

**MINUTES
CITY OF PORT WASHINGTON
CITY COUNCIL MEETING
August 3, 2010**

A duly convened meeting of the Common Council was called to order at 7:32 p.m. by Mayor Scott Huebner in the Council Chambers. Council members present: Aldermen Paul Neumyer, Jim Vollmar, Burt Babcock, Tom Hudson, Dave Larson and Dan Becker. Also present: City Engineer Rob Vanden Noven, City Planner Randy Tetzlaff and City Attorney Eberhardt. Absent and excused: Alderman Mike Ehrlich and City Administrator Mark Grams.

The Pledge of Allegiance to the Flag was recited.

CONSENT AGENDA

- A. Approve Minutes of the Previous Meeting – July 20, 2010
- B. Operator's License Applications
- C. Temporary Operator License Applications
- D. Temporary Class "B"/"Class B" Retailer's License Application

MOTION BY ALDERMAN HUDSON AND SECONDED BY ALDERMAN BABCOCK TO APPROVE THE CONSENT AGENDA. Motion carried unanimously.

MAYOR'S BUSINESS

A. Police Department Accreditation: Mayor Huebner congratulated the Police Department on their Accreditation. Mayor Huebner introduced Police Chief Thomas and he gave a brief description of what the Police Department had to do to receive this accreditation. There will be a formal ceremony on September 7, 2010 to officially receive the accreditation. Mr. Rick Nelson and Ms. Gina Taucher from the Fire and Police Commission were present in the audience.

B. Appointment To Senior Center Board: Mayor Huebner presented to the Aldermen his appointment of David Owens to the Commission On Aging. **MOTION ALDERMAN BABCOCK AND SECONDED BY ALDERMAN BECKER TO APPROVE APPOINTING DAVID OWENS TO THE COMMISSION ON AGING AS PRESENTED. Motion carried unanimously.**

OFFICERS'/STAFF REPORT

A. Update On Projects:

1. South Wisconsin Street/Chestnut Street/Division Street Projects: City Engineer Rob Vanden Noven stated South Wisconsin Street should be completed by Labor Day. Chestnut Street and South Division Street should be completed by the end of September. He also stated that South Park Street should also be completed by the end of September.

2. South Wisconsin Street (WE Energies Project): City Engineer Rob Vanden Noven stated that the project is moving along. The street light poles are back ordered and will not be in until the end of September.

PUBLIC COMMENTS/APPEARANCES – There was none.

COMMITTEES

A. Finance and License Committee

1. Consider Transfer Of Funds From Contingency Fund To Celebration Account For City's 175th Anniversary Celebration – Alderman Hudson stated that the Finance Committee has agreed to transfer funds from the Contingency Fund to the Celebration Account for the City's 175th Anniversary Celebration. There is \$15,000 in the Contingency Fund. \$7,500 will be move to the Celebration Account as requested. **MOTION BY ALDERMAN HUDSON AND SECONDED BY ALDERMAN LARSEN TO APPROVE THE MOVING OF \$7,500 FROM THE CONTINGENCY FUND TO THE CELEBRATION ACCOUNT. ANY REMAINING MONIES FROM THE CELEBRATION ACCOUNT WOULD BE RETURNED TO THE CONTINGENCY FUND. Motion carried unanimously.**

B. Traffic Safety Committee

1. **Ordinance 2010-16 (Replacement Of Yield Sign And Installation Of Stop Sign At Certain Intersections) 1st Reading** – City Engineer Rob Vanden Noven reviewed this Ordinance with the Council. He reviewed the various areas in the City where the stop signs would be placed.
2. **Ordinance 2010-17 (Allow 30 Minute Parking In Certain Stalls In Municipal Parking Lot C-4) 1st Reading** – City Attorney Eric Eberhardt reviewed this Ordinance with the Council. He stated that the Charter Boat Captains are looking for this change from April to October. He also stated that the meter heads would be removed from the meters.
3. **Ordinance 2010-18 (Allow 2-Hour Parking And Permit Parking In Municipal Parking Lot M-1)** – City Engineer Rob Vanden Noven reviewed this Ordinance with the Council. The Aldermen discussed their concerns.

BOARDS/COMMISSIONS

A. Plan Commission

1. **Public Hearing To Consider Rezoning Land At 123 And 131 North Park Street From I-1, General Industrial District To B-3, General Business District** – City Planner Randy Tetzlaff reviewed this item with the Council. Mayor Huebner opened the Public Hearing to consider rezoning of land at 123 and 131 North Park Street. Ms. Joan Stewart of 3434 Hwy. KK, Port Washington stated that she owns a duplex at 126-128 North Park Street. She was concerned about loud noise from lawnmowers and snowblowers. City Planner Randy Tetzlaff informed her that there would not be any storage outside. All work would be confined to the inside of the building. **MOTION BY ALDERMAN HUDSON AND SECONDED BY ALDERMAN BECKER TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.**
2. **Ordinance 2010-15 (Rezoning Of Land At 123 And 131 North Park Street From I-1, General Industrial District To B-3, General Business District) 2nd Reading** – **MOTION BY ALDERMAN VOLLMAR AND SECONDED BY ALDERMAN NEUMYER TO APPROVE ORDINANCE 2010-15 REZOING OF LAND AT 123 AND 131 NORTH PARK STREET FROM I-1, GENERAL INDUSTRIAL DISTRICT TO B-3, GENERAL BUSINESS DISTRICT AS PRESENTED. Motion carried unanimously.**
3. **Public Hearing To Consider A Conditional Use Grant By Gopher One Bar At 605 West Grand Avenue To Serve Food And Beverages:** City Planner Randy Tetzlaff reviewed this item with the Council. Mayor Huebner opened the Public Hearing to consider a Conditional Use Grant by Gopher One Bar at 605 West Grand Avenue to serve food and beverages on a patio to the west of the building. This patio will be used year round. There were no residents. **MOTION BY ALDERMAN HUDSON AND SECONDED BY ALDERMAN BABCOCK TO CLOSE THE PUBLIC HEARING Motion carried unanimously.**
4. **Consider Conditional Use Grant For Gopher One Bar, 605 West Grand Avenue To Serve Food And Beverages Outdoors:** The Council discussed this item. This patio will be fenced in and open year round. City Attorney Eric Eberhardt stated that the parent company is delinquent with the State of Wisconsin, Department of Financial Institutions. The Conditional Use Grant cannot be granted until this item is rectified. Also, Gopher One's alcohol license with the City has to be amended to include the patio area. **MOTION BY ALDERMAN HUDSON AND SECONDED BY ALDERMAN BABCOCK TO APPROVE THE CONDITIONAL USE GRANT FOR GOPHER ONE BAR LOCATED AT 605 WEST GRAND AVENUE SUBJECT TO THE DEPARTMENT OF FINANCIAL INSTITUTIONS DELIQUENCY IS CLEARED**

UP AND THE ALCOHOL LICENSE IS AMENDED. Motion carried unanimously.

5. **Resolution 2010-14 Designating The Boundaries And Adopting The Project Plan For Tax Incremental District No. 2 Of The City Of Port Washington, Wisconsin:** City Planner Randy Tetzlaff reviewed this item with the Council. He stated that this Resolution is needed for designating the boundaries of the Tax Incremental District No. 2 and adopting the project plan for the Tax Incremental District No. 2 for the City of Port Washington. **MOTION BY ALDERMAN HUDSON AND SECONDED BY ALDERMAN BECKER TO APPROVE RESOLUTION 2010-14 DESIGNATING THE BOUNDARIES AND ADOPTING THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 2 OF THE CITY OF PORT WASHINGTON, WISCONSIN. Motion carried (5 Ayes, 1 Abstained (Alderman Vollmar)).**
6. **Resolution 2010-15 Creating Tax Incremental District No. 2 Of The City Of Port Washington, Wisconsin:** City Planner Randy Tetzlaff presented and reviewed the Project Plan to the Council. He stated that this Resolution would create the Tax Incremental District No. 2 for the City of Port Washington. **MOTION BY ALDERMAN BECKER AND SECONDED BY ALDERMAN BABCOCK TO APPROVE RESOLUTION 2010-15 CREATING TAX INCREMENTAL DISTRICT NO. 2 OF THE CITY OF PORT WASHINGTON, WISCONSIN. Motion carried (5 Ayes, 1 Abstained (Alderman Vollmar)).**

B. Board Of Public Works

1. **Approve Change Order No. 1 For Sunset Road Project:** City Engineer Rob Vanden Noven reviewed this item for the Council. He stated that this change order is for the recently completed Sunset Road Improvement Project. Unstable soils were found in two locations which needed to be excavated and replaced with one foot of 3" limestone aggregate. Additionally, one catch basin needed to be modified to avoid a conflict with the existing water main. These changes were reviewed and approved in the field by Gremmer and Associates as well as by the City Engineer. Due to the immediacy of the required changes, the work was authorized and has already been performed. The cost of the change order is \$16,968.87 and will be assessed to the abutting property owners. The Board of Public Works approved Change Order No. 1 for the Sunset Road Project. **MOTION BY ALDERMAN BABCOCK AND SECONDED BY ALDERMAN NEUMYER TO APPROVE CHANGE ORDER NO. 1 FOR THE SUNSET ROAD PROJECT. Motion carried unanimously.**
2. **Approve Sanitary Sewer Lining For Highway 33 Project:** City Engineer Rob Vanden Noven reviewed this item for the Council. He stated that in preparation for the upcoming improvements to STH 33, the City has inspected the existing sanitary sewer within the project limits, utilizing our televising equipment. This cctv inspection revealed that only one 314 lf section of pipe (12" diameter) was in need of repair. Staff recommends that we contract with Visu-Sewer for lining that section of sewer this year. The cost is approximately \$12,000 to be charged to the Sewer Utility's sewer repair fund. Staff recommends approval of this work as a work order outside the existing contract with Visu-Sewer. None of the current work under contract is for 12" diameter sewer. The Board of Public Works approved this work order outside the existing contract with Visu-Sewer for the STH 33 Improvement Project. The work order would be for lining the 12" diameter sewer for \$38.00/LF for approximately 314 feet. **MOTION BY ALDERMAN NEUMYER AND SECONDED BY ALDERMAN BECKER TO APPROVE THE WORK ORDER OUTSIDE OF THE EXISTING CONTRACT WITH VISU-SEWER FOR THE STH 33 IMPROVEMENT PROJECT. THE WORK ORDER WOULD BE FOR LINING THE 12" DIAMETER SEWER FOR \$38.00/LF FOR APPROXIMATELY 314 FEET AS PRESENTED. Motion carried unanimously.**

3. **Approve Purchase Of Blower Equipment For Wastewater Treatment Plant:** City Engineer Rob Vanden Noven reviewed this item with the Council. City Attorney Eric Eberhardt had several concerns with this contract. Council members had numerous questions regarding the purchase. **MOTION BY ALDERMAN HUDSON AND SECONED BY ALDERMAN LARSON TO TABLE THE PURCHASE OF BLOWER EQUIPMENT FOR THE WASTEWATER TREATMENT PLANT. Motion carried unanimously.**

4. **Approve Purchase Of Dissolved Oxygen Analyzers For Wastewater Treatment Plant:** City Engineer Rob Vanden Noven reviewed this item with the Council. City Attorney Eric Eberhardt had several concerns with this contract. Council members had numerous questions regarding the purchase. **MOTION BY ALDERMAN BABCOCK AND SECONED BY ALDERMAN NEUMYER TO TABLE THE PURCHASE OF DISSOLVED OXYGEN ANALYZER FOR THE WASTEWATER TREATMENT PLAN. Motion carried unanimously.**

UNFINISHED BUSINESS – There was none.

NEW BUSINESS – There was none.

FORTHCOMING EVENTS – Alderman Vollmar mentioned that the Clipper Cup Races are coming Friday, August 13th. Alderman Becker stated that St. Mary's, St. Peters, and Immaculate Conception will be having their parish festival at Veteran's Park on August 14th and 15th. Mayor Huebner wanted to thank everyone involved with the Governor Doyle visit today, especially the Port Washington Garden Club for keeping Rotary Park and the rest of the City beautiful.

PUBLIC COMMENTS/APPEARANCES – There was none.

ADJOURNMENT – **MOTION BY ALDERMAN LARSON, SECONDED BY ALDERMAN BECKER TO ADJOURN THE MEETING OF THE COMMON COUNCIL AT 8:42 P.M. Motion carried unanimously.**