

**MINUTES
CITY OF PORT WASHINGTON
CITY COUNCIL MEETING
May 15, 2007**

A duly convened meeting of the Common Council was called to order at 7:30 p.m. by Mayor Huebner in the Council Chambers. Council members present: Aldermen Al Haacke, Jim Vollmar, Burt Babcock, Tom Hudson, and Pete Jushka. Absent & excused Alderman Chris Ross. Also present: City Administrator Mark Grams, City Attorney Eric Eberhardt, City Engineer Rob Vanden Noven, City Planner Randy Tetzlaff and Student Representative Daniel Will. The Pledge of Allegiance to the flag was recited.

Mayor Huebner reported that today is National Peace Officers Memorial Day and asked that the Council dedicate a moment of silence to honor our National Peace Officers.

CONSENT AGENDA

- A. Approve Minutes of the Previous Meeting – May 1, 2007
- B. Consider Original Operator's License Applications-Natalya G. Vartanova, Chandrakany M. Patel and Hitendra M. Patel
- C. Approve Original Combination "Class B" Retail (Tavern) License-Chandrakany M. Patel/Country Inn & Suites/350 E. Seven Hills Rd./May 16, 2007 to June 30, 2007
- D. Approve Renewal Combination "Class B" Retail (Tavern) License Applications-Pier 6, LLC (Al Uselding) 329 N. Franklin St. and Mama Mia's-Port, Inc. (Jude A. Barbiere) 1000 S. Spring St.
- E. Approve Renewal Combination "Class A" License Applications-ShopKo Stores Operating Co., LLC (Jane Jushka) 1011 N. Wisconsin St. and T. P. Stores, Inc. (Robert Norskog) 1430 W. Grand Ave.
- F. Approve Renewal Class "B" Fermented Malt Beverage License Application-PH Green Bay, LLC (Pizza Hut) (Caroline Mitchell) 1021 N. Wisconsin St.
- G. Approve Renewal Class "A" Fermented Malt Beverage License Applications-M & CP Investments, Inc. (Quik Stop Shoppe) (Charles E. Prendergast, Jr.) 1100 S. Spring St. and 1605 N. Wisconsin St.
- H. Approve Temporary Class "B" Retail License Application (Picnic)-Port Washington Festivals, Inc. (Kimberly J. McCulloch) Pirate Festival/June 1 – 3, 2007/City Parking Lot North of North Slip
- I. Approve Temporary Bartender License Applications-Port Washington Festivals Committee/Pirate Fest-Christa K. Larsen, Dean W. Larsen and Kimberly J. McCulloch

MOTION BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN VOLLMAR TO APPROVE THE CONSENT AGENDA. **Motion carried unanimously.**

MAYOR'S BUSINESS

- A. Mayor Huebner read a proclamation honoring the Poppy Drive of the VFW Auxiliary Post #5373.

OFFICERS'/STAFF REPORTS

- A. City Administrator Grams reported that the Mid-Moraine Municipal Association Dinner Meeting would be held on Wednesday, May 23rd, hosted by the Village of Newburg. The event will be held at The Luxury Box located between Newburg and West Bend.
- B. All Access Playground Site Selection Update-City Administrator Grams updated the Council on the site selection for the Barrier-free Playground. Representatives from Kiwanis and the group working on the project met Thursday morning of last week in Upper Lake Park with the consultant to look at the two sites. After looking at the sites, there was a clear determination that the site in the middle of

- the park by the baseball field was the superior site. A public meeting was held at Lincoln School where a large number of people attended, including school children. The consultant did a good job explaining the playground itself and how it would work. He also prepared a design of the site. There was a positive response from the people in attendance for the site that was selected.
- C. City Administrator Grams reported there we need to hold a Special Council Meeting to approve a Cabaret License for Port Pirate Fest to be held June 1 – 3, 2007.
 - D. Discuss Issue Regarding Parking Of Trailer In A Public Way-City Administrator Grams reported that he met with Mr. Bode and Mr. Peterson in the area in question to see if a compromise could be reached. Unfortunately we could not. Parking in alleys is prohibited by ordinance and Mr. Bode was told that he would have to re-locate his trailer. Mr. Bode came in on Monday and seemed to indicate that he would working something out with his neighbor across the alley from him, but unfortunately Mr. Bode will not be cutting the grass so we will probably let the grass grow natural in that area.

PUBLIC COMMENTS/APPEARANCES-Karen Oleski, Port Lakefront Society-Ms. Oleski gave the Council a brief update on the success of the north beach. On behalf of the Port Lakefront Society, she thanked the Mayor for bringing the group together last fall. More than 30 people responded to the article in the City Newsletter and the Port Lakefront Society was formed. She read a mission statement and said she was happy to report that her group would be having a grand opening of the west side access path to the north beach on May 19th at 11:00 a.m. She also publicly thanked Lloyd Turner for all his help in opening up the entranceway that has been abandoned for many years. Members of the group helped clean the beach and in the future they would do this task on a monthly basis. She indicated that cooperation with City departments has been excellent. New signs were put up directing people to the north beach. This information is also listed on the City's web site. She also supports the Mayor's future plans to provide stairs to the beach from Upper Lake Park, as well as improve the east walkway. Alderman Hudson congratulated the group and thanked them for all their work, which is something positive for our community. Alderman Babcock seconded the comment.

COMMITTEES

A. Finance & License Committee

1. Consider Addendum #1 To License Agreement With WE Energies (Bike Trail)-MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN JUSHKA TO APPROVE ADDENDUM #1 TO THE LICENSE AGREEMENT WITH WE ENERGIES FOR THE BIKE TRAIL. **Motion carried unanimously.**
2. Consider Amending Chapter 23.06.010 Of The Municipal Code Regarding Cable Franchise Fee Payments-MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN BABCOCK TO APPROVE AMENDING CHAPTER 23.06.010 OF THE MUNICIPAL CODE BY PURSUING AN INCREASE IN THE CITY'S CABLE FRANCHISE FEE FROM 3% TO 5%. **Motion carried unanimously.**

Mayor Huebner then moved up Item 10. NEW BUSINESS C. Request from Yacht Club To Construct Patio On East Side Of Building-An observation from the City Attorney was

that there would be no need to amend the lease agreement to reflect the exterior use of the existing building because the description of the premise in the lease would include the addition of the patio area being proposed. However, he recommends that the Conditional Use Permit previously issued be amended to specifically note the use of the patio and whatever liquor license they hold as it relates to the serving or sale of alcoholic beverages be reviewed to see if it needs to be amended. Members from the Yacht Club were present to answer questions from the Council. It was determined that in order for the Yacht Club to construct a patio on the east side of their building that an amendment to the conditional use grant and site plan needs to go before the Plan Commission first before the Council approves it.

B. Traffic Safety Committee

1. Ordinance 2007-6 (Eliminate The No Parking On E. Grand Ave., East Of Franklin St.) **2nd Reading-MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN VOLLMAR TO APPROVE ORDINANCE 2007-6. Motion carried unanimously.**
2. Ordinance 2007-9 (Eliminate Two-Hour Parking On The North Side Of E. Grand Avenue, East Of Franklin St.) **1st Reading**

BOARDS/COMMISSIONS

A. Plan Commission

1. Ordinance 2007-8 (Annexation Of Freier Farm Property) **2nd Reading-MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN JUSHKA TO APPROVE ORDINANCE 2007-8. Motion carried unanimously.**

B. Park & Recreation Board

1. Hiring Of Interim Park & Recreation Director-MOTION BY ALDERMAN JUSHKA, SECONDED BY ALDERMAN BABCOCK TO APPROVE HIRING CHRIS LEAR AS INTERIM PARK & RECREATION DIRECTOR AT \$28.00 PER HOUR. **Motion carried unanimously.**
2. Hiring Process For New Park & Recreation Director Position-City Administrator Grams reported that he started the process for hiring a new Park & Recreation Director by advertising the position with the Wisconsin Park & Recreation Association, the Milwaukee Journal and Ozaukee Press. The deadline date for submittal of applications is June 22, 2007. Members of the Park & Recreation Board will meet with the Personnel Committee to review the applications and make a recommendation of five candidates to be interviewed.

C. Board of Public Works

1. Ordinance 2007-7 (Storm Water Management Ordinance) **2nd Reading-MOTION BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN HUDSON TO APPROVE ORDINANCE 2007-7. Motion carried unanimously.**
2. Consider Amendment To Professional Services Agreement With JJR For The Harborwalk Project-MOTION BY ALDERMAN VOLLMAR, SECONDED BY ALDERMAN HAACKE TO APPROVE LIGHTING AND EXTRA SERVICES TO FINISH NOT-TO-EXCEED \$9,260.00 AND TO DENY ADDITIONAL SERVICES REQUESTED FOR \$8,766.93 BUT RECOMMEND APPROVAL OF THE

ELECTRICAL/WALKWAY LIGHTING ON A TIME AND MATERIAL BASIS AND THE EXTRA SERVICES TO FINISH OF \$4,200 ON A TIME AND MATERIAL BASIS WITH THE TOTAL TIME AND MATERIALS NOT TO EXCEED \$9,260.00. **Motion carried unanimously.**

3. Consider Awnings In Right-Of-Way For Wind Rose Martini Bar-
MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN BABCOCK TO APPROVE THE AWNINGS OVER THE WINDOWS IN THE RIGHT-OF-WAY FOR WIND ROSE MARTINI BAR. **Motion carried unanimously.** City Attorney Eberhardt recommends that a license agreement between Wind Rose and the City be completed to cover installing the awnings in the ROW. Alderman Vollmar also suggested that the license agreement includes language that the awnings be maintained in good condition.
4. Open House For DPW/Park & Recreation Garage-City Engineer Vanden Noven reported that the it was the consensus of the Board of Public Works to approve the date of Saturday, June 16, 2007 from 10:00 a.m. to 2:00 p.m. to hold an open house for the DPW/ Park & Recreation Garage. He said this should be an enjoyable event for the whole community and reviewed with the Council some ideas for the open house such as tours of the building, refreshments provided from donations, games and toys for the kids, education for the public about rain gardens, and the placing of the time capsule and date stone at 11:30 a.m. MOTION BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN HUDSON TO APPROVE THE DPW/PARK & RECREATION GARAGE OPEN HOUSE. **Motion carried unanimously.** Alderman Babcock commended Rob for all his work on putting this event together.
5. Consider Bid For Sanitary Sewer And Manhole Lining Project-
MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN JUSHKA TO AWARD THE CONTRACT TO VISU-SEWER AT A COST NOT-TO-EXCEED \$176,632.70 FOR THE SANITARY SEWER AND MANHOLE LINING PROJECT. **Motion carried unanimously.**
6. Drinking Fountain At Bottom Of St. Mary's Little Stairs-Alderman Jushka said that drinking fountains were eliminated over the years and feels that a fountain in this location would enhance the City. City Administrator Grams said the negative points with drinking fountains are the cost, annual maintenance and they are not used as much as they were in the past. MOTION BY ALDERMAN JUSHKA TO APPROVE THE INSTALLATION OF A DRINKING FOUNTAIN AT THE BOTTOM OF ST. MARY'S LITTLE STAIRS. Motion fails for lack of a second. MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN JUSHKA TO INSTALL THE DRINKING FOUNTAIN IF WE CAN FIND A DONOR TO SPLIT THE COST WITH THE CITY. **2 ayes, 3 nays** (Haacke, Vollmar, Babcock) **Motion fails.**

7. Amend Brush Collection Policy-MOTION BY ALDERMAN JUSHKA, SECONDED BY ALDERMAN BABCOCK TO APPROVE THE REVISED BRUSH COLLECTION POLICY TO BEGIN CURBSIDE BRUSH PICKUP ON APRIL 15TH AND END ON OCTOBER 31ST. **Motion carried unanimously.**
8. Resolution 2007-12 (CMAR Report For Wastewater Utility)- MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN VOLLMAR TO APPROVE RESOLUTION 2007-12. **Motion carried unanimously.**

UNFINISHED BUSINESS-None

NEW BUSINESS

- A. Introduction Of Resolution 2007-10 (To Vacate And Discontinue Certain Public Alleys – Schanen) MOTION BY ALDERMAN VOLLMAR, SECONDED BY ALDERMAN BABCOCK TO INTRODUCE RESOLUTION 2007-10. **Motion carried unanimously.**
- B. Introduction Of Resolution 2007-11 (To Vacate And Discontinue Certain Public Alleys – Keeney) MOTION BY ALDERMAN HAACKE, SECONDED BY ALDERMAN VOLLMAR TO INTRODUCE RESOLUTION 2007-11. **Motion carried unanimously.**
- C. Request From Yacht Club To Construct Patio On East Side Of Building-Acted on previously.
- D. Hiring Of Water Plant Operator-MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN BABCOCK TO APPROVE HIRING THOMAS GRUBER FOR THE POSITION OF WATER FILTRATION PLANT OPERATOR AT THE STARTING WAGE OF \$18.43 PER HOUR, CONTINGENT UPON PASSING THE PHYSICAL EXAMINATION. **Motion carried unanimously.**
- E. Hiring Seasonal Environmental Assistant Positions For Wastewater Utility- MOTION BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN HAACKE TO APPROVE HIRING JUSTIN HALL AND STEVEN BIRNO TO DO A BEACH SANITARY SURVEY PROJECT FOR THE WASTEWATER UTILITY AS PART OF A GRANT THE COUNTY RECEIVED FROM THE EPA. **Motion carried unanimously.**

FORTHCOMING EVENTS-A reminder that Port Pirate Fest is coming up June 1 – 3 at the lakefront. Mayor Huebner reported that he received a petition letter from Christ The King Lutheran Church thanking the Council and staff for their dedicated and diligent work in serving the people of Port Washington. Applications for the second aldermanic position will be reviewed at the June 5th Council Meeting. Alderman Vollmar reported that a Labor Day Regatta is a new event that has been recreated and is coming to our Marina on Labor Day. Included in this event will be the Milwaukee Yacht Club, South Shore Yacht Club, Sheboygan Yacht Club and the Port Washington Yacht Club featuring two races.

PUBLIC COMMENTS/APPEARANCES-None

ADJOURNMENT-MOTION BY ALDERMAN VOLLMAR, SECONDED BY ALDERMAN HAACKE TO ADJOURN THE MEETING OF THE CITY COUNCIL AT 9:05 P.M. **Motion carried unanimously.**