

**MINUTES**  
**CITY OF PORT WASHINGTON**  
**CITY COUNCIL MEETING**  
**Tuesday, June 7, 2011, 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 Council Chambers. Council members present: Aldermen Mike Ehrlich, Dan Becker, Burt Babcock, Dave Larson, Jim Vollmar, Joe Dean and Paul Neumyer. Also present: City Administrator Mark Grams, City Planner Randy Tetzlaff, City Attorney Eric Eberhardt and Fire Chief Mark Mitchell.
2. **PLEDGE ALLEGIANCE TO THE FLAG-** The Pledge of Allegiance was recited.
3. **CONSENT AGENDA**
  - A. Approve Minutes Of Previous Meeting
  - B. Approve Original Alcohol Beverage License For Class "B" Retailers Application For Victor's Pier Street Shanty, LLC
  - C. Approve Renewal Of Alcohol Beverage License Applications
  - D. Approve Renewal Of Operator Licenses
  - E. Approve Annual Cabaret License Applications
  - F. Approve Original Operator's License Applications
  - G. Approve Temporary Class "B"/"Class B" Retailer's License Applications
  - H. Approve Temporary Operator Licenses

MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BECKER TO APPROVE THE MINUTES AS PRESENTED, ORIGINAL ALCOHOL BEVERAGE LICENSE FOR CLASS "B" RETAILERS FOR VICTOR'S PIER STREET SHANTY LLC WITH VICTOR CERDA AS AGENT, RENEWAL OF ALCOHOL BEVERAGE LICENSES AS PRESENTED, RENEWAL OF OPERATOR LICENSES AS PRESENTED, RENEWAL OF CABARET LICENSES AS PRESENTED, ORIGINAL OPERATOR LICENSE APPLCIATIONS FOR JESSICA MINER, PETER MOULDS AND SASHA LANE, TEMPORARY CLASS "B"/"CLASS B" RETAILERS LICENSE APPLICATION FOR PORT WASHINGTON LEATHERNECK CLUB FOR FISH DAY, JULY 16, 2011, TEMPORARY OPERATOR LICENSES FOR JOHN STELLING, RUDOLPH SCHARNWEBER, STEPHEN KLINTER, ROBERT BLASING AND SCOTT BOWMAN FOR THE LEATHERNECK CLUB FOR FISH DAY, JULY 16, 2011. Motion carried unanimously.

4. **MAYOR'S BUSINESS**
  - A. Main Street Program Report- Main Street Executive Director Sara Grover was present to report on the successes of the program for promotion of Port Washington, economic restructuring and downtown development. Mayor Huebner commented that the Main Street program is a non-profit program that relies heavily on donations to operate.
  - B. Approve Committee Appointments- Mayor Huebner recommended the appointment of Bill Driscoll to the Harbor Commission and Roger Strohm to the Board of Appeals as an alternate. MOTION MADE BY ALDERMAN VOLLMAR, SECONDED BY ALDERMAN EHRlich TO APPROVE THE APPOINTMENTS AS PRESENTED. Motion carried unanimously.
5. **OFFICERS'/STAFF REPORT**
  - A. Update On Highway 33 Project- Rob Vanden Noven reported that the utilities are being currently relocated. The west bound lane is being developed to move traffic while the other

lane is being constructed. County Highway LL will be closed starting Monday, June 12<sup>th</sup> to traffic through the rest of the project construction.

1. Approve Grading Plan For Schanen Farm- Rob Vanden Noven reported on contractors that have contacted the City looking for an area to deposit the fill from the 33 project. The Schanen farm would be a convenient location to deposit fill. A grading plan was presented to the Council for consideration.

MOTION MADE BY ALDERMAN DEAN, SECONDED BY ALDERMAN BABCOCK TO APPROVE THE GRADING PLAN FOR THE SCHANEN FARM AS PRESENTED. Motion carried unanimously.

A. Update On Senior Center Project- The City Administrator reported that the move is complete and the phone system has been installed. There is much more room for the groups to play pool and have exercise classes. There will be an open house, the date to be determined.

B. Consider Revised North And South Coal Dock Sub Lease With We Energies- The City Administrator reported on the final draft document. Attorney Eberhardt has reviewed the documents and recommends approval contingent upon receiving the signed submerged land lease agreements between We Energies and the State. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN NEUMYER TO APPROVE BOTH SUB LEASES AS PRESENTED CONTINGENT UPON THE SIGNED LANDS LEASE AGREEMENTS BEING RECEIVED. Motion carried unanimously.

## 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.***

\*John Sigwart, 230 Theis Street- Inquired when the improvements would be started now that the coal dock leases with We Energies have been approved. He also thanked the City for completing the S. Beach access for the public. Mayor Huebner responded that the grant money for the coal dock is available and the planning will be begin shortly. The City Administrator informed the Council that there are ladders along the north coal dock that need to be extended to the water line for public safety.

## 7. COMMITTEES

### A. FINANCE AND LICENSE COMMITTEE

1. Approve Amended Premises Description For Yacht Club (June 17<sup>th</sup> Event)- Alderman Larson reported on the Freeport Music Event on June 17<sup>th</sup>. The Yacht Club is requesting a one- time premises amendment to allow serving outside building in park area. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN DEAN TO APPROVE THE PREMISES DESCRIPTION CHANGE FOR JUNE 17, 2011 AS PRESENTED. Motion carried unanimously.

2. Consider Proposal For New Ambulance Rates- Alderman Larson reported on the upgrade of services to provide paramedic services. Last rate increase was 4 years ago. Fire Chief Mark Mitchell reported on the paramedic service program. This program is service based and the impact to the budget is nominal. MOTION MADE BY ALDERMAN DEAN, SECONDED BY ALDERMAN BABCOCK TO APPROVE THE NEW AMBULANCE RATES AS PRESENTED. Motion carried unanimously.

3. Consider Refinancing Of \$3.65 Million Dollars In Debt- Alderman Larson reported on the previous borrowing. The City has an opportunity to refinance at a lower rate at this time. Carol Wirth was present to report on the refinancing plan available. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN DEAN TO RECOMMEND APPROVAL OF THE REFINANCING OF DEBT SERVICE. Motion carried unanimously.

4. Consider Proposal To Sell Senior Center Building- Alderman Larson reported that there has been interest in purchasing of the building. The minimum bid would be \$225,000. Randy Tetzlaff reported that the buildings principle use shall be commercial; residential may be an accessory use. The building façade must be preserved; alterations and additions may be permitted if they follow the Main Street design guidelines. The property shall be taxable. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN DEAN TO APPROVE THE PROPSAL TO SELL THE SENIOR CENTER BUILDING AS PRESENTED. Motion carried unanimously.

5. Consider Proposal To Appraise City Property On South Spring Street- Alderman Larson reported that a developer has expressed interest in purchasing the property. An appraisal is needed prior to selling the property. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BECKER TO HAVE THE SOUTH SPRING STREET PROPERTY APPRAISED. Motion carried unanimously.

## **B. TRAFFIC SAFETY COMMITTEE**

1. Ordinance 2011-3 (Approve 15 Minute Parking Stall On W. Grand Avenue) 2<sup>nd</sup> Reading- The City Administrator reported on the ordinance. This parking stall would service the Chocolate Chisel and the Java Dock. MOTION MADE BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN BECKER TO APPROVE ORDINANCE 2011-3 AS PRESENTED. Motion carried unanimously.

## **8. BOARDS/COMMISSION**

### **A. PLAN COMMISSION**

1. Public Hearing On Conditional Use Request To Allow Outdoor Dining At Tello's Grill And Café, 200 W. Grand Avenue, To Allow Outdoor Dining- Randy Tetzlaff reported on the conditional use request. This is required due to the outdoor serving. Mayor Huebner opened the public hearing for public comment. There was no public comment. MOTION MADE BY ALDERMAN VOLLLMAR, SECONDED BY ALDERMAN BABCOCK TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

2. Approve Conditional Use Grant For Tello's Grill And Café, 200 W. Grand Avenue, To Allow Outdoor Dining- Discussion was held and following a MOTION MADE BY ALDERMAN DEAN, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE CONDITIONAL USE GRANT FOR TELLO'S GRILL AND CAFÉ. Motion carried unanimously.

3. Public Hearing To Amend Conditional Use Grant For Holiday Inn, 135 E. Grand Avenue, To Permit Outdoor Serving Of Food And Beverages- Randy Tetzlaff reported that this conditional use is required to allow the Holiday Inn to extend their time of operation from 10:00 p.m. to 11:00 p.m. during Pirate Festival, Fish Day and Maritime Heritage Festival. Mayor Huebner opened the public hearing for public comment. There was no public comment. MOTION MADE BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN DEAN TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

4. Approve Amendment To Holiday Inn's Conditional Use Grant- MOTION TO APPROVE THE CONDITIONAL USE GRANT FOR THE HOLIDAY INN MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN DEAN. Attorney Eberhardt reported on a conversation with Police Chief Thomas specifying days and times allowed within this conditional use. Alderman Vollmar reported on complaints from the condominium owners that live across from the Holiday Inn on the noise level late in the evening. MOTION MADE BY ALDERMAN VOLLMAR, SECONDED BY ALDERMAN NEUMYER TO AMEND THE ORIGINAL MOTION TO INCLUDE SATURDAY NIGHTS ONLY. Discussion was held on this amended motion. Voice Vote taken, Aye- 2, Nay- 5 (Becker, Dean, Babcock, Larson, Ehrlich). Motion fails. MOTION MADE BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN EHRLICH TO AMEND MOTION AND APPROVE THE CONDITIONAL USE GRANT AND LAND COVENANT AS PRESENTED. Voice Vote taken, Aye- 6, Nay- 1 (Vollmar). Motion carried.

9. **UNFINISHED BUSINESS-** None

10. **NEW BUSINESS**

**A. Approve Memorandum Of Understanding With Port Youth Baseball (Concession Stand)-** The City Administrator reported on the memorandum. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN LARSON TO APPROVE THE MEMORANDUM OF UNDERSTANDING AS PRESENTED. Motion carried unanimously.

**B. Consider Proposed Redistricting Plan For City Of Port Washington-** The City Administrator reported on the County Supervisory redistricting plan which was approved by the County Board. The City has to work within the County plan to develop a City plan that fits within the population requirements. The City's proposed plan has 7 Aldermanic Districts and complies with the County requirements. This City's plan is due to the County by July 6<sup>th</sup>. Alderman Neumyer objected to the plan and questioned the plan developed by the County.

**C. Amend City Code Regarding Maintenance Of Lawn's Within The City-** Attorney Eberhardt provided an overview of current and possible future regulations and ordinances. Attorney Eberhardt was instructed to provide the Council with a draft plan at the next meeting.

11. **FORTHCOMING EVENTS-** Freeport Music Festival on June 17<sup>th</sup>.

12. **PUBLIC COMMENTS/APPEARANCES-** Dan Becker, 916 N. Grant Street- Commended the City on working so hard to provided the opportunities and festivals to the residents and guests.

13. **ADJOURNMENT-** MOTION MADE BY ALDERMAN LARSON,SECONDED BY ALDERMAN BECKER TO ADJOURN THE MEETING AT 9:45 P.M. Motion carried unanimously.