

CITY OF PORT WASHINGTON  
HARBOR COMMISSION MEETING  
Monday October 11, 2010, 7:00 P.M.  
City Hall, Lower Level Conference Room

Members Present

Jerry Gruen, Sue Knauer, Ralph Hess, Frank Metz, Dave Larson, and Dan Herlache

Others Present

Harbor Master Dennis Cherny  
City Administrator Mark Grams

1. **Roll Call: (Absent: Jerry Baganz)**

2. **Approve Minutes Of Previous Meeting**

**Ralph made a motion to approve minutes as written and Frank Metz seconded. Motion carried.**

3. **Monthly Financial Report**

City Administrator Mark Grams said that the report shows most of the major revenue that will be made. There will be very little in the way of revenue coming in the rest of the year, mainly expenditures; salaries and utilities. He said that it looks like we may finish a little above what was anticipated for the year.

Harbormaster Cherny said that he felt the Marina recovered well after the slow start to the season. He said that we are up in launches, transients, washers, and the store. Gasoline sales are up by 1900 gallons and diesel is down by 22,000 gallons.

4. **Approve Change Orders And Final Payment For Marina Floating Pier Project**

City Administrator Grams said that two change orders and the final payout are up for approval. Change order number one is for the additional work done on the fuel pier with adding additional cleats and the modifications to the gangway hand rails. Change order number two is for a credit of \$10,383.56 from the permit, electrical, and map & lock box allowances.

City Administrator Grams said that he would like to get the change orders approved as well as the final payment of \$21,750 approved pending the rectification of all fuel pier issues. He would like to close the books on the project before the end of the year.

Harbormaster Cherny added that the Auto Leak Tests continue to cause alarms and shut down the premium gas lines. We are able to reset them ourselves, but he doesn't feel that the marina should continue this way. It is a brand new system costing over \$100,000 and he feels that it should be working properly. Ted Jennejohn of McMullen and Pitz as well as Larry Ryan of Baird said that they will make sure that Petro Chem resolves the issues that the Marina has with the fuel.

Commission member Dave Larson questioned why the final payment to Petro Chem should be approved if the system isn't working properly. He doesn't believe that payment should be approved pending the system getting fixed. He believes that the money should be held until next year when the warranty is up as the Marina has had nothing but issues with this system and who says it will work properly come spring and now we no longer have that \$20,000 for leverage. He believes that with \$20,000 on the table that will cause some urgency with Petro Chem to get the system fixed.

The commission agreed to table the approval of the discharge of the remaining monies to Petro Chem. **Frank Metz made a motion to approve the two change orders and Sue Knauer seconded. Motion carried.**

5. **Approve 2011 Marina Budget**

City Administrator Grams said that he was conservative with the revenue side of the budget. Looked at the last couple of years and based budget on those numbers. As for the expenditure side, City Administrator Grams said that there aren't any major changes there either. He is projecting less in fuel costs. Debt service will be higher. Sales tax expenses will be up as well based on projections. As for the debt issuance costs, City Administrator Grams said that should be taken out the budget. There will be no need for that 25,550 as the Marina will not be issuing any new debt in 2011. He said that he will look into it.

Commission member Dave Larson questioned the \$8500 budgeted for telephone use as he feels that this number seems rather high. City Administrator Grams said that the city is looking into it. He said that they are looking into an equipment upgrade at a lower cost. The cost of the telephone is split between all the departments. He will see what can be done to lower costs.

Commission Member Frank Metz questioned why the payment to the County Rescue Boat wasn't in the budget for next year. City Administrator Grams said that they are now under the Sheriff Department's budget and no longer looking to be eliminated. Harbor master Cherny added that the Marina will continue to supply their fuel and dockage free of cost.

**Dave Larson made a motion to approve the 2011 Marina budget pending the explanation of the Debt Issuance monies of \$25,500 and Frank Metz seconded. Motion carried.**

6. **Approve 2011 Marina Rates**

Harbormaster Cherny said that he based 2011 rates on this year's rates and would prefer not to raise them for next year. The Commission agreed. **Dave Larson made a motion to approve the Marina rates at the 2010 levels and Ralph Hess seconded. Motion carried.**

7. **Discuss Marina Tenant Doing Fishing Charters In Main Marina In Violation Of Marina Rule And Regulations**

Harbormaster Cherny would like to know where the commission stands on this. He said that Vern Forman was a Charter Captain at the Marina until a few years ago when he sold his business to another Charter Captain. He purchased a different boat and rented a slip in the Main Marina. He has since been caught chartering out of the Main Marina in violation of rule #6 of the Marina Rules and Regulations. Harbormaster Cherny said that he witnessed this first hand after he confronted a group after leaving Vern's boat. The DNR has been investigating him for the last two years and finally filed charges against him on September 3, 2010. He was charged with two counts of failure to record and one count of guiding without a license. Commission member Herlache inquired as to whether Vern was cited for the May incident that Harbormaster Cherny witnessed. Harbormaster Cherny said that he is unsure as to what incidents he was cited for but that he was a witness to the charter in May and that he violated the Marina rules based on that incident.

Harbormaster Cherny feels that we owe integrity to the Marina Rules and Regulations as well as the other charter businesses to deny him a slip for 2011 for violating the rules. The commission agreed. Commission member Gruen suggested that the letter be sent to Vern before the next Harbor Commission meeting. He said that the letter should be sent registered within the 20 day time period for appeal. That way he can appeal the decision at the next Harbor Commission meeting if he so chooses to.

8. **Harbormaster's Report**

Harbormaster Cherny said that the fishermen have been busy around the marina. He put out hoses and brushes again this year, and some fishermen have been using them to clean up after themselves. He also mentioned that the first of the cruise boats will tie up along the west wall of the North Slip as to not disturb the fishermen.

9. **Marina Tenants' Comments**

No Comments.

10. **Any Other Business That May Come Properly Before The Commission**

No Comments.

11. **Adjournment**

**Sue Knauer made a motion to adjourn the meeting at 7:53 p.m. and Ralph Hess seconded. Motion carried.**

**Minutes Not Yet Approved By the Harbor Commission**