

**MINUTES**  
**CITY OF PORT WASHINGTON**  
**CITY COUNCIL MEETING**  
**Tuesday, August 7, 2012, 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 Tom Mlada in Council Chambers. Council members present: Aldermen Dan Becker, Dave Larson, Joe Dean, Doug Biggs, Jim Vollmar, Paul Neumyer and Mike Ehrlich. Also present: City Engineer Rob Vanden Noven, City Planner Randy Tetzlaff, City Attorney Eric Eberhardt and City Administrator Mark Grams.

**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 Cabaret License Application

MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BECKER TO APPROVE THE MINUTES AS PRESENTED, APPROVE OPERATORS LICENSES FOR REBECCA SHIRES, RACHEL PADER, ANGELA WHITE, OPERATOR LICENSES DENIED FOR MATTHEW SCHERPER AND JENNIFER SCHMITZ, OPERATOR LICENSE TABLED FOR JASON SHELTON. CABARET LICENSE APPROVED FOR ERNIE VON SCHLEDORN, PORT WASHINGTON MAIN STREET, TEMPORARY RETAILERS LICENSE APPLICATIONS APPROVED FOR PORT WASHINGTON MAIN STREET AND TEMPORARY OPERATOR LICENSES APPROVED FOR JOHN SIGWART AND KEVIN KIRST. Motion carried unanimously.

**4. MAYOR'S BUSINESS**

- A. Public Hearing To Amend 20.30.050 Of The Zoning Code Relating To Membership Of The Design Review Board- Mayor Mlada opened the public hearing. No public comments were made. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN EHRLICH TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.
- B. Ordinance 2012-8 (Amend Membership Of Design Review Board) 2<sup>nd</sup> Reading- MOTION MADE BY ALDERMAN EHLRICH, SECONDED BY ALDERMAN NEUMYER TO APPROVE ORDINANCE 2012-8 AS PRESENTED. Motion carried unanimously.
- C. Approve Committee Appointments- Mayor Mlada reported on the committee appointments being considered. MOTION MADE BY ALDERMAN DEAN, SECONDED BY ALDERMAN BIGGS TO APPROVE THE COMMITTEE APPOINTMENTS AS PRESENTED. Motion carried unanimously.

**5. OFFICERS'/STAFF REPORT**

A. Update On Projects

1. Highway 33 Project

A. Directional Signage At Roundabout (Update)- Rob Vanden Noven reported on the progress of paving, and lighting that will be completed in the next few weeks. Regarding the directional signage on STH 33, the WDOT is still in the process of reviewing the issue.

2. Coal Dock Project- Plans have been sent out for bid, the bid opening is scheduled for August 30<sup>th</sup>. Two projects are to bid, one for dock development and the other for the pedestrian bridge. The target completion date would be July of 2013.

**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. Refinancing Of 2003 Sewer Revenue Bonds And Early Payment Of 2003 Promissory Notes- Alderman Larson reported on the revenue bonds that can be refinanced at a lower rate. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BECKER TO REFINANCE THE BONDS AS PRESENTED. Motion carried unanimously. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN LARSON TO PAY REVENUE BOND EARLY. Motion carried unanimously.

2. Resolution 2012-10 (Transfer Of Funds From Contingency)- Alderman Larson reported on the transfer of funds that is necessary to replace equipment. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS TO APPROVE RESOLUTION 2012-10 AS PRESENTED. Motion carried unanimously.

3. Consider Proposals From AFLAC For Employee Benefits- The City Administrator reported on disability insurance for employee's that would be paid by employee's. Jack Brees, an agent from AFLAC presented information about the insurance policy options. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN NEUMYER TO APPROVE THE PROPOSAL CONTINGENT UPON REFERENCE CHECKS. Motion carried unanimously.

4. 2013 City Budget Guidelines- The City Administrator reported on the city budget guidelines and calendar of the process for approval.

5. Approve Permanent Change Of Premise For Liquor License and Annual Cabaret License (Sundance, 551 N. Wisconsin Street)- Alderman Larson reported on the request from Sundance Bar for a permanent premise change to their license to include alcohol to be served along with food outside. There is also a request for and an annual cabaret license for music outside in the patio area.

Alderman Vollmar and Neumyer both reported on complaints received from neighbors of Sundance Bar regarding noise and disruptive late night activity at the establishment. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS TO APPROVE THE PREMISE CHANGE AS PRESENTED. Discussion was held followed by a friendly amendment by Alderman Dean to table this item until after the public hearing has been held. AN AMENDED MOTION TO INCLUDE ALDERMAN DEAN'S FRIENDLY AMENDMENT TO TABLE UNTIL THE PUBLIC HEARING IS HEARD WAS MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS. Aye: 6, Nay: 1 (Vollmar). Motion carried. (See additional motion below on 8. A. 1.)

## 8. COMMISSIONS AND BOARDS A. PLAN COMMISSION

1. Public Hearing On A Conditional Use Grant Request To Permit Outdoor Dining At The Sundance Bar, 551 N. Wisconsin Street- Mayor Mlada opened the public hearing.

\*Kirna Gross, 553 N. Harrison St. addressed the Council with concerns about the outdoor patio area and noise in the evenings that bothers the neighbors.

\*Katie Krueger, 678 N. Wisconsin St. addressed the Council supporting the need for the new patio area to develop new business for Sundance.

\*Lila Perron from Sundance Bar addressed the Council regarding concerns about noise on the new patio area. Any music outdoors would not include noisy bands.

\*Kyle Knop, 507 Catalpa St., addressed the Council as a neighbor of Sundance Bar. His concerns are about the cabaret license more than outdoor serving of food on the patio area.

\*Link Gross, 553 N. Harrison St., addressed the Council with concerns about the patio area. Serving food outside is not an issue. Not in favor of alcohol consumption outside, loud music and belligerent people outside of Sundance. Also issues with parking and noise from The Patio establishment as well.

MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BECKER TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS TO APPROVE THE PERMENANT PREMISE CHANGE AND ANNUAL CABARET LICENSE FOR SUNDANCE BAR. Aye: 6, Nay: 1 (Vollmar). Motion carried.

2. Approve Conditional Use Grant Request For The Sundance Bar- Randy Tetzlaff reported that the Plan Commission was in favor of this conditional use. MOTION MADE BY ALDERMAN DEAN, SECONDED BY ALDERMAN BIGGS TO APPROVE THE CONDITIONAL USE FOR OUTDOOR FOOD AND BEVERAGE SERVICE ON PATIO AREA UNTIL 10:00 P.M.. Discussion was held following ALDERMAN EHLRICH MADE A FRIENDLY AMENDMENT AND WITHDREW IT. Further discussion was held and following AMENDMENT TO ORIGINAL MOTION MADE BY ALDERMAN DEAN, SECONDED BY ALDERMAN BIGGS TO APPROVE THE CONIDTIONAL USE FOR OUTDOOR FOOD, BEVERAGE SERVICE AND OUTDOOR MUSIC ON THE OUTDOOR PATIO AND LAWN AREA FROM 11:00 A.M. UNTIL 10:00 P.M. AT SUNDANCE BAR. Aye: 6, Nay: 1 (Vollmar) Motion carried.

**B. COMMISSION ON AGING**

1. Approve Proposal For Lighting At Senior Center- Tabled until the next meeting.

**9. UNFINISHED BUSINESS**

**A. Update On Proposal For Soil Boring Tests Of Bluff Area In Upper Lake**

**Park-** Rob Vanden Noven reported the contract proposal is valid through June of 2013. The City Administrator suggested this be further discussed in the budget process for next year.

**10. NEW BUSINESS**

A. Approve Revisions To The Developers Agreement With Renew Port Holdings- Present to address the Council was Gertjan van den Broek and Bruce McInay. They reported on the progress of the development plan and the need for an updated version of the developer's agreement and other items that will need to be addressed in the future. A request is being made to reduce the letter of credit due to the pace of progress on the property and the need for the Historical Society to proceed with their plans. Attorney Eberhardt summarized the key points of the agreement. MOTION MADE BY ALDERMAN VOLLMAR, SECONDED BY ALDERMAN NEUMYER TO TABLE THIS ITEM UNTIL THE NEXT MEETING. Motion carried unanimously.

B. Approve Reduction of Letter Of Credit for Renew Port Holdings- MOTION MADE BY ALDERMAN EHLRICH, SECONDED BY ALDERMAN VOLLMAR TO ELIMINATE THE LETTER OF CREDIT ENTIRELY. Motion carried unanimously.

D. Deny claim of Diane Curtin- MOTION MADE BY ALDERMAN DEAN, SECONDED BY ALDERMAN VOLLMAR TO DENY THE CLAIM OF DIANE CURTIN. Motion carried unanimously.

**11. FORTHCOMING EVENTS-** Alderman Dean reported on the upcoming Field of Honor at Miller Park coming up on August 11<sup>th</sup>. Tickets are almost sold out and there are approximately 847 left for purchase. Alderman Vollmar reminded everyone about the Clipper Cup race which will be coming into Port on Friday night. Mayor Mlada commented about Maritime Heritage Festival coming up August 17<sup>th</sup> through 19<sup>th</sup>. Park and Recreation has a Triathlon this coming weekend.

**12. PUBLIC COMMENTS/APPEARANCES-** Kyle Knop, made a request that the public hearing notice area to property owners be increased from the 200 feet to a wider area to include more residents. Also the website needs to have updated agenda's and minutes from past committee meetings.

**13. ADJOURNMENT-** MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN DEAN TO ADJOURN THE MEETING AT 10:19 P.M. Motion carried unanimously.