

CITY OF MEQUON COMMON COUNCIL

Special Meeting August 26, 2014

Mayor Abendroth called the special meeting of the Common Council to order at 6:06 PM with the Pledge of Allegiance and the roll call.

PRESENT: Mayor Abendroth, Aldermen Strzelczyk, Pukaite, Mayr, Gierl, Hawkins, Nerbun, Adams; Deputy City Clerk Fochs, City Attorney DeStefanis; press, and interested public

ABSENT: Alderman Leszczynski

1) **Resolution:**

Moved by Alderman Nerbun, seconded by Alderman Adams to approve **RESOLUTION 3241** – A resolution approving the form and substance of a new master open space easement for the Ville du Parc area.

Clarification on the exhibits was given: 1) Exhibit A contained some duplicate pages; should be pages 1-13 only; and 2) Exhibit B should only be the black & white version with the alphabetized key. In addition, it was clarified that a new easement is being created to cover the open spaces associated with Ville du Parc #3. On page 2, paragraph 3 of the resolution, the Mayor had requested the phrase “including the fact that for many years the residents of Ville du Parc (VDP) phases #6 and #7, along with the landowner, have exercised exclusive access to the easement areas created in connection with approvals of those development phases,” be struck due to inaccurate language.

Strzelczyk questioned why VDP #6 and #7 easements are being extinguished now. Abendroth said that those lands are now owned by the City and are confusing and subject to individual interpretation. For example, the area of VDP #6 is of concern to the people in the Lakes, which is VDP #7. Per the easement they are not allowed to access that land; it is for VDP #6. And if you consider the legal decision by Judge Wolfgram, nobody can access that land. As owners of the land, if that easement stays in place technically those people couldn't access that land if we were to enforce the language of the easement. Likewise, there are questions about the public access along the river in VDP #7. The City's intent is to create a nature preserve and protect the lands adjacent to the Lakes. Getting rid of these easements is a step in that direction. Judge Wolfgram ruled on the language for VDP #9, which is the same language in VDP #6 and #7.

Mayor also suggested changing the two small “B” parcels near Highland Road and Yvonne Drive and the northwest corner of the “C” parcel behind Yvonne Drive to a “B/C” designation on Exhibit B and page 7 of Exhibit A. This area would become available to VDP #3 and Yvonne Drive residents. DeStefanis confirmed these amendments are material change and can be adopted as an amendment to the resolution.

Moved by Alderman Strzelczyk, seconded by Alderman Pukaite to amend the main motion that Page 7 of Exhibit A be designated B/C accessible by Yvonne Drive and VDP #3 and on the new page 13, the northwestern tip of the crosshatched area, from the northern lot line of lot #2 drawing east (currently “C”), should be designated “B/C” and to fix the Exhibits A and B to

encompass the Council's decision and fix the duplications. The motion passed by voice acclamation with Mayr opposed.

Moved by Alderman Adams, seconded by Alderman Nerbun to amend the main motion to strike from page 2, paragraph 3 the phrase "including the fact that for many years the residents of Ville du Parc (VDP) phases #6 and #7, along with the landowner, have exercised exclusive access to the easement areas created in connection with approvals of those development phases". The motion passed by voice acclamation.

Moved by Alderman Nerbun, seconded by Alderman Adams to approve **RESOLUTION 3241** as amended. The motion passed by voice acclamation.

- 2) **Adjourn:** Moved by Alderman Strzelczyk, seconded by Alderman Pukaite to adjourn at 6:40 PM. Motion passed by voice acclamation.

Jesse Thyes, Acting City Administrator/Clerk