

MINUTES
CITY OF PORT WASHINGTON
CITY COUNCIL MEETING
Tuesday, June 18, 2013, 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, Kevin Rudser, Doug Biggs, Bill Driscoll, 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 Renewal Of Operator License Applications
- D. Approve Temporary Class "B"/ "Class B" Retailers License Applications
- E. Approve Temporary Operator License Applications

MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN LARSON TO APPROVE MINUTES AS PRESENTED, ORIGINAL OPERATOR LICENSES FOR MELISSA HALVERSON, JAMIE HARYCKI, LEWIS PATRICK HORVEI, MELVINA PETERS, JONATHAN SCHOLZ, HILARY MILLER, DEBI ZEINERT, WHITNEY MOTIFF AND MATTHEW KAISER, RENEWAL OF OPERATOR LICENSES FOR KRISTINA USELDING, SACHIA WENDT, SARA MCMANUS, SARAH BAKEWELL AND DENNIS HEISS, TEMPORARY CLASS B RETAILER'S LICENSES FOR JULY 20, 2013 FISH DAY FOR PORT WASHINGTON LION'S CLUB, ST PETER OF ALCANTARA CONGREGATION AND OZAUKEE MASONIC LODGE, TEMPORARY OPERATOR LICENSES FOR KEVIN GERRITTS, SHAWN HOKANSON, RICHARD WEBB, ROBERT PERREN, DEBRA BENDT, RALPH SCHMIT, STEVEN HANSON, CARL WEGNER III, DAVID MURPHY, EDMOND QUENTIN, LORAS LUX, DAVID WOLTRING, RANDALL LANSEY, BETHANN LAUTERS, RON LAUTERS, THOMAS ABBOTT, MARK FLACK, CRAIG HEATWOLE AND ERWIN WUEHR. Motion carried unanimously.

4. **MAYOR'S BUSINESS**

A. Presentation By Water Department, David Ewig Water Superintendent- Dave Ewig gave a presentation.

B. Proclamation Of Congratulations For Main Street- Mayor Mlada congratulated Sara Grover and Main Street for being selected as a top 8 finalist in the Great American Main Street Award (GAMSA) Program.

C. Update On Marketing And Communications Branding Plan- Mayor Mlada reported on the development of a branding platform for the city.

D. Update On Waterfront Safety Ad Hoc Committee- Mayor Mlada reported on the funding opportunities that have been gathered. At this point \$35,000 has been raised and the civic organizations and groups were thanked for financially supporting this project. Alderman Rudser gave a report on the safety options available and what other communities are doing for waterfront safety.

E. Update On Breakwall Discussion- Attorney Eberhardt gave a report on the process of working with and getting approval from the Federal Army Corp of Engineers on plans to provide safety items on the breakwall. Mayor Mlada reported that the Army Corp

of Engineers from Kewaunee inspected the breakwall and determined that it is in poor and deteriorating condition.

F. Approval Of Life Vest Loaner Station In Marina- Joshua Schaefer was present and reported on this project. Attorney Eberhardt reported on the proposed agreement with the DNR. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN RUDSER TO APPROVE THE DNR AGREEMENT AND TO APPROVE THE SIGNAGE PLAN AS PRESENTED. Motion carried unanimously.

5. OFFICERS'/STAFF REPORT

A. Update On Coal Dock Project- Rob Vanden Noven reported that the Coal Dock project is progressing with the better weather. Concrete and grading contractors are on site and the Sauk Creek Naturalization project is progressing toward completion.

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.

Mike Ehrlich, 1508 Parkway Drive addressed Council as a citizen and the architect for the Boerner Building. He expressed concerns about the alleyway with the new tavern going in next door. Also concern about what area will be used for patrons to smoke in. Contractors will continue to work in the alleyway until the building has been completed.

7. COMMITTEES

A. FINANCE AND LICENSE COMMITTEE

1. Consider Original Class B Combination Alcohol License Application For AlleyKatz, LLC-

Alderman Larson reported on the license application being considered. Present was Liz Bannon and Richard Merritt. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE ALCOHOL LICENSE FOR ALLEYKATZ, LLC, D/B/A ALLEYKATZ, RICHARD MERRITT-AGENT. The City Administrator reported on the future permitted smoking area. In the immediate future due to the work being done on the Boerner Building a temporary smoking area should be set up in front of the building during the daytime hours. In the evening using the cement pad on the side of the building for smoking is recommended. The security plan has been approved by the Police Department. VOTE TAKEN, AYE: 6, ABSTAIN: EHRLICH. Motion carried.

2. Consider Original Annual Cabaret License Application For AlleyKatz, LLC-

Alderman Larson reported on the request for a Cabaret License. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS TO APPROVE AN ANNUAL CABARET LICENSE FOR ALLEYKATZ, LLC, D/B/A ALLEYKATZ, RICHARD MERRITT-AGENT. AYE: 6, ABSTAIN: EHRLICH. Motion carried.

3. Consider Renewal Of Operator License Applications-

Alderman Larson and Mayor Mlada reported that the applications presented are recommended for approval with the exception of LaRoy Gregory and Bernadette Teska who were tabled and Christian Zaja who was denied. Attorney Eberhardt reported that Bernadette Teska appeared at the Finance and License Committee meeting with her attorney. Both Ms. Teska and her attorney agreed that her application could be tabled with her consent.

MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN LARSON APPROVES THE RENEWAL OF OPERATOR LICENSES AS RECOMMENDED BY THE FINANCE AND LICENSE COMMITTEE. Motion carried unanimously.

8. BOARDS/COMMISSIONS

A. PARK AND RECREATION BOARD

1. Ordinance 2013-8 (Relating To Membership Of The Parks And Recreation Board) 2nd Reading- Mayor Mlada reported on the purpose of the ordinance. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO APPROVE ORDINANCE 2013-8 AS PRESENTED. Motion carried unanimously.

B. PLAN COMMISSION

1. Ordinance 2013-6 (Amend Zoning Code To Allow Adult Day Care As A Conditional Use In Residentially Zoned Districts) 2nd Reading- This item is tabled until a future meeting.

C. LIBRARY BOARD

1. Consider Proposal For Repair Of Library Roof- David Nimmer Library Director was present to update the Council on the condition of the roof. It is being recommended by Erik Krumholz to replace the roof. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN EHRLICH TO PROCEED WITH THE BID PROCESS USING WTI AS THE CONSULTANT TO DEVELOP THE BID REQUIREMENTS AT THE COST OF \$1,850.00. Motion carried unanimously.

9. UNFINISHED BUSINESS None.

10. NEW BUSINESS

A. Public Hearing In Regards To Special Assessments For Sidewalk

Improvements On Parknoll Lane, Seven Hills Road and Second Avenue-

*John Poole, 4761 Upper Forest Beach Road, President of Birchwood Hills Condominium complex addressed the Council with concerns about change with proposed sidewalk improvements.

*Tom Caravella, 404 Westport Drive and Don Laubenstein, 405 Summit Drive addressed the Council with concerns about the placement of sidewalks on Second Avenue.

*Tom Ruscher, 1893 Parknoll Lane and owner of a condominium in Birchwood Hills, expressed concerns about building one being below grade and the sidewalk improvements potentially causing flooding in the building.

*Grace Hernandez, 1736 Parknoll Cr. commented that there is a need for a sidewalk on the other side of the street; all traffic is using their side of street.

*Rhema Bonde, 1800 Parknoll Lane expressed concern that a new sidewalk would require removal of mature maple trees. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO CLOSE PUBLIC HEARING. Motion carried unanimously.

B. Resolution 2013-6 (Relating To Membership Of City Planner On Port Main

Street, Inc's Board Of Directors, And Cross-Membership Of Executive Directors Of Port Main Street, Inc., And Port Washington Chamber Of Commerce And Tourism Council On Each Organization's Board Of Director's)- Mayor Mlada reported on the purpose of the resolution being considered. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO APPROVE RESOLUTION 2013-6 AS PRESENTED. Motion carried unanimously.

C. Resolution 2013-7 (Approve Compliance Maintenance Report Resolution)- Rob Vanden Noven reported that the annual report must be approved by the Council prior to its submittal. In the future there may need to be upgrades to the power system in case of power outages. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN LARSON TO APPROVE RESOLUTION 2013-7 AS PRESENTED. Motion carried unanimously.

11. FORTHCOMING EVENTS- Waterfront Safety program is coming on Saturday and will be meeting at the Legion on Lake Street. Freeport Music concerts begin on Friday.

12. PUBLIC COMMENTS/APPEARANCES- None.

13. MOTION TO GO INTO CLOSED SESSION ACCORDING TO WISCONSIN STATE STATUTE 19.85 (1)(c) TO REVIEW EMPLOYEE PERFORMANCE EVALUATIONS- MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN EHRLICH TO GO INTO CLOSED SESSION AT 10:36 P.M. FOR THE REASONS STATED ABOVE, ROLL CALL VOTE TAKEN, AYE: EHRLICH, NEUMYER, DRISCOLL, BIGGS, RUDSER, LARSON AND BECKER. Motion carried unanimously.

14. RECONVENE INTO OPEN SESSION- MEETING RECONVENED INTO OPEN SESSION AT 11:34 P.M.

15. ACTION RELATING TO CLOSED SESSION DELIBERATIONS, IF ANY- MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE SALARY ADJUSTMENTS AS RECOMMENDED BY THE PERSONNEL COMMITTEE. Motion carried unanimously.

16. ADJOURNMENT- MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN NEUMYER TO ADJOURN THE MEETING AT 11:35 P.M. Motion carried unanimously.