

**MINUTES
CITY OF PORT WASHINGTON
CITY COUNCIL MEETING
May 20, 2008**

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

CONSENT AGENDA

- A. Approve Minutes of the Previous Meeting – May 6, 2008
- B. Approve Original Operator's License Applications – Jaimie L. Theis and Kristin E. Roddy
- C. Approve Temporary Class "B"/"Class B" Retailer's License (Picnic) – St. John's Lutheran Church and Academy/217 N. Freeman Dr., June 29, July 27, and August 24, 2008 (St. John's Lutheran 5th Annual Summer Concert Series)
- D. Approve Temporary Class "B" Retailer's License (Picnic) – Great Lakes Sport Fishermen Club-Ozaukee Chapter/Kiwanis Pavilion, Lake Street, July 4th-July 6th, 2008 (Fish Derby); Leatherneck Club/Jackson & Lake Streets/July 19, 2008 (Fish Day); Port Washington-Saukville Jaycees/Port Lake Front/July 19, 2008 (Fish Day); and Possibility Playground/Upper Lake Park/Lion's Pavilion/May 31, 2008 (Run, Walk and Roll for Possibility Playground)
- E. Approve Temporary Bartender Licenses – St. John's Lutheran Church and Academy-Thomas J. Morano, II; Port Washington Pirate Festival-Frederic M. Schnell, Kimberly J. McCulloch, Kimberly E. Chavez; Great Lakes Sport Fishermen Club-Ozaukee Chapter-Marc A. Cassel, Willard A. Rusch, Daniel G. Mitchell, Allen J. Larson, Paul J. Pogrnt, Larry L. Trickel, William L. Koch, Duane E. Nadolski, Robert J. Hammen; Leatherneck Club-Jeffrey D. Brown, Allen J. Larson, Scott D. Bowman, John E. Stelling; Port Washington-Saukville Jaycees-Michael C. Gasper, Kristin A. Johnson, Debra J. Pawling, Erik R. Slegelis, Lisa M. Pawling, Jodi S. Dickmann; Possibility Playground-Stacy Peters, Greta L. Schanen, Erin L. Schanen, Barbara J. Kobishop, Jim L. Olson.
- F. Approve Original Class "B" Beer/"Class C" Wine License – Kenneth D. Jacoby/Hungry Lion/218A Franklin St./July 1, 2008 to June 30, 2009
- G. Approve Renewal Combination "Class B" Licenses – Pier 6, LLC (Al Uselding) 329 N. Franklin St. and JAZ Enterprises, Inc. (Joseph A. Zankl) Port Hotel/101 E. Main St.
- H. Approve Renewal Combination "Class A" License – Shopko Stores Operating Co., LLC (Jane Jushka) Shopko Express/1011 N. Wisconsin St.
- I. Approve Renewal Class "A" Fermented Malt License – Rick's Lighthouse Mobil, LLC (Melissa B. McKee) 1880 N. Wisconsin St. and M & CP Investment, Inc. (Charles E. Prendergast, Jr.) Quik Stop Shoppe/1100 S. Spring St. and 1605 N. Wisconsin St.

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

MAYOR'S BUSINESS – None

OFFICERS'/STAFF REPORTS

- A. Mid-Moraine Association Dinner Meeting – City Administrator Grams reported that the next Mid-Moraine Municipal Association Dinner Meeting (Social Meeting) would be held on Wednesday, May 28th, hosted by the City of Hartford at the Schauer Arts & Activities Center. Also, a reminder that the Street Festival is on June 1st, from noon to 4:00 p.m. with a ribbon cutting ceremony at 3:00 p.m.
- B. Update On Projects
 1. Highway 32 Project – Franklin Street is in the home stretch. All crosswalks should be completed by the end of this week; street scaping, concrete, tree planters next week. As far as the sidewalk, realistically, it's unlikely that it will be 100% complete next week even though the contractor is adding more people to work on the installation of the pavers, which is very time consuming. Phase 2 of the project will begin June 2nd from Jackson Street north to Walters street.
 2. Harborwalk – Grand opening of completion of the Harborwalk will be held on Tuesday, June 3 at 7:00 p.m. with a ribbon cutting ceremony at the southwest corner of Rotary Park.
 3. Beutel Road Project – Coming along well. The Water Utility has done an outstanding job of keeping people notified when water breaks occurred during the project. Contractor is working on the storm sewer and street construction is scheduled for next week.

PUBLIC COMMENTS/APPEARANCES-None

COMMITTEES

A. Finance and License Committee

1. Ordinance 2008-5 (Amend Chapter 11.07.010 Of The Municipal Code) 2nd Reading – MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN HAACKE TO APPROVE ORDINANCE 2008-5. A discussion followed. City Attorney Eberhardt said that this ordinance is open to interpretation the way it's written. The Plan Commission would set the terms and conditions that would allow a restaurant to serve food and alcoholic beverages on the public sidewalk. At this time the Plan Commission would like it to apply to restaurants only. Vote taken. **Motion carried unanimously.**
2. Consider Amending Premises Description For Licensed Taverns On Franklin Street For The BID District Street Re-Opening Festival, June 1st – MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN VOLLMAR TO APPROVE AMENDING THE PREMISES DESCRIPTION FOR THE LICENSED TAVERNS OF PIER 6, PASTA SHOPPE, FOXY'S, SCHOONER PUB, WILSON HOUSE, JOHN'S PIZZARIA AND WINDROSE WINE & MARTINI BAR TO SERVE BEER AND WINE IN FRONT OF THEIR PLACES DURING THE JUNE 1ST STREET FESTIVAL FROM NOON TO 4:00 P.M. **Motion carried unanimously.**
3. Consider Amending Premises Description For The King On The Hill Tavern (One Day Fund Raiser, May 31st) – MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN NEUMYER TO APPROVE AMENDING THE PREMISES DESCRIPTION FOR KING ON THE HILL TAVERN FOR MAY 31ST, FROM 10:00 A.M. TO 10:00 P.M. FOR A ONE-DAY FUND RAISER. **Motion carried unanimously.**

4. Approve Resolution 2008-13 (Charge Off Of Uncollectible Accounts – Tabled)
5. Purchase Of New Document Camera/Monitor System For City Council Chambers – MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN HAACKE TO APPROVE THE PURCHASE OF A NEW DOCUMENT CAMERA/MONITOR SYSTEM FOR THE CITY COUNCIL CHAMBERS FROM AVI SYSTEMS, INC. AT A COST OF \$5,471.00 AND WIRING MODIFICATIONS FROM WESTER ELECTIC FOR \$215. **Motion carried unanimously.** Alderman Ross suggested that the Technology Committee work at putting an on-line display of the Council Meeting on the City's website for citizens that don't have Time Warner Cable.

B. Traffic Safety Committee

1. Ordinance 2008-4 (Amend Parking Restrictions On E. Washington And E. Pier Streets, East Of Franklin Street) **1st Reading**
2. Ordinance 2008-8 (Install Stop Signs On Kaiser Drive At Hales Trail) **1st Reading**

BOARDS/COMMISSIONS

A. Board of Public Works

1. Consider Special Assessments For Beutel/Lakeview/Wilson Project – MOTION BY ALDERMAN VOLLMAR, SECONDED BY ALDERMAN ROSS TO PROCEED WITH SPECIAL ASSESSMENTS FOR THOSE WHO HAVE VOLUNTEERED TO CONNECT THEIR SUMP PUMPS TO THE EXISTING STORM SEWER, AND NOTIFY THE SIX OR MORE RESIDENTS WHO HAVE NOT REQUESTED TO CONNECT TO THE STORM SEWER THAT THEY ARE NOW REQUIRED TO CONNECT AND BE INCLUDED IN THE SPECIAL ASSESSMENTS FOR THE BEUTEL/LAKEVIEW/WILSON PROJECT. **Motion carried unanimously.**
2. Consider Amendment #4 For State Highway 33 Project Contract – City Engineer Vanden Noven indicated that this amendment is to include the design of 2 roundabouts at the Northwoods and Market St. intersections on Highway 33 to keep the project on schedule. He met with Saukville officials and they are not raising objections to it, but request another future amendment with more specifics for design and financial issues of their roundabouts and work on a Memorandum of Understanding with the DOT on final components of the project. MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN ROSS TO APPROVE AMENDMENT #4 FOR THE STATE HIGHWAY 33 CONTRACT. **Motion carried unanimously.**
3. Consider Temporary Lighting For Phase 2 Of The STH 32 Improvements – MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN VOLLMAR TO APPROVE TEMPORARY LIGHTING FOR PHASE 2 OF THE STH32 PROJECT AT A TIME AND MATERIAL NOT TO EXCEED \$7,500 BY WESTER ELECTRIC. **Motion carried unanimously.**
4. Consider Hiring Engineering Firm To Manage The Design/Construction Of Septage Receiving Station – MOTION BY ALDERMAN ROSS, SECONDED BY ALDERMAN HAACKE TO APPROVE DONAHUE & ASSOCIATES FOR \$18,976 FOR THE SURVEYING, DESIGN, AND BIDDING PROCESS FOR THE SEPTAGE RECEIVING STATION UPGRADE. **Motion carried unanimously.**

B. Plan Commission

1. Public Hearing For The Rezoning Of Property Located In The 200 Block Of N. Park St. (Habitat For Humanity) – Mayor Huebner declared open the public hearing. MOTION BY ALDERMAN HAACKE, SECONDED BY ALDERMAN HUDSON TO CLOSE THE PUBLIC HEARING. **Motion carried unanimously.**
2. Ordinance 2008-6 (Rezoning Of Habitat For Humanity Property On N. Park St. From PUL (Public Lands) To CCM (Central City Mixed With OPD Planned Development Zoning) **2nd Reading** - City Attorney Eberhardt asked about the proposed paved area for visitor parking and said that the boundary of the area to be rezoned subject to the overlay should be defined by legal description. He recommended to table approval of the ordinance subject to a new legal description. Alderman Haacke said that to facilitate the process of moving this ahead that it be approved as shown in the shaded area and readdress the issue of two additional parking spaces at a future date. MOTION BY ALDERMAN HAACKE, SECONDED BY ALDERMAN NEUMYER TO APPROVE ORDINANCE 2008-6. **Motion carried unanimously.**
3. Extraterritorial Review Of Final Plat Of The LedgeStone Subdivision, Town Of Port Washington, Bielinski Homes, Applicant – MOTION BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN HUDSON TO APPROVE THE FINAL PLAT OF THE LEDGESTONE SUBDIVISION, TOWN OF PORT WASHINGTON PER OUR BORDER AGREEMENT.
4. Ordinance 2008-9 (Amending 15.06.050 Of The Municipal Code Regarding Permits For Razing Buildings) **1st Reading** – City Administrator Grams reviewed the proposed ordinance regarding permits for demolition of buildings, including historic buildings. Alderman Hudson suggested that we send the proposed ordinance to the Port Washington Historical Society to get their input.

C. Park & Recreation Board

1. Approve Concession Stand Agreement With Port Youth Baseball – MOTION BY ALDERMAN HAACKE, SECONDED BY ALDERMAN LARSON TO APPROVE THE CONCESSION STAND AGREEMENT BETWEEN THE CITY OF PORT WASHINGTON AND PORT YOUTH BASEBALL. **Motion carried unanimously.**

UNFINISHED BUSINESS

NEW BUSINESS

- A. Approve Closing Of Upper Lake Park Road For Possibility Playground Event - MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN LARSON TO APPROVE THE CLOSING OF UPPER LAKE PARK ROAD FOR THE POSSIBILITY PLAYGROUND EVENT SCHEDULED FOR MAY 31ST. **Motion carried unanimously.**

FORTHCOMING EVENTS – Mayor Huebner reported that the Memorial Day Parade would start at 10:30 a.m. and would run somewhat backwards as to how it was done in the past. Mayor Huebner said he was in receipt of a donation of \$150 from Pirate's Fest for the Harborwalk and publicly thanked Kimberly McCulloch. Alderman Vollmar asked what was going to be the replacement for the Fish Day Parade this year. City Administrator Grams reported that Port Fish Day announced that it would feature Disney's High School Musical and Marching Unit Showcase Extravaganza at the Main Stage area, as well as several marching bands participating in the event.

PUBLIC COMMENTS/APPEARANCES – Kimberly McCulloch – She expressed her thanks to the City by waiving the docking fee, which helped them get the ship in for Pirate's Fest. She said to come down and see us for the festival. They will have about 75 vendors participating in the event.

MOTION WAS MADE BY ALDERMAN HUDSON, SECONDED BY ALDERMAN VOLLMAR TO GO INTO CLOSED SESSION According to Wisconsin State Statute 19.85 (1) (c) (g) to review employee evaluation and discuss employee compensation and to confer with legal counsel in regards to litigation the City may become involved. ROLL CALL: Haacke-aye; Neumyer-aye; Vollmar-aye; Hudson-aye; Larson-aye; and Ross-aye. **Motion carried unanimously.**

Reconvene Into Open Session – The Council reconvened into open session at 9:49 p.m.

Salary Adjustment For Park & Recreation Director – MOTION WAS MADE BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN VOLLMAR TO APPROVE A SALARY ADJUSTMENT FOR THE PARK & RECREATION DIRECTOR FROM \$60,000 to \$61,800. **Motion was carried unanimously.**

ADJOURNMENT – MOTION WAS MADE BY ALDERMAN VOLLMAR, SECONDED BY ALDERMAN LARSEN TO ADJOURN AT 9:50 P.M. **Motion was carried unanimously.**