

**MINUTES**  
**CITY OF PORT WASHINGTON**  
**CITY COUNCIL MEETING**  
**Tuesday, May 18, 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 Planner Randy Tetzlaff, City Administrator Mark Grams and City Attorney Eric Eberhardt. Mayor Huebner welcomed Boy Scout Troop 875 to the meeting.

**2. PLEDGE ALLEGIANCE TO THE FLAG-**

The Pledge of Allegiance To The Flag was recited.

**3. CONSENT AGENDA**

A. Approve Minutes Of Previous Meeting

B. Approve Original Operator's License Applications

MOTION MADE BY ALDERMAN HUDSON, SECONDED BY ALDERMAN BECKER TO APPROVE THE CONSENT AGENDA AS PRESENTED. **Motion carried unanimously.**

**4. MAYOR'S BUSINESS**

A. Consider Committee Appointments- Mayor Huebner reported that individuals have been contacted about serving on committees and their responses have not been received yet.

**5. OFFICERS'/STAFF REPORT**

A. Update On Project

1. Sunset Road- City Engineer Robert Vanden Noven reported there was a slight delay due to the rainy weather. Curb and gutter will be completed within a day. Grading, paving and the bike path completed next week.

B. Mid-Moraine Municipal Association Dinner Meeting- Mark Grams reported that the dinner meeting reservations are due tomorrow morning and currently Aldermen Neumyer and Hudson will be attending.

**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.***

Chairperson of the Commission On Aging, Suzanne Brunner addressed the Council. She thanked Mayor Huebner and the Common Council for responding to the needs of the senior community and the newly acquired location for the Senior Citizen Center. She requested that the Commission On Aging and Senior Center Director Catherine Kiener be involved in the architectural planning of the new facility. Mayor Huebner responded that the intent is to involve both the Commission On Aging and Director Kiener in the process.

Dawn Immanuel from the Pirate Festival committee invited the Common Council to become involved with the festival such as working the information booth. The Portico shop will also be having an open house.

**7. COMMITTEES**

**A. Finance and License Committee**

1. Approve Tax Claim For Parcel# 162170001000- Alderman Hudson reported this tax parcel was incorrectly assessed thus the taxpayer overpaid the property taxes. The City will be reimbursing the amount of \$108.86 to the taxpayer directly since the overcharge is under \$500.  
MOTION MADE BY ADERMAN HUDSON, SECONDED BY ALDERMAN VOLLMAR TO APPROVE THE REFUND OF \$108.86 FOR PARCEL #162170001000. **Motion carried unanimously.**

**B. Personnel Committee**

1. Consider Hiring Additional Part-Time Building Inspector- Mark Grams Reported that the increase in building inspections has created the need for an additional inspector approximately 10 hours per week on an as needed basis. The Village of Saukville building inspector has had his hours reduced to ¾ time, which would allow him the flexibility to provide the city with the additional hours necessary to assist with inspection duties. The new inspector would primarily assist

with inspections of property complaints, which has been increasing, and then basic site inspections as needed. MOTION MADE BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN VOLLMAR TO APPROVE THE HIRING OF BRIAN BIERNAT AS A PART-TIME BUILDING INSPECTOR AT \$30.00 HOUR FOR APPROXIMATELY 10 HOURS PER WEEK ON AN AS NEEDED BASIS. **Motion carried unanimously.**

## 8. BOARDS/COMMISSION

### A. PLAN COMMISSION

1. Public Hearing To Consider Rezoning of Land at 600 N. Moore Rd. From I-2, Industrial Park District To B-3, General Business District- Randy Tetzlaff reported that Lakeshore Dance has requested a rezoning of this property to allow a dance studio and retail store to operate at this site. There were no public comments made.  
MOTION MADE BY ALDERMAN HUDSON, SECONDED BY ALDERMAN BECKER TO CLOSE THE PUBLIC HEARING. **Motion carried unanimously.**
2. Ordinance 2010-11 (Rezoning Of Land At 600 N. Moore Road From I-2 Industrial Park To B-3 General Business District) 2<sup>nd</sup> Reading- MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO APPROVE ORDINANCE 2010-11 REZONING OF LAND AT 600 N. MOORE ROAD FROM I-2 INDUSTRIAL PARK TO B-3 GENERAL BUSINESS DISTRICT. **Motion carried unanimously.**
3. Public Hearing On The Vacation And Discontinuance Of A Portion Of N. Park Street, Adjacent To 550 W. Grand Avenue- Randy Tetzlaff reported that the property owners of Grand Avenue Saloon are requesting this vacation to allow the business to use the are for outdoor serving. There were no public comments. MOTION MADE BY ALDERMAN HUDSON, SECONDED BY ALDERMAN EHRLICH TO CLOSE THE PUBLIC HEARING. **Motion carried unanimously.**
4. Resolution 2010-5 (Final Resolution To Vacate And Discontinue A Portion Of The North Park Street Right-Of-Way In The City Of Port Washington)- MOTION MADE BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN BECKER TO APPROVE RESOLUTION 2010-5 FINAL RESOLUTION TO VACATE AND DISCONTINUE A PORTION OF THE NORTH PARK STREET RIGHT-OF-WAY IN THE CITY OF PORT WASHINGTON. Attorney Eberhardt reported that all required notices have been provided and the title will revert to 500 W. Grand Avenue. **Motion carried unanimously.**
5. Public Hearing To Consider A Conditional Use Grant Request By The Grand Avenue Saloon To Permit Serving Of Food And Beverages Outdoors- Randy Tetzlaff reported that this business needs a conditional use to allow for beverages to be served outside the building. There were no public comments. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO CLOSE THE PUBLIC HEARING. **Motion carried unanimously.**
6. Conditional Use Grant For Grand Avenue Saloon To Permit Serving Of Food and Beverages Outdoors- MOTION MADE BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN LARSON TO APPROVE THE CONDITIONAL USE GRANT REQUEST BY THE GRAND AVENUE SALOON TO PERMIT SERVING OF FOOD AND BEVERAGES OUTDOORS. **Motion carried unanimously.**

### B. COMMUNITY DEVELOPMENT AUTHORITY

1. Consider RLF Application From Custom Wire Technologies, Inc, 1103 Mineral Springs Dr.- Randy Tetzlaff reported the company's financial projections were reviewed and are in order. This company will create five jobs. The Community Development Authority approved the RLF Application unanimously. MOTION MADE BY ALDERMAN HUDSON, SECONDED BY ALDERMAN BECKER TO APPROVE THE RLF APPLICATION FROM CUSTOM WIRE TECHNOLOGIES, INC. 1103 MINERAL SPRINGS DRIVE. **Motion carried unanimously.** Mayor Huebner thanked Custom Wire Technologies for their interest in expanding in Port Washington.
2. Consider RLF Application From Deano's Portside Pub & Grille, LLC, 301 E. Pier St.- Randy Tetzlaff reported that this business was opened in the fall of 2009, and is owned by Dean Wester and James Blick. The request for loan is to purchase a new computer system and coolers. The owners agreed to cover legal and filing costs for this loan. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE RLF APPLICATION FROM BEANO'S PORTSIDE PUB & GRILLE, LLC 301 E. PIER STREET. **Motion carried unanimously.**

9. **UNFINISHED BUSINESS-** None.

10. **NEW BUSINESS**

- A. Consider Preparing An RFP For Architectural Service For The Building At 403 Foster Street (Future Senior Center)- Mark Grams reported that the next step in the process is to hire an architectural service. The Commission On Aging will be asked to assist with this project. MOTION MADE BY ALDERMAN HUDSON, SECONDED BY ALDERMAN LARSON TO APPROVE THE PREPARING OF AN RFP FOR ARCHITECTURAL SERVICES FOR THE BUILDING AT 403 FOSTER STREET THE FUTURE SENIOR CENTER. Discussion was held, Alderman Ehrlich suggested that the hiring of a firm be based on reputation as well as low bid. Alderman Vollmar suggested that the city purchase the elevator that will need to be installed. **Motion carried unanimously.**
- B. Consider Proposed Stipulation And Order Resolving Pending Litigation Against Port Harbor Investments LLC (Property at 122 N. Franklin St.)- Mark Grams reported on the process of resolving the pending litigation. Attorney Eberhardt reviewed the legal documents with the council. The trial date is June 3, 2010. A settlement agreement has been drafted and signatures are required to proceed. MOTION MADE BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE STIPULATION AND ORDER RESOLVING PENDING LITIGATION AGAINST PORT HARBOR INVESTMENTS LLC PROPERTY AT 122 N. FRANKLIN STREET WITH THE CONDITION THAT SIGNATURES ARE OBTAINED, THE POWER OF ATTORNEY IS SIGNED AND THE ESCROW IS FUNDED. **Motion carried unanimously.**

11. **FORTHCOMING EVENTS-** Mark Grams encouraged everyone to attend the Community Street Festival is coming up on Sunday, May 30<sup>th</sup>. Also at that festival will be the Hole-In-One Contest, hitting golf balls from Rotary Park to the Coal Dock. Mayor Huebner reported on the Police Memorial Day that was held and encouraged everyone to attend this significant event annually.

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

13. **ADJOURNMENT-** MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN LARSON TO ADJOURN THE MEETING AT 8:16 p.m. **Motion carried unanimously.**