

**MINUTES
CITY OF PORT WASHINGTON
CITY COUNCIL MEETING
May 19, 2009**

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 Mike Ehrlich, Paul Neumyer, Jim Vollmar, Tom Hudson, David Larson and Dan Becker. Absent & excused was Alderman Babcock. Also present: City Administrator Mark Grams, City Planner Randy Tetzlaff, City Engineer Rob Vanden Noven, and City Attorney Eberhardt. The Pledge of Allegiance to the Flag was recited.

CONSENT AGENDA

- A. Approve Minutes of the Previous Meeting – May 5, 2009
- B. Approve Original Operator's License Applications – Lori K. Hotchkiss, James M. Turcotte, Jamie D. Brown, Keri L. Klemann and Kenneth D. Jacoby
- C. Approve Temporary Bartender's License Applications – Port Washington Pirate's Festival – Ryan W. Day, Jennifer L. Dunigan and Ian K. Rotondi
- D. Approve Renewal Combination "Class B" Retailer's License (Tavern) – Pier 6, LLC (Al P. Uselding/329 N. Franklin St., Randall J. Buser/Grand Avenue Saloon/550 W. Grand Ave., Lakeview Conference Center, LLC (Chandrakany M. Patel) Country Inn & Suites/350 E. Seven Hills Rd.
- E. Approve Renewal Combination "Class A" License – Shopko Stores Operating Co., LLC (Jane Jushka) 1011 N. Wisconsin St.
- F. Renewal Class "B" Fermented Malt License – PH GreenBay, LLC (Billie Jo Esselmann) Pizza Hut/1021 N. Wisconsin St., Port Washington Yacht Club (Bill Driscoll) 430 N. Lake St.
- G. Original Combination "Class B" Retailer's License (Tavern) – The Patio Bar & Grill, LLC (Al P. Uselding) 601 N. Wisconsin St.
- H. Cabaret License – Port Washington Festivals, Inc./June 5 – 7, 2009/Lakefront, Port Washington Marina, Lakeview Conference Center, LLC (Chandrakany M. Patel) Country Inn & Suites/350 E. Seven Hills Rd.

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

MAYOR'S BUSINESS

- A. Committee Appointments – MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN BECKER TO APPROVE THE APPOINTMENT OF KEVIN RUDSER TO THE BOARD OF PUBLIC WORKS. **Motion carried unanimously.**

OFFICERS'/STAFF REPORT

- A. City Administrator Grams reported that the next Mid-Moraine Municipal Association Dinner Meeting would be held on May 27, 2009, hosted by the Village of Slinger
- B. Update On Projects:
 - 1. N. Spring Street – City Engineer Vanden Noven said the contractor brought in some additional crews so they are back on schedule. Rough grading work for the road base is nearly complete and they intend pouring the curb on Thursday and Friday and paving as early as next week. It should be entirely paved and landscaped by the first week in June.
 - 2. Upper Lake Park Restrooms – All foundations are in; plumbing work for the sanitary sewer is in. They will start placing walls tomorrow.

PUBLIC COMMENTS/APPEARANCES – None

COMMITTEES

A. Finance and License Committee

1. Resolution 2009-13 (Sale Of Land To Wisconsin State Department Of Transportation) – MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE SALE OF LAND TO THE WISCONSIN STATE DEPARTMENT OF TRANSPORTATION FOR THE STATE HIGHWAY 33 PROJECT. **Motion carried unanimously.** City Attorney Eberhardt noted that technically this is an easement interest and not actual ownership of the land.
2. Consider Proposals To Complete GASB 45 Requirements For City – MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN LARSON TO APPROVE HIRING WILLIS HRH TO COMPLETE THE GASB 45 FINANCIAL REQUIREMENTS FOR THE CITY AT A PRICE OF \$3,000. **Motion carried unanimously.**
3. Consider Approving Construction Bid For Restrooms in Veterans Memorial Park – MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN LARSON TO APPROVE THE BID FROM M.K. CONSTRUCTION FOR THE RESTROOMS IN VETERANS MEMORIAL PARK. Alderman Vollmar reported that a citizen called him about the location of the building. They thought it would be better on the west side of the band shell instead of the right side. Because of this location, you cannot view the ice rink from the warming hut. Alderman Vollmar said it would still make more sense to put it on the west side so it could service the ice rink although he is aware that the Mayor's priority is restrooms for the beach. Alderman Becker asked what it would cost to move the utilities? Another concern is the issue with wiring in the band shell. Would it make more sense to look at the wiring at the same time? City Engineer Vanden Noven said it would be a long walk from the beach if the restrooms were on the west side of the band shell. Also, it is a good location for anyone walking along the Harbor Walk and there probably would not be as many utilities to move. Regarding including the electrical upgrading in the band shell as part of the project, it would not be cost saving and would have to be included as a change order. It should be a separate item that should be addressed by the Park & Recreation Board. Vote on motion was 5 ayes and 1 nay (Alderman Vollmar).
4. Approve Engineering Agreement With Crispell Snyder For Coal Dock Improvements – MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN LARSON TO APPROVE THE ENGINEERING AGREEMENT WITH CRISPELL SNYDER FOR THE COAL DOCK IMPROVEMENTS AT A COST OF \$116,300 SUBJECT TO THE CITY ATTORNEY REVIEWING THE GENERAL TERMS AND CONDITIONS. **Motion carried unanimously.**

B. Coal Dock Committee

1. Review Final Draft Of Coal Dock Area Master Plan – City Engineer Rob Vanden Noven reported that he's gotten good feedback from the committee and residents and they felt it very fairly represents everything they discussed in their meetings. Mike Payant of Crispell Snyder, a sub-consultant, reviewed aspects and sections of the plan and answered questions from the aldermen. Doug Eberlein, a representative of WE Energies, covered the maintenance plan to be submitted to the DNR regarding capping the area where building would be taking place and the requirements to close the dock area to minimize re-working of the soils.

He indicated that WE Energies' attorneys are currently drafting the sub-lease agreements. MOTION BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN EHRLICH TO ACCEPT THE FINAL DRAFT OF THE COAL DOCK MASTER PLAN CONCEPT FOR FUTURE DEVELOPMENT. **Motion carried unanimously.**

C. Personnel Committee

1. Filling Outside Water Utility Position – City Administrator Grams reported that it is his recommendation that the City hold off filling the position to further evaluate whether the Water Utility can meet their service responsibilities with one less employee. Based on discussions with Dave Ewig, the Personnel Committee recommended filling the position at this time. Alderman Hudson said that this is not an added position, but is a position to be filled because of a water utility employee retiring. The positive aspect is that it is budgeted in the Water Utility and would not impact the City Budget. This position may be filled by someone in the Street Department who would be familiar with some of the jobs in the position. Then we would have to re-fill the position in the Street Department or we could opt not to fill it or the person who comes in could be paid a lower salary being a lower seniority, which would have a positive effect on the City's budget as a result of this. Dave Ewig reviewed examples of job duties for the outside Water Utility position. He said we are looking at basically being short-handed on a job that does a lot of outside work. MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN NEUMYER TO REFILL THE OUTSIDE WATER UTILITY POSITION. Alderman Neumyer agrees with Alderman Hudson that it is a current position that is funded and would support this. Mayor Huebner said he was shocked that we can't wait and see how it could work as far as meter reading. There's no reason why we can't go to quarterly bills. He is adamantly opposed to not going forward and at least try to save the taxpayers and water users some money. Alderman Vollmar feels the position should be filled. Going to quarterly billing would generate higher bills. Alderman Neumyer asked if we considered going to wireless reading? Dave Ewig indicated that for the last 3 to 4 years we've installed a program where we do the drive-by method instead of going door-to-door to read the meter. He said we've installed these types of radio-read meters in all new subdivisions. He said that the newer technology, while it saves time, in his mind it's not necessarily cost-effective. When you consider the cost of converting the 4,500 existing water meters to a radio-read system, the initial capital investment is somewhere in the range of \$300,000 to \$400,000. Consider the payback, it just isn't there and that's why most municipalities in Wisconsin haven't jumped to that latest technology. They're waiting for the cost to go down. Alderman Ehrlich said it's not just meter reading that this individual does. He asked what happens if we decide that the person doesn't need to be hired? What happens to the other jobs that this person does? Dave Ewig said there are a number of projects that we are behind on. The Water Utility employee retired on April 8th. Since that time we've expended over \$2,900 in overtime. It has been a significant impact with the loss of this employee. Alderman Larson said it sounds like this person is definitely needed. He asked if we were going to hire from within? Dave Ewig said it's likely that this position may be filled from an employee within the outside Water Utility position that has a similar job description and has

many years on the job. There would be a lower pay for the person we hire, probably \$6.00/hr difference for the first two years. Dave said he is requesting that we fill the vacancy whether the vacancy is at the Water Utility or the Street Department. Mayor Huebner said as he looks at the job description list, he couldn't see why we can't farm out some of the stuff that isn't skilled to someone in the Department of Public Works at a lesser rate to see if it works. He said we owe it to the ratepayers.

City Engineer Vanden Noven said in terms of working for ways to save money, we certainly want to reduce any work effort that's not completely necessary in the DPW or the Water Utility. He said in the seven years since he has been here, the staff has stayed the same, but the mileage in streets, water mains and sanitary sewers has increased by over 20%. The City is getting larger. He would hate to see us take a step backward in the amount of service that we can provide. City Administrator Grams asked if we compared the City of Port Washington to other communities? Dave Ewig said since we are a service water treatment plant, it's difficult to compare. Alderman Becker said he is more than willing to table this for a while and give it more time. MOTION BY ALDERMAN VOLLMAR, SECONDED BY ALDERMAN NEUMYER TO CALL THE QUESTION. The vote was 2 ayes (Aldermen Neumyer and Vollmar) and 4 nays (Aldermen Becker, Larson, Hudson and Ehrlich). **Motion failed.** MOTION BY ALDERMAN BECKER TO TABLE FOR TWO MONTHS. There was no second to the motion. Mayor Huebner said he would like to see a reason why some of these other things couldn't be handled by somebody else. Alderman Hudson said we have two Department Heads who are professionals at their jobs telling us that a position needs to be filled. He said he doesn't think you could pull people off of other jobs because something would be left undone. He said he doesn't know what more recommendations you need. Dave Ewig said that since this particular position would be filled internally that this would leave another position open. He asked if the Council wanted him to come back at the end in terms of what position we would be hiring for to ultimately see where the opening is? Vote on original motion to fill the outside Water Utility Position was carried unanimously.

BOARDS/COMMISSIONS

A. Board of Public Works

1. Approve Bid For Street And Water Improvements To St. Mary's Church Area – MOTION BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN BECKER TO APPROVE THE BID FROM TOWN AND COUNTRY UNDERGROUND UTILITY CONSTRUCTION, INC. FOR \$632,143 for the 2009 STREET AND WATER IMPROVEMENTS (WOODRUFF, CATALPA, VAN BUREN, JOHNSON, POWERS AND DODGE). **Motion carried unanimously.** Alderman Ehrlich commended Rob for designing this project internally to save the taxpayers money. Rob said Ross did a lot of work on this project.
2. Approve Improvement Design For S. Wisconsin Street Between Chestnut And County Highway C – City Engineer Vanden Noven reviewed the final engineering design in an overhead presentation. MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN VOLLMAR TO APPROVE THE IMPROVEMENTS TO SOUTH WISCONSIN STREET

BETWEEN CTH C AND WEST CHESTNUT STREET AS PRESENTED.

Motion carried unanimously.

3. Approving Ruekert And Mielke For Inspection Services – MOTION BY ALDERMAN VOLLMAR, SECONDED BY ALDERMAN LARSON TO APPROVE RUEKERT AND MIELKE TO PROVIDE INSPECTION SERVICES FOR THE 2009 STREET AND WATER IMPROVEMENTS FOR THE ST. MARY'S HILL PROJECT AT A COST OF \$42,250.
Motion carried unanimously. Alderman Vollmar said that in the future we should consider whether or not we could save the City by having our own people on staff doing these things.
4. Resolution 2009-14 (Approval Of Compliance Maintenance Annual Report CMAR) – MOTION BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRlich TO APPROVE RESOLUTION 2009-14 AS PRESENTED. **Motion carried unanimously.**
5. Consider Public Works Department Environmental Goals – City Engineer Vanden Noven reviewed his ideas on how he would like to approach addressing environmental issues. He said there should be a commitment on the City's part to improve the environment. He said that each department head would submit their ideas and guidelines to its controlling board addressing how we can improve the environment. Additionally, he is recommending that all future Board Reports have an Environmental Impact item, which would include a separate line item where the department head would analyze and measure the impact of the improvements on the environment so the Council can see that. City Planner Randy Tetzlaff attended a workshop recently on reducing dependence on energy throughout the State. He indicated that there is some stimulus money available but at this time they don't have a timetable set up yet. This may offer us a lot of opportunities. Alderman Larson said Rob had great input to move us in the right direction. He said once he gets all the pieces together, he would put together a committee.
MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN ERLICH TO ACCEPT THE PUBLIC WORKS DEPARTMENT ENVIRONMENTAL GOALS. **Motion carried unanimously.**

UNFINISHED BUSINESS

NEW BUSINESS

FORTHCOMING EVENTS – Alderman Vollmar reported that Possibility Playground would be holding a "Walk & Run" on May 31st and invited everyone to join the walk & run to raise money for Possibility Playground and have a good time at the Community Street Festival after the run is over. Mayor Huebner said at our next meeting on June 2nd, which is past the deadline for the M & I building to be completed, that he would ask the City Attorney and City Administrator to have on the agenda spelled out in detail what our options are, the ramifications to those options, and a timetable so we can start moving on correcting the problem if the Council so chooses.

PUBLIC COMMENTS/APPEARANCES – None

ADJOURNMENT – MOTION BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN LARSON TO ADJOURN THE MEETING OF THE CITY COUNCIL AT 9:34 P.M. **Motion carried unanimously.**