North Wauwatosa Road

PARCEL C:

Lot Two (2) of CERTIFIED SURVEY MAP NO. 3178, being a part of the Northeast One-quarter (1/4) of the Southeast One-quarter (1/4) of Section Twenty-eight (28), in Township Nine (9), Range Twenty-one (21) East, in the City of Mequon, Ozaukee County, Wisconsin, recorded in the Register of Deeds for Ozaukee County on November 5, 1999 in Volume 22 at Page 264, as Document No. 646472.

Tax Key No. 14-028-13-008.00

Address: 10701 North Wauwatosa Road

PARCEL E:

Lot Two (2) of CERTIFIED SURVEY MAP NO. 2523, being a part of the Southeast One-quarter (1/4) of the Northeast One-quarter (1/4), Section Twenty-eight (28), in Township Nine (9), Range Twenty-one (21) East, in the City of Mequon, Ozaukee County, Wisconsin, recorded in the Register of Deeds for Ozaukee County on March 4, 1993 in Volume 18 of Certified Survey Maps at Page 226, as Document No. 484473.

Tax Key No. 14-025-04-012.00

Address: 10839 North Wauwatosa Road



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: August 10, 2016
SUBJECT: A Resolution Levying Reallocated Special Assessments Against Benefited Property (The Enclave at Mequon Preserve) in Connection with Completion of the Wauwatosa Road Sanitary Sewer Expansion Project

Background

In 2015, the City passed Resolution 3309 approving written agreements addressing assignment of special assessments within the Central Growth Area. Several properties within the special assessment district were under purchase agreements at the time which required the buyer to pay the special assessment rather than the current property owner. The City and the future property owner, in this case the developer of the property, entered into special assessment development agreements which allowed the developer to ultimately defer the special assessment until the time of final plat. The City agreed to then cancel the special assessment, allowing the recording of the final plat, to be immediately followed with a reallocation of the special assessment.

Resolution 3396 addresses the reallocation of the special assessment upon recording of the final plat for the Enclave at Mequon Preserve.

Analysis

At the time of contemplation of the special assessment, the developers with existing purchase agreements on properties within the special assessment district argued that under a developer build and contribute model, they would be able to pass the cost of the sanitary sewer onto the individual lot owners. To accommodate this structure, the City and the developer entered into a special assessment development agreement which allowed the developer the opportunity to reallocate the special assessment at the time of final plat.

As detailed in the attached resolution, the deferral on the remnant portions of the parent parcels will remain intact on the per acreage basis as originally assessed. The portion of the special assessment associated with the area included in the final plat will be reallocated on a per lot basis for the 17 individual lots associated with the final plat.

It should be noted that the developer does intend to utilize reallocation on future phases of the subdivision as well.

Fiscal Impact

The cancellation and reallocation of the special assessment is fiscally neutral for the City. The entirety of the deferred principal and accrued interest to date will be reallocated as a part of

Resolution 3396.

Recommendation

Staff recommends that the Public Works Committee endorse and the Common Council approve Resolution 3396 levying reallocated special assessments against benefited property (The Enclave at Mequon Preserve) in connection with completion of the Wauwatosa Road Sanitary Sewer Expansion Project.

Attachments:

Assessment Roll (PDF)

2016-07-25 Tax Parcel Areas (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3396

A Resolution Levying Reallocated Special Assessments Against Benefited Property (The Enclave at Mequon Preserve) in Connection with Completion of the Wauwatosa Road Sanitary Sewer Expansion Project

WHEREAS, the City approved and levied a special assessment for a sanitary sewer extension to serve certain properties including the property owned by MREC VH Mequon LLC (Owner); and

WHEREAS, the Owner maintains ownership of three properties within the Special Assessment District which are included in the final plat for “The Enclave at Mequon Preserve”, which include 14-028-03-006.00, 14-028-03-007.00, and 14-028-03-008.00; and

WHEREAS, had the sanitary sewer extension been completed by the developer using build-and-contribute model, the developer would have been able to pass on the sanitary sewer extension costs to the individual subdivision lots; and

WHEREAS, the City and Owner entered into a special assessment development agreement allowing the Owner the right to reallocate the special assessment to individual lots, subject to specific terms; and

WHEREAS, the Owner requested to exercise its right to reallocate the special assessment against the properties to the individual lots at the time of final plat, as allowed by of the associated special assessment development agreement; and

WHEREAS, the property owner requested that the Common Council of the City of Mequon, Ozaukee County, Wisconsin, waive the public hearing required by state statutes and 3.B. of the associated special assessment development agreement; and

WHEREAS, as the City reopened the special assessment on the aforementioned properties and approved a resolution cancelling the assessment as it relates to the properties thereby allowing the final plat approval and recording without payment of the special assessment;

NOW THEREFORE BE IT RESOLVED by the Mayor and the Common Council of the City of Mequon as follows:

1. That the reallocated special assessment amounts are based upon the original special assessment amounts, adjusted for the final project costs, plus the 6% per annum interest charged through August 10, 2016, based on the amount of the time elapsed since October 1, 2015.
2. That the original special assessment shall be reallocated in accordance with the

amended assessment roll, a copy of which is attached hereto and incorporated herein by reference.

3. That the area based assessment utilized for the original special assessment shall remain in effect for the remnant parent parcels.
4. That the area based assessment of the property incorporated in the final plat will be reallocated to the individual lots by taking the total acreage subject to special assessment included in the final plat and dividing that cost evenly among the total number of lots within the final plat.
5. That the reallocated special assessment will continue to be deferred in accordance with the terms of the original special assessment and the special assessment development agreement. Those terms include, but are not limited to:
 - a. That the assessment may be deferred until July 1, 2025 or until the time of connection to the public sanitary sewer system, whichever is earlier.
 - b. Deferred payments to bear interest at the compound rate of 6.0% per annum on the cumulative unpaid balance as of October 1, 2015.
 - c. Deferred assessments are subject to annual interest accrual. Assessments deferred for the full 10 years until 2025 bear 10 years of interest at the rate of 6.0% per annum. Assessments deferred, but paid in full prior to 2025 bear a prorated interest at the rate of 6.0% per annum, based upon the amount of time elapsed since October 1, 2015.
 - d. That the time of connection as applied to any parcel or subdivided lot subject to the assessment shall be defined as the connection on any such parcel or subdivided lot of a private lateral to the public sanitary sewer system.
6. That the installment payment option is not offered to any of the benefited properties referenced herein.
7. That the levied assessment against any parcel is due in full at the time of sale of any parcel. In the event that only a portion of a parcel is sold, only that proportional share of the levied assessment attributable to that portion shall be due.
8. That the City Clerk is directed to publish this resolution as a Class 1 Notice under Chapter 985 of the Wisconsin Statutes in the assessment district.
9. That the Clerk is further directed to mail a copy of this Resolution and a statement of the final assessment against the benefited property to every property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

Approved by: Dan Abendroth, Mayor

Date Approved: August 10, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on August 10, 2016.

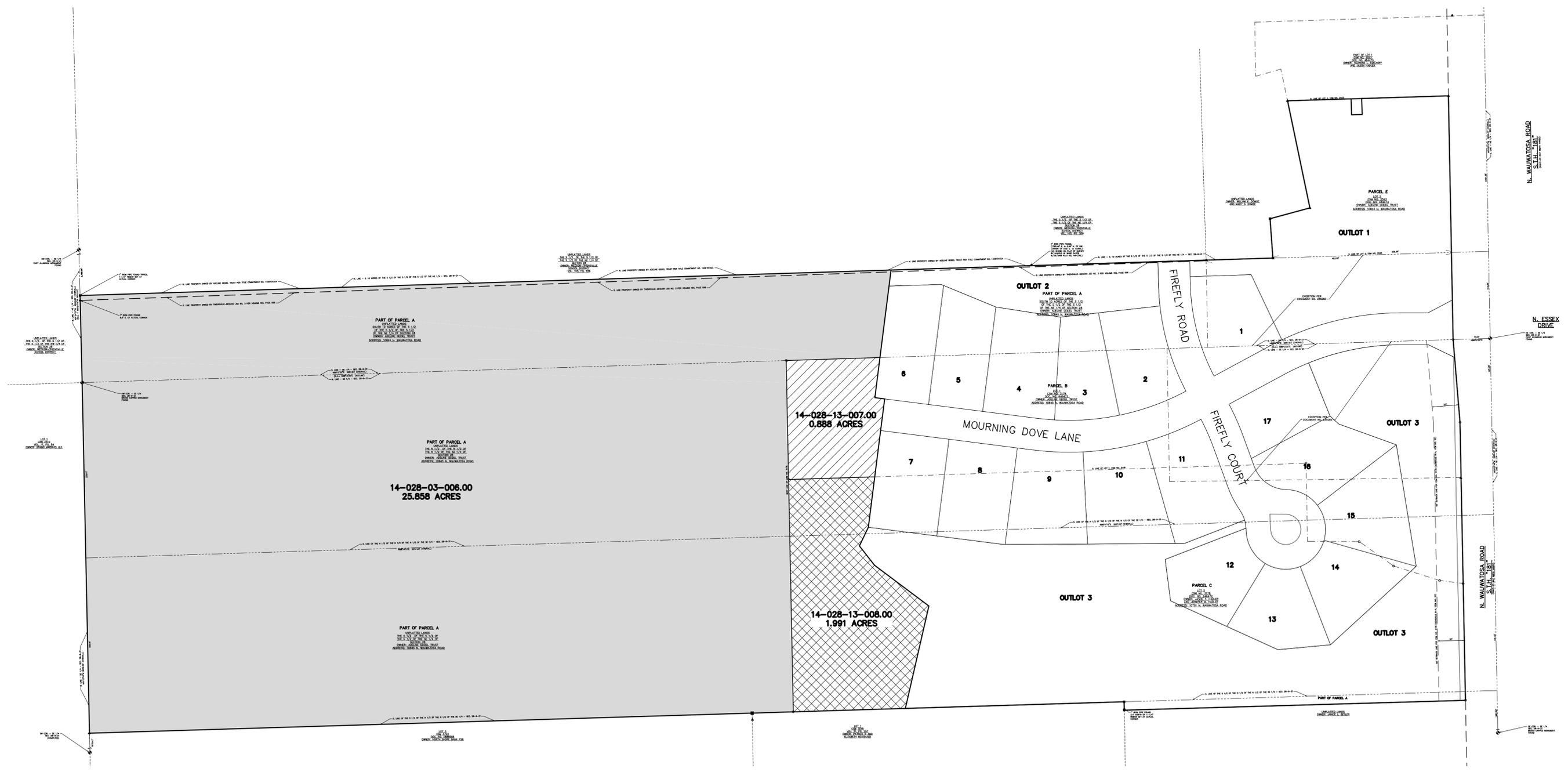
Caroline Fochs, City Clerk

| Tax_Key and Address | Original Special Assessment Gross Area | % of Total Area | Original Special Assessment Adjusted Assessment Amount | Interest Earned 10.1.15 - 8.10.16 | Total Assessment Subject to Reallocation | Post Final Plat Gross Area | Post Final Plat % of Total Area | Post Final Plat Deferred Principal Assessment Amount | Post Final Plat Deferred Interest Assessment Amount thru 8.10.16 |
|--------------------------------------|--|-----------------|--|-----------------------------------|--|----------------------------|---------------------------------|--|--|
| 140280300600 WAUWATOSA RD | 29.665 | 60.350% | \$192,847.74 | \$6,048.12 | \$198,895.86 | 25.858 | 52.61% | \$168,099.00 | \$5,271.94 |
| 140281300800 10701 N WAUWATOSA RD | 11.74 | 23.884% | \$76,319.99 | \$2,393.56 | \$78,713.55 | 1.991 | 4.05% | \$12,943.19 | \$405.93 |
| 140281300700 10729 N WAUWATOSA RD | 7.75 | 15.766% | \$50,381.60 | \$1,580.07 | \$51,961.67 | 0.888 | 1.81% | \$5,772.76 | \$181.05 |
| TOTALS | 49.155 | 100.00% | \$319,549.33 | \$10,021.75 | \$329,571.08 | 28.737 | | \$186,814.95 | \$5,858.92 |

Deferred Special Assessment Principal of Final Plat \$132,734.38
 Deferred Special Assessment Interest of Final Plat \$4,162.83

| | | | | | | | | | |
|-------------------------------------|--|--|--|--|--|--|--|--------------|------------|
| Lot 1 Tax ID TBD Address TBD | | | | | | | | \$7,807.98 | \$244.91 |
| Lot 2 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 3 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 4 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 5 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 6 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 7 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 8 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 9 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 10 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 11 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 12 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 13 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 14 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 15 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 16 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| Lot 17 Tax ID TBD Address TBD | | | | | | | | \$7,807.90 | \$244.87 |
| | | | | | | | | \$132,734.38 | \$4,162.83 |

Attachment: Assessment Roll (RESOLUTION 3396 : Resolution Levying Reallocated Special Assessments Against Benefited Property (The





11333 N. Cedarburg Road
 Mequon, WI 53092
 Phone: 262-236-8145
 Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Public Works Committee

TO: Common Council
FROM: James Keegan, Deputy Director of Engineering
DATE: August 10, 2016
SUBJECT: Adoption of a Resolution Awarding the Mequon Nature Preserve Permeable Parking Lot Paving Contract to Willkomm Excavating, Inc., Union Grove, Wisconsin, in the Amount of \$144,894

Background

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

On March 4, 2016, the MNP formally requested that the City also allow the use of MMSD Green Infrastructure & Green Solutions (GI/GS) funding to make up the shortfall between the allotted \$92,381 of GSSISS funding and the amount required to construct the parking lot. Staff confirmed with MMSD that the GI/GS funding may be used for the additional funding need.

At its April meeting, the Public Works Committee authorized staff to request that GI/GS funding from MMSD be used for the project. On April 28, 2016 the City of Mequon submitted a work plan to MMSD for the Mequon Nature Preserve Permeable Parking Lot Paving project. The work plan was approved and the City was authorized to proceed using MMSD GSSISS and GI/GS funding for the project. Staff began advertising the project on July 14 and opened bids on July 28. The bid summary and a project overview sheet are attached.

Analysis

The City advertised the project with a base bid and an alternate bid. The base bid for the project included permeable pavers for the entire parking lot and the alternate bid included the north half of the parking lot as permeable asphalt and the south half as permeable pavers. Both permeable pavers and permeable asphalt meet the intent of the project.

The City received four bids for the Mequon Nature Preserve Permeable Parking Lot Paving contract, with a low bid of \$144,894 received from Willkomm Excavating, Inc., Union Grove, Wisconsin for the alternate bid. Willkomm Excavating, Inc. has performed acceptable work on past projects.

Fiscal Impact

MMSD is the organization which administers both the GSSISS and the GS/GI funding. The City currently has \$92,831 of GSSISS funding and \$50,451 of GI/GS funding for a total of \$143,282 that will be allocated to the project. Per the MOU between the City and the MNP, the MNP will reimburse the City for any costs that exceed the available MMSD funding.

Recommendation

It is staff's recommendation that the Public Works Committee favorably endorse, and the Common Council approve attached Resolution 3397 awarding the Alternate Bid for the Mequon Nature Preserve Permeable Parking Lot Paving Contract to Willkomm Excavating, Inc., Union Grove, Wisconsin, for \$144,894.

Attachments:

Bid Opening Sheet (PDF)

Project Overview Sheet (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3397

Adoption of a Resolution Awarding the Mequon Nature Preserve Permeable Parking Lot Paving Contract to Willkomm Excavating, Inc., Union Grove, Wisconsin, in the Amount of \$144,894

WHEREAS, the City of Mequon Engineering Division has advertised and received bids for the Mequon Nature Preserve Permeable Parking Lot Paving contract; and

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

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

WHEREAS, project funding is available from the Milwaukee Metropolitan Sewerage District with any project overages being funded by the Mequon Nature Preserve; and

WHEREAS, the Committee on Public Works at its meeting on August 10, 2016 agreed with the staff recommendations for the following:

Mequon Nature Preserve Permeable Parking Lot Paving - Willkomm Excavating, Inc. - \$144,873.70.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mequon that the above Contract, as recommended by the Public Works Committee, be accepted and that the proper City officials be authorized to sign the appropriate contract documents.

Approved by: Dan Abendroth, Mayor

Date Approved: August 10, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on August 10, 2016.

Caroline Fochs, City Clerk



CITY OF MEQUON

11333 N. Cedarburg Road, 60W
Mequon, Wisconsin 53092

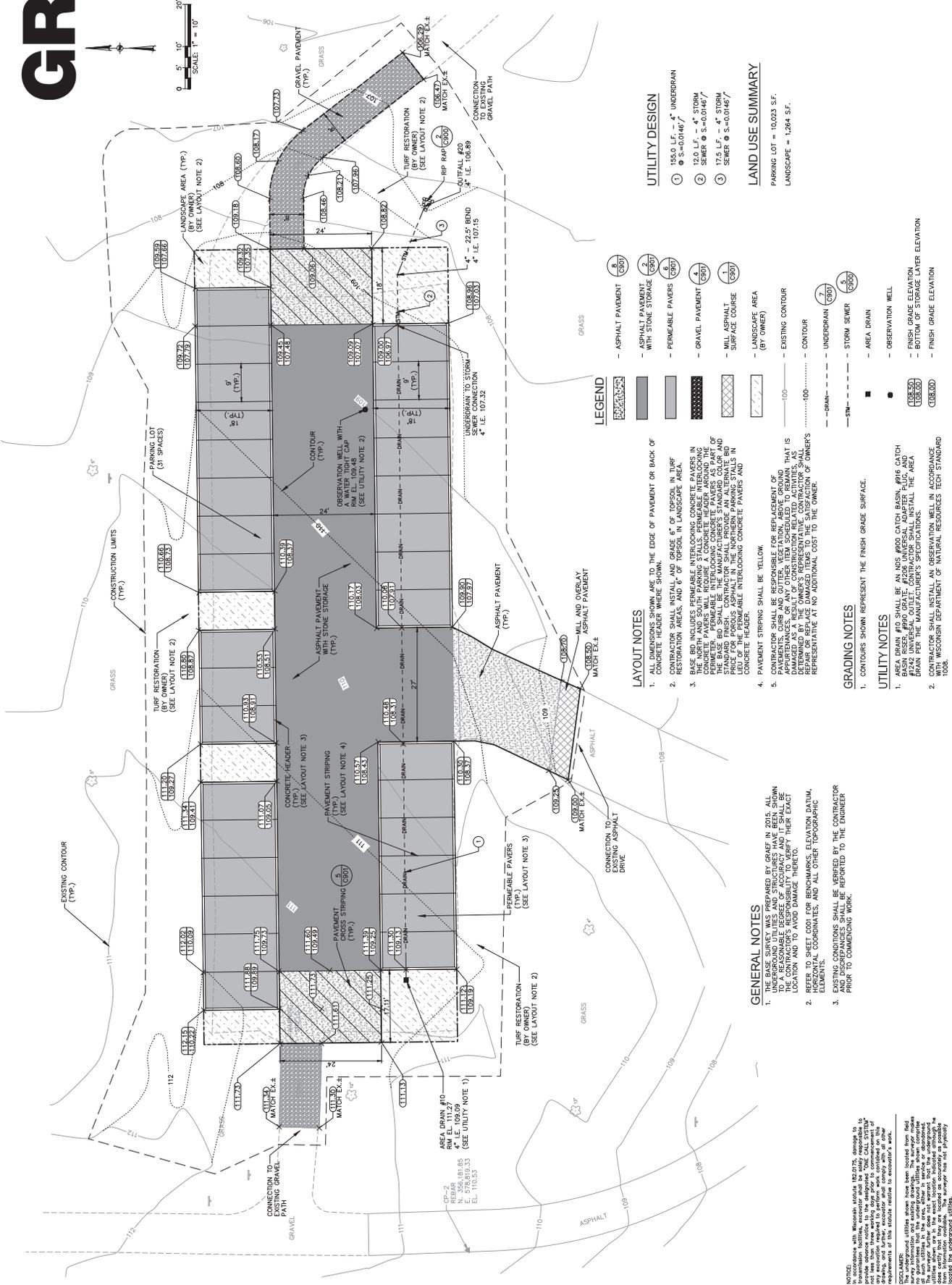
WISCONSIN

BIDS RECEIVED FOR: Mequon Nature Preserve Permeable Parking Lot Paving File 3736-K-16

BID OPENING: 7/28/2016 2:00 PM
DATE TIME

| BIDDER | PRE-QUALIFICATION STATEMENT | BID BOND | TOTAL BASE BID | TOTAL INCLUDING ALTERNATE |
|---------------------------|-----------------------------|----------|----------------|---------------------------|
| All Ways Construction | Yes | Yes | \$161,617.00 | \$148,922.75 |
| Willkomm Excavating Inc. | Yes | Yes | \$160,957.40 | \$144,893.70 |
| LaLonde Construction Inc. | Yes | Yes | \$195,817.50 | \$181,659.91 |
| KPH Construction Inc. | Yes | Yes | \$297,421.40 | \$248,047.90 |
| | | | | |
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| | | | | |

Attachment: Bid Opening Sheet (RESOLUTION 3397 : MNP Parking Lot Contract Award)



- UTILITY DESIGN**
- 1 18.0 I.F. - 4" UNDERDRAIN
S.S.=0.0146/7
 - 2 19.0 I.F. - 4" S3004
SEWER S.S.=0.0146/7
 - 3 17.5 I.F. - 4" S3004
SEWER S.S.=0.0146/7
- LAND USE SUMMARY**
- PARKING LOT = 10,023 S.F.
LANDSCAPE = 1,284 S.F.

- LEGEND**
- ASPHALT PAVEMENT (C907)
 - ASPHALT PAVEMENT WITH STONE STORAGE (C907)
 - PERMEABLE PAVERS (C907)
 - GRAVEL PAVEMENT (C907)
 - MILL ASPHALT SURFACE COURSE (C907)
 - LANDSCAPE AREA (BY OWNER)
 - EXISTING CONTOUR
 - CONTOUR
 - UNDERDRAIN (C907)
 - STORM SEWER (C907)
 - AREA DRAIN
 - OBSERVATION WELL
 - FINISH GRADE ELEVATION (108.50)
 - BOTTOM OF STORAGE LAYER ELEVATION (108.00)

- LAYOUT NOTES**
- CONTRACTOR SHALL USE TO THE EDGE OF PAVEMENT OR BACK OF CURB AND CURB WHERE SHOWN.
 - CONTRACTOR SHALL INSTALL AND GRADE 6" OF TOPSOIL IN TURF RESTORATION AREAS, AND 6" OF TOPSOIL IN LANDSCAPE AREA.
 - BASE BID INCLUDES PERMEABLE INTERLOCKING CONCRETE PAVERS IN THE NORTH AND SOUTH PARKING STALLS. PERMEABLE INTERLOCKING CONCRETE PAVERS SHALL BE 12" X 12" X 1.5" WITH 1/4" SAND AND STANDARD FINISH. CONTRACTOR SHALL PROVIDE AN ALTERNATE BID FOR PERVIOUS ASPHALT IN THE NORTHERN PARKING STALLS IN CONFORMANCE WITH THE SPECIFICATIONS FOR PERVIOUS ASPHALT AND CONCRETE HEADER.
 - PAVEMENT STRIPING SHALL BE YELLOW.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACEMENT OF PAVEMENTS, CURB AND CUTTER, VEGETATION, ABOVE GROUND UTILITY STRUCTURES, AND ANY OTHER ITEMS THAT ARE DAMAGED AS A RESULT OF CONSTRUCTION RELATED ACTIVITIES, AS WELL AS REPAIR OR REPLACE DAMAGED ITEMS TO THE SATISFACTION OF OWNER'S REPRESENTATIVE AT NO ADDITIONAL COST TO THE OWNER.

- GRADING NOTES**
- CONTOURS SHOWN REPRESENT THE FINISH GRADE SURFACE.
- UTILITY NOTES**
- AREA DRAIN #10 SHALL BE AN NDS #600 CATCH BASIN, #16 CATCH BASIN WITH 1/2" SLOPE TO THE AREA DRAIN. CONTRACTOR SHALL INSTALL THE AREA DRAIN PER THE MANUFACTURER'S SPECIFICATIONS.
 - CONTRACTOR SHALL INSTALL AN OBSERVATION WELL IN ACCORDANCE WITH THE SPECIFICATIONS FOR OBSERVATION WELLS. WISCONSIN DEPARTMENT OF NATURAL RESOURCES TECH STANDARD 1008.

- GENERAL NOTES**
- THE BASE SURVEY WAS PREPARED BY GRAEF IN 2011. ALL UTILITIES SHOWN ARE BASED ON THE SURVEY. CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO COMMENCING WORK.
 - REFER TO SHEET 0001 FOR BENCHMARKS, ELEVATION DATUM, HORIZONTAL COORDINATES, AND ALL OTHER TOPOGRAPHIC ELEMENTS.
 - ALL CONSTRUCTION SHALL BE DESIGNED BY THE CONTRACTOR AND DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER PRIOR TO COMMENCING WORK.

NOTICE: This document was prepared by Graef & Associates, Inc. (Graef) for the use of the client. It is the client's responsibility to ensure that the information provided is accurate and complete. Graef is not responsible for any errors or omissions in this document. The client is responsible for obtaining all necessary permits and approvals. The client is responsible for providing all necessary information and data. The client is responsible for providing all necessary information and data. The client is responsible for providing all necessary information and data.



11333 N. Cedarburg Road
 Mequon, WI 53092
 Phone: 262-236-2934
 Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Sewer Utility District Commission

TO: Common Council
FROM: Kevin Driscoll, Deputy Director of Utilities
DATE: August 10, 2016
SUBJECT: A Resolution Approving the Award of a Contract for the Lift Station L Force Main Relay Project to Advance Construction, Inc. of Green Bay, Wisconsin in the Amount of \$91,111

Background

The 2016 Sanitary Sewer budget adopted in October 2015 included funding for a number of capital improvement projects. Most of the proposed projects are a continuation of prior years' improvements and upgrades to the City's sanitary sewer lift stations as components age and deteriorate.

The Lift Station L Force Main Relay project includes replacement of 4-inch diameter pipe that was built in 1970 and has deteriorated and experienced pipe break which resulted in a sanitary sewer overflow event in 2015. This is an essential connection for the Juniper Court and Juniper Lane sewer service area. The Lift Station L Force Main Relay project will address the infrastructure condition of the sanitary sewer system to avoid future force main breaks on the private road. If no rehabilitation of the force main were to occur additional breaks are possible, which, in turn, could lead to emergency repairs, sanitary sewer overflows and road disruption/restoration.

Analysis

The Lift Station L Force Main Relay project work listed above is essential to the Juniper Court and Juniper Lane area sanitary sewers. The proposed design included replacement of the existing force main through the process of pipe bursting, which reduces the amount of open cutting and pavement replacement on this private road.

Staff received six bids for the Lift Station L Force Main Relay project (bid tab attached), and the lowest of the six bids was received from Advance Construction, Inc. at \$91,111. The difference between the bid prices is due to significant differences in bid costs for dry well pipe modifications, air release manholes and sanitary sewer force main pipe bursting.

Advance Construction, Inc. provided references for over 20,000 linear feet of trenchless sewer work for a sanitary sewer force main in Wales in 2015 and for underground work in Whitefish Bay along Lake Drive in 2013. The sub-contractor, M&E Construction, specializes in pipe bursting with successful projects in Tomahawk and Medford, Wisconsin. City staff checked the references for Advance Construction, Inc. and M&E Construction, and other municipal engineers gave the contractors good references, indicating they were accommodating, easy to work with, and better than other contractors doing similar work.

Fiscal Impact

Funding for Lift Station L Force Main Relay project is available as a part of the capital improvement program. The project account balance is \$231,211, and the bid price is 58 percent lower than the engineer's estimate of \$216,000.

Recommendation

It is staff's recommendation that the Sanitary Utility District Commission favorably endorse and the Common Council approve Resolution 3398, which authorizes staff to execute a contract with Advance Construction at \$91,111 for the Lift Station L Force Main Relay Project.

Attachments:

Bid Opening Summary (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

RESOLUTION 3398

A Resolution Approving the Award of a Contract for the Lift Station L Force Main Relay Project to Advance Construction, Inc. of Green Bay, Wisconsin in the Amount of \$91,111

WHEREAS, a number of capital improvement projects were identified as part of the FY2016 Sanitary Sewer budget adopted by the Common Council on October 27, 2015; and

WHEREAS, this project is critical to the operation of the City's sanitary sewer system; and

WHEREAS, City staff has received and evaluated bids for the Lift Station L Force Main Relay project; and

WHEREAS, City staff recommends that the Lift Station L Force Main Relay project be awarded to Advance Construction, Inc. At \$91,111; and

WHEREAS, the Capital Account 611799 730016 12033, Lift Station L Force Main Relay, has sufficient balance to fund this project; and

WHEREAS, the Sanitary Utility District Commission at its meeting on August 10, 2016 endorsed staff's recommendations;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND THE COMMON COUNCIL of the City of Mequon, the Common Council at its meeting on August 10, 2016 approved staff's recommendation and directs staff to execute a contract with to Advance Construction, Inc. Of Green Bay, Wisconsin in the Amount of \$91,111 to complete the Lift Station L Force Main Relay project.

Approved by: Dan Abendroth, Mayor

Date Approved: August 10, 2016

I certify that the foregoing Resolution was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on August 10, 2016.

Caroline Fochs, City Clerk

Lift Station L Force Main Relay File 3244-15

| ITEM NUMBER | BASE BID ITEMS | UNIT | EST. QUANTITY | RA Smith | | Globe Contractors Inc N50 W 23076 Betker Rd PO Box 450 Pewaukee, WI 53072 | | PTS Contractors Inc 4075 Eaton Rd Green Bay, WI 54311 | | Vinton Const Co PO Box 1987 Manitowoc, WI 54221 | | Advance Construction Inc 2141 Woodale Ave Green Bay, WI 54313 | | Mid City Plumbing & Heating 12930 W Custer Ave Butler, WI 53007 | | Super Excavators Inc N59 W14601 Bobolink Av Meno Falls, WI 5351 | |
|--|--|------|---------------|-----------------|---------------------|--|---------------------|---|---------------------|---|---------------------|---|--------------------|---|---------------------|---|---------------------|
| | | | | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price |
| 1 | 4" HDPE Sanitary Sewer Force Main Pipe Via Pipe Bursting | LF | 920 | \$155.00 | \$142,600.00 | \$100.00 | \$92,000.00 | \$98.00 | \$90,160.00 | \$203.00 | \$186,760.00 | \$70.00 | \$64,400.00 | \$115.00 | \$105,800.00 | \$147.00 | \$135,240.00 |
| 2 | Drywell Ductile Pipe Modifications | L.S. | 1 | \$4,000.00 | \$4,000.00 | \$51,000.00 | \$51,000.00 | \$9,100.00 | \$9,100.00 | \$54,990.00 | \$54,990.00 | \$13,188.00 | \$13,188.00 | \$7,500.00 | \$7,500.00 | \$16,000.00 | \$16,000.00 |
| 3 | Air Release Valve and Vault | L.S. | 1 | \$5,000.00 | \$5,000.00 | \$30,000.00 | \$30,000.00 | \$11,830.00 | \$11,830.00 | \$10,880.00 | \$10,880.00 | \$11,600.00 | \$11,600.00 | \$15,000.00 | \$15,000.00 | \$17,000.00 | \$17,000.00 |
| 4 | 2 Bollards | L.S. | 1 | \$1,000.00 | \$1,000.00 | \$2,000.00 | \$2,000.00 | \$1,600.00 | \$1,600.00 | \$1,700.00 | \$1,700.00 | \$1,923.00 | \$1,923.00 | \$1,500.00 | \$1,500.00 | \$6,000.00 | \$6,000.00 |
| Total Base Bid Items 1 through 4: | | | | | \$152,600.00 | | \$175,000.00 | | \$112,690.00 | | \$254,330.00 | | \$91,111.00 | | \$129,800.00 | | \$174,240.00 |
| | | | | Markup | \$15,198.00 | | | | | | | | | | | | |
| | | | | Mobilization | \$7,599.00 | | | | | | | | | | | | |
| | | | | Labor | \$21,600.00 | | | | | | | | | | | | |
| | | | | | \$196,997.00 | | | | | | | | | | | | |
| | | | | 10% Contingency | \$19,699.70 | | | | | | | | | | | | |
| | | | | | \$216,696.70 | | | | | | | | | | | | |

Attachment: Bid Opening Summary (RESOLUTION 3398 : Lift Station L Force Main Relay)