

MINUTES
CITY OF PORT WASHINGTON
CITY COUNCIL MEETING
Tuesday, June 15, 2010, 7:30 P.M., City Hall

1. ROLL CALL –

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, Burt Babcock, Dave Larson, Tom Hudson, Dan Becker and Jim Vollmar Also present: City Engineer Robert Vanden Noven, City Administrator Mark Grams and City Attorney Eric Eberhardt.

2. PLEDGE ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

3. CONSENT AGENDA

- A. Approve Minutes Of Previous Meeting
- B. Approve Original Operator License Applications
- C. Approve Renewal Operator License Applications
- D. Approve Temporary Operator License Applications
- E. Approve Renewal Alcohol Beverage License Applications
- F. Approve Cabaret Licenses

G. Approve Temporary Class "B" / "Class B" Retailer's License Applications

MOTION MADE BY ALDERMAN HUDSON, SECONDED BY ALDERMAN BABCOCK TO APPROVE THE CONSENT AGENDA AS PRESENTED AND TO INCLUDE A CONDITIONAL APPROVAL OF A CLASS B COMBINATION LICENSE RENEWAL FOR SIR JAMES PUB.

Motion carried unanimously.

4. MAYOR'S BUSINESS

A. Update on NOAA Project- Mayor Huebner commented on the possible locations for the Shipwreck Sanctuary Headquarters being considered. The City is interested in the headquarters being located here and feels that Port Washington is a central location on Lake Michigan for the facility. It would bring jobs and tourism to the community and area. The critical comments made at the June 1st meeting by Linda Nenn were not helpful and various individuals working on the location process with NOAA were contacted to discuss the negative comments made. Mayor Huebner suggests that it would be more productive and beneficial if we all work together in a positive manner to promote the City.

5. OFFICERS'/STAFF REPORT

A. Update On Project

- 1. Sunset Road- City Engineer Robert Vanden Noven reported that the final paving is done, bike trail has a 10 foot path installed and the project is complete.
- 2. S. Wisconsin / Chestnut / Division Streets Project-Robert Vanden Noven reported that this project started on June 14th. Pavement will be removed this week followed by water main work next week.
- 3. Industrial Park Water Tower Project-Robert Vanden Noven reported this project is on schedule for completion a week from today.
- 4. S. Wisconsin Street (We Energies Project)-Robert Vanden Noven reported that work continues and is on schedule with a projected Labor Day completion.
Mayor Huebner commented that the Sunset Road and Bike Trail project turned out great.

6. PUBLIC COMMENTS/APPEARANCES

Your comments are welcome. Please limit your discussion to 3 minutes. If you need more time, please contact the City Administrator and request that your topic be placed on the City Council Agenda.- None

7. **COMMITTEES**

A. FINANCE AND LICENSE COMMITTEE

1. Approve Energy Efficiency Conservation Block Grant Contract (New Municipal Building Lighting System) With State Department Of Revenue- City Administrator Mark Grams reported this proposed contract with the State Department of Commerce was received last month. This Grant, in the amount of \$72,600, is to improve lighting efficiency in various municipal buildings. The City will need to fund approximately \$28,000 to complete the lighting project and the funds will come from the remaining funds in the 2008 borrowing. Alderman Hudson reviewed the details of the contract with the Council.

MOTION MADE BY ALDERMAN HUDSON, SECONDED BY ALDERMAN LARSON TO APPROVE THE WISCONSIN ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT CONTRACT BETWEEN THE WISCONSIN DEPARTMENT OF COMMERCE AND THE CITY OF PORT WASHINGTON. **Motion carried unanimously.**

8. **BOARDS/COMMISSION**

A. BOARD OF PUBLIC WORKS

1. Consider Vacating Michigan Street ROW East Of Webster And South Montgomery Street Approximately 260' North And 170' South Of Michigan Street- City Engineer Robert Vanden Noven reported that the City has no use for this Right-Of-Way and can declare this property surplus and attach it to the adjoining properties. Board of Public Works recommends approval.

MOTION MADE BY ALDERMAN EHRlich, SECONDED BY ALDERMAN VOLLMAR TO APPROVE THE VACATING OF MICHIGAN STREET EAST OF WEBSTER AND SOUTH MONTGOMERY STREET APPROXIMATELY 260 FEET NORTH AND 170 FEET SOUTH OF MICHIGAN STREET.

Comment made by Attorney Eberhardt, that the next meeting a resolution will be brought forward for approval and a public notice will be published. **Motion carried unanimously.**

2. Resolution 2010-13 Approval Of 2009 Compliance Maintenance Annual Report (CMAR)- Robert Vanden Noven reported this annual report is required by the DNR to measure performance of Wastewater Utilities. It covers the compliance and maintenance of the treatment plant and associated systems. The report is graded A-1 for 9 various categories to obtain a GPA for the utility. The City plant received A's in 9 of 9 categories. The Board of Public Works recommends approval of the resolution. MOTION MADE BY ALDERMAN HUDSON, SECONDED BY ALDERMAN BECKER TO APPROVE RESOLUTION 2010-13 THE 2009 COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR). **Motion carried unanimously.**
3. Consider Additional Payment To Crispell- Snyder For Coal Dock Design- Robert Vanden Noven reported on the request from Crispell-Snyder for additional compensation for design services for the Coal Dock Project. The Original RFP and Design Agreement was reviewed and they have exceeded their Estimated Total of \$116,300. Due to the word "Estimate" they are requesting additional compensation. To date they have been paid \$119,856.28, their request for additional compensation is for \$6,659.84. Attorney Eric Eberhardt commented that arguments can be made on both sides and litigation of this claim would be costly. The suggestion is for the City to settle with Crispell-Snyder for \$6,659.84 and require they sign off absolving the City of responsibility. MOTION MADE BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN HUDSON TO APPROVE A SETTLEMENT WITH CRISPELL-SNYDER FOR \$6,659.84. **Motion carried unanimously.**
4. Consider Portview Drive Design And Review Public Input From PIM- Robert Vanden Noven reported on the Public Information Meeting held on Tuesday, June 8th. Public comments included that the traffic speed is too fast and concerns about the sidewalk slabs that need replacing. The Board of Public Works

recommends approval for the improvements to Portview Drive. Street width from Willow to Summit (Summit to Spring Street remains at 40 feet) to be reduced to 36 feet, and creating bump outs at all intersections.

MOTION MADE BY ALDERMAN ERHRICH, SECONDED BY ALDERMAN VOLLMAR TO APPROVE THE IMPROVEMENTS TO PORTVIEW DRIVE AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS. **Motion carried unanimously.**

5. Consider Constructing Sanitary Sewer Lateral For Town Residents On Division Street- Robert Vanden Noven reported the sewer is being extended for the purposes of a future connection to the proposed subdivision on land formerly owned by We Energies (now owned by the City), SE of the intersection of Sunset Rd./Division St. There are 3 homes in the Town of Port Washington that are currently served by the Port Washington Water Utility, but not sewer. The Board of Public Works recommends approval of extending the sanitary sewer to immediately behind the curb of the three properties located in the Town of Port Washington. MOTION MADE BY ALDERMAN EHRICH, SECONDED BY ALDERMAN BECKER TO APPROVE THE RECOMMENDATION OF THE BOARD OF PUBLIC WORKS. **Motion carried unanimously.**
6. Consider Increasing Fees For Street Opening Permits- Robert Vanden Noven requested more time to prepare the project information. MOTION MADE BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN NEUMYER TO TABLE ITEM# 5. **Motion carried unanimously.**

B. PARK AND RECREATION BOARD

1. Approve Concession Stand Memorandum Of Understanding With Port Washington Youth Baseball- Mark Grams reported on this annual agreement between the City and Port Youth Baseball to operate a concession stand at T.J. Middle School. This is the same agreement as was signed last year. The Park and Recreation Board recommends approval of the concession stand agreement. MOTION MADE ALDERMAN BABCOCK, SECONDED BY ALDERMAN BECKER TO APPROVE THE MEMORANDUM OF UNDERSTANDING FOR THE CONCESSION STAND BETWEEN THE CITY AND PORT YOUTH BASEBALL.
Attorney Eberhardt recommended a modification of language on #9 to read "Section 3 hereof".
AMENDED MOTION MADE BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN BECKER TO INCLUDE ALONG WITH THE MOTION ABOVE THE AMENDMENT OF LANGUAGE IN NUMBER 9 TO READ "SECTION 3 HEREOF".
Motion carried unanimously.

9. UNFINISHED BUSINESS

- A. Discuss Appraisal Report For Senior Center Property- Mark Grams reported on the Senior Center Appraisal Report that was completed. The Senior Center lot includes a parking lot to the east. This may have increased the value of the appraisal. The Council will have to decide whether to include the entire lot in the sale or subdivide the lot to keep the parking available for the public or sell off as a separate lot. Tax credits are available for improvements to this building to the buyer. This issue will need to go to the Plan Commission because it involves selling City property. Attorney Eberhardt commented that the Plan Commission will need direction on whether the building and lot will be together or a lot separated.
MOTION MADE BY ALDERMAN HUDSON, SECONDED BY ALDERMAN BECKER TO SEND THIS ISSUE TO THE PLAN COMMISSION. **Motion carried unanimously.**
- C. Consider Preliminary Stormwater Management Report For Highway 33 Project-Robert Vanden Noven reported on the draft stormwater analysis review completed by Bonestroo of a drainage basin connected to the intersection of STH 33 and CTH LL. The report includes impact of the runoff that will be created by the construction of the STH 33

improvements and the proposed pond at the SW corner of the STH 33/CTH LL intersection. Discussion was held on whether a larger regional pond should be installed. MOTION MADE BY ALDERMAN HUDSON, SECONDED BY ALDERMAN ERHLICH TO APPROVE PROCEEDING WITH THE FULL STUDY. **Motion carried unanimously.**

10. NEW BUSINESS

- A.** Approve Closing Of Street For Possibility Playground Run/Walk- Mark Grams reported on the request to close the road in Upper Lake Park and Lake Street from Jackson Street north on Sunday, June 20th from 7 a.m. until noon for the Run/Walk being held for the Possibility Playground fundraiser. The Legion and Lighthouse condominium have been contacted about the street closing and have no objections. The route is the same as last year. MOTION MADE BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN EHRlich TO APPROVE THE CLOSING OF THE ROAD IN UPPER LAKE PARK AND LAKE STREET FROM JACKSON STREET NORTH ON SUNDAY, JUNE 20TH FROM 7:00 A.M. UNTIL NOON. **Motion carried unanimously.**
- B.** Ordinance 2010-12 (Prohibiting Animals On Public Festival Grounds) 1st Reading- Mark Grams reported on the proposed ordinance that would prohibit animals from entering festival grounds. The reason for this is due to an incident that occurred at the Community Festival May 30th. Chief Thomas and the City Attorney have been consulted and agree in prohibiting animals on festival grounds for public safety reasons. This would not affect the Farmers Market and parade routes may need to be excluded as it would be difficult to police between public and private properties along the route. Discussion was held on what other communities do and whether this issue could be controlled by the individual festival committee's.

- 11. FORTHCOMING EVENTS-** Alderman Becker commented on the great Freeport Music concert series held at the Bandshell and encourages residents to attend this series throughout summer. Mark Grams commented on the Dennis Sullivan tall ship that was docked in the harbor offering educational tours to area schools. Alderman Ehrlich invited the public to attend the American Cancer Society Relay For Life event on Friday and Saturday, June 18th and 19th.

- 12. PUBLIC COMMENTS/APPEARANCES-** None.

- 13. ADJOURNMENT-** MOTION MADE BY ALDERMAN BECKER ,SECONDED BY ALDERMAN LARSON TO ADJOURN THE MEETING AT 9:16 P.M. **Motion carried unanimously.**