

MINUTES
CITY OF PORT WASHINGTON
CITY COUNCIL MEETING
Tuesday, March 19, 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, Doug Biggs, Jim Vollmar, Paul Neumyer and Mike Ehrlich. Absent and excused was Joe Dean. Also present: City Engineer Rob Vanden Noven, City Planner Randy Tetzlaff, City Attorney Eric Eberhardt and Deputy Clerk Susan Westerbeke.

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 Temporary Class "B" Retailers License
- D. Approve Temporary Operator's License Application
- E. Approve Cabaret Event License Application

MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS TO APPROVE OPERATOR LICENSES FOR KATHLEEN KAUFMAN, WALLACE KRIER II AND ANN DOHMS-HANSON, DENY OPERATOR LICENSE FOR MEGAN SMITH, TEMPORARY CLASS B RETAILERS LICENSES FOR VFW 7588, GREATER PORT WASHINGTON KIWANIS CLUB, PORT WASHINGTON LIONS CLUB AND GLSF-OZ, TEMPORARY OPERATOR LICENSES FOR DONALD STOFFEL, DENNIS ANSAY, CAROL BOEHLE, GERALD WISKOW, MICHAEL EHRLICH, GARY BOEHLE, BRADLEY LEDUC, ALLEN LARSON, PHIL MOREAU, WILLARD RUSCH, DANIEL MITCHELL, JERALD PLYER, JOHN PETERS, JESSE FRANK, ROBERT HANNEN AND CABARET EVENT LICENSE FOR PORT WASHINGTON LIONS CLUB AS PRESENTED. VOTE TAKEN, AYE: 5 ABSTAIN: 1 (EHRLICH) Motion carried.

4. MAYOR'S BUSINESS

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

B. Ordinance 2013-3 (Relating To Membership Of The Board Of Harbor Commissioners) 2nd Reading- Mayor Mlada reviewed the purpose of the ordinance. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN EHRLICH TO APPROVE ORDINANCE 2013-3 AS PRESENTED. Motion carried unanimously.

C. Update About Around The Corner- Mayor Mlada reported that March 25th at 6:30 p.m. at Memories Ballroom will be the presentation with John McGivern. The public television showing will be on Thursday, March 28th.

D. Port Washington High School Robotics Team- Mayor Mlada reported that the Robotics Team was unable to attend the meeting tonight due to their preparation for competition. They will attend a future meeting and give a presentation.

5. OFFICERS'/STAFF REPORT

A. Departmental Presentation: Marina (Dennis Cherny)- Dennis Cherny gave a presentation on the history of the marina and current services provided to the public.

B. Next City Council Meeting- April 9th – Mayor Mlada reminded the public that the next Common Council meeting will be held on Tuesday, April 9th at 7:30 p.m.

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.

Dr. Charlotte Little, DVM was present to report on the keeping of chickens in an urban setting.

Joshua Bultman was present to thank the Council for considering allowing chickens and commented on the positive reasons for having them.

Dan Weltin was present and commented that he supports chickens and the educational opportunities for children.

Jolene Patterson, 638 N. Milwaukee Street was present and commented that chickens are a good source of food, education and will not be an issue in the city.

Mary Boyle, 418 Hillcrest Court was present and commented that the Council has allowed the Community Garden and Beekeeping within the City with no issues, and the chickens should also be allowed as well.

7. COMMITTEES- None.

8. COMMISSIONS AND BOARDS

A. PLAN COMMISSION

1. Ordinance 2013-4 (To Allow Dog Parks As A Conditional Use In Agricultural, Industrial And PUL Zoning Districts) 1st Reading-

Randy Tetzlaff reported on the proposal from Bob and Ellen Paulus to provide property in the industrial park for a dog park. The Plan Commission recommends approval of this as a conditional use. There are no city funds available, but this park would be private and a user fee would be required.

B. PARK AND RECREATIONAL BOARD

1. Approve Memorandum Of Understanding Between The City And Port Washington Youth Baseball/Softball (Concession Stand)- Aldermen

reported on the annual review of the memorandum and that the Park and Recreation Board approved this at its last meeting. MOTION MADE BY ALDERMAN BECKER, 2ND BY ALDERMAN NEUMYER TO APPROVE AS PRESENTED. Motion carried unanimously.

C. BOARD OF PUBLIC WORKS

1. Ordinance 2013-5 (Revisions To Summer Sewer Credit Calculations)

1st Reading- Rob Vanden Noven reported that the draft ordinance is not completed at this time. The need for this ordinance is to allow an increase in minimum sewer charges during the summer. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO RECOMMEND DRAFTING OF AN ORDINANCE. Motion carried unanimously.

2. Approve Engineering Agreement With City Water LLC For Water Plant Clearwell Improvements-

Rob Vanden Noven reported that the engineering design agreement is needed to bring the plant into compliancy. The City Attorney requested that the Council approve with his review. MOTION MADE BY ALDERMAN VOLLMAR, SECONDED BY ALDERMAN NEUMYER TO APPROVE AS PRESENTED AND WITH REVIEW OF THE CITY ATTORNEY. Motion carried unanimously.

3. Approve Contract Extension With Advanced Disposal For Refuse And Recycling Collection-

Rob Vanden Noven reported that Advanced Disposal was formerly Veolia. This contract extension includes existing collection rate increases no greater than CPI, capped at 3% maximum. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN NEUMYER TO APPROVE THE 10 YEAR CONTRACT AS PRESENTED WITH REVIEW OF THE CITY ATTORNEY. Motion carried unanimously.

4. Approve Agreement For Inspection Services For The Sunset Road Water Main Replacement Project-

Rob Vanden Noven reported on the construction project and need for construction inspection. The Board of Public Works recommends hiring Ruekert-Mielke to provide the needed services. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN BIGGS TO APPROVE THE INSPECTION SERVICES BY RUEKERT-MIELKE AS PRESENTED. Motion carried unanimously.

5. Approve Engineering Agreement With Strand & Associates to Identify Infiltration / Inflow Sources To Sanitary Sewer System-

Rob Vanden Noven reported on the flow monitoring system for the drainage basins. Board of Public Works recommends approval of hiring Strand and Associates with option 1 for Smoke Testing and Manhole Inspection. MOTION MADE BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN LARSON TO APPROVE AS PRESENTED. Motion carried unanimously.

9. UNFINISHED BUSINESS

A. Consider Having Ordinance Drafted To Allow The Raising Of Chickens In Residential Zoning Districts-

Discussion was held by the Aldermen on calls received from residents with concerns about allowing the raising of chickens within the City. The majority of calls favored not allowing the raising of chickens within the City. The Council took no action on this matter.

10. NEW BUSINESS

A. Amend Simultaneous Exchange Agreement With Franklin Street Holdings,

LLC (Dan Ewig)- Attorney Eberhardt reported that the agreement that was going to be considered is not available for consideration at this time.

B. Consider Materials Purchase For Coal Dock Boardwalk- Rob Vanden Noven reported that City staff will be constructing the boardwalk on the Coal Docks. The construction costs and landscaping costs need to be approved to proceed with material purchases. MOTION MADE BY ALDERMAN VOLLMAR, SECONDED BY ALDERMAN BIGGS TO APPROVE MATERIAL PURCHASES AS PRESENTED. Motion carried unanimously.

C. Consider Proposal To Replace Storm Sewer In Alley North Of Boerner

Building- Rob Vanden Noven reported on the work that is necessary as part of the upgrading of the alleyway next to the Boerner building. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN LARSON TO APPROVE AS PRESENTED. VOTE TAKEN, AYE: 5, ABSTAIN: 1 (EHRlich) Motion carried.

11. MOTION TO GO INTO CLOSED SESSION pursuant to ss 19.85 (1)(e), Stats., for purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, to-wit: discuss the status of, approaches to, and terms and conditions of the proposed exchange of real estate with Franklin Street Holdings, LLC, including, but not limited to environmental issues and future use and development of the properties. - MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BECKER TO CONVENE INTO CLOSED SESSION FOR THE REASONS SPECIFIED ABOVE. ROLL CALL VOTE TAKEN, AYE: 5 BECKER, LARSON, BIGGS, VOLLMAR, NEUMYER, ABSTAIN: 1 (EHRlich). Motion carried.

12. RECONVENE INTO OPEN SESSION TO TAKE ACTION RELATING TO CLOSED SESSION DELIBERATIONS, IF ANY- MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN BECKER TO RECONVENE INTO OPEN SESSION. Motion carried unanimously. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS PER CLOSED SESSION DISCUSSIONS, AUTHORIZE AND DIRECT THE CITY ATTORNEY TO SEND WRITTEN NOTICE TO THE OTHER PARTY THAT THE PROPOSED EXCHANGE OF REAL ESTATE IS CANCELED. AYE: BECKER, LARSON, BIGGS, VOLLMAR AND NEUMYER, ABSENT: EHRlich. Motion carried unanimously.

13. FORTHCOMING EVENTS- Mayor Mlada reported on the water safety program which will be coming on April 17th at T.J. Middle School.

14. PUBLIC COMMENTS/APPEARANCES- None.

15. ADJOURNMENT- MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN LARSON TO ADJOURN THE MEETING AT 10:55 P.M. Motion carried.