

MINUTES
CITY OF PORT WASHINGTON
CITY COUNCIL MEETING
Tuesday, May 19, 2015, 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 Mike Ehrlich, Paul Neumyer, Bill Driscoll, Doug Biggs, Kevin Rudser and Dave Larson. Absent and excused was Alderman Dan Becker. Also present: City Engineer Rob Vanden Noven, City Attorney Eric Eberhardt, City Administrator Mark Grams and City 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 Temporary Class "B"/ "Class B" Retailers License Applications
- C. Approve Temporary Operator License Applications
- D. Approve Renewal Of Operator Licenses For July 1, 2015-June 30, 2016

MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN LARSON TO APPROVE THE MINUTES AS PRESENTED; TEMPORARY CLASS "B"/ "CLASS B" RETAILERS LICENSES FOR VFW POST 7588 FOR FISH DAY ON JULY 18, 2015 AT LION'S PARK PAVILION, VFW POST 7588 FOR FISH DAY ON JULY 18, 2015 AT PICNIC AREA #1 IN UPPER LAKE PARK AND PORT WASHINGTON-SAUKVILLE ROTARY CLUB FOR FISH DAY ON JULY 18, 2015 AT NE CORNER OF LAKE ST. AND E. JACKSON ST.; TEMPORARY OPERATOR LICENSES FOR VFW POST 7588 FOR FISH DAY ON JULY 18, 2015 FOR DENNIS ANSAY AND ROBERT BREKKE, VFW POST 7588 ON JULY 18, 2015 FOR CHARLES ELLMAUER AND KEVIN JOHNSON, PORT WASHINGTON-SAUKVILLE ROTARY CLUB ON JULY 18, 2015 FOR BARRETT STRAUB, JUSTIN SCHNEIDER, NICHOLAS DEERING AND ANGELA WILLMS; RENEWAL OPERATOR LICENSES FOR INDIVIDUALS LISTED ON THE DATA SHEETS AND LICENSES DENIED FOR COLE KRIEGEL AND TIMOTHY RAAB. Motion carried unanimously.

Alderman Ehrlich requested there be an amendment to the April 21, 2015 minutes to show that he abstained from a vote on the amended premises to include the patio area for Schooner Pub.

4. MAYOR'S BUSINESS

A. City Business Partner Spotlight- The Mayor highlighted local businesses which included the newly opening restaurant Wing It, Pet Wash / Car Wash, ZuZu Pedals, Lakeshore Martial Arts, LA Hair Design and an Eye Office.

B. Approve Of Contract Language For Denis Sullivan- Mayor Mlada reported on the progress of discussions with Discovery World regarding the agreement, which would bring the ship to the city for tours throughout the summer.

C. Approve Funding Of Denis Sullivan- The funding of the ship is being researched to include local donations from business partners, private groups, school groups and budget dollars available.

D. Consider Interest In Acquiring Light Station At End Of Port Washington Breakwater- The Mayor reported on the letter of interest that is required within 60 days if the city is interested in acquiring the light station. This would include a visit from the Park Service and eventually an application. MOTION MADE BY ALDERMAN

EHRlich, SECONDED BY ALDERMAN NEUMYER TO SUPPORT A LETTER OF INTEREST IN ACQUIRING THE LIGHT STATION AT THE END OF THE BREAKWATER. Motion carried unanimously.

Mayor Mlada asked residents to come forward if they see graffiti of public property by texting TIP411 or on the Police Department website, it is anonymous.

5. OFFICERS'/STAFF REPORT

1. Update On North Beach Access Project- Rob Vanden Noven reported that the final concrete will be finished on Thursday and Friday. The beach walkway will be open this coming weekend. The fencing will be completed in late June.

2. Update On WWTP Vegetation Roof Project- Rob Vanden Noven reported that the vegetative roof should be completed by early June.

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. Approve Amendments To Premises Description For Some Licensed Establishments In The Downtown Area For Community Street Festival-

The City Administrator reported that the amendment to premises for licensed establishments for the sale of beer and wine in the downtown area during the Community Street Festival on Sunday, May 24th has been requested by Holiday Inn Harborview, Pasta Shoppe, Pier 6, Schooner Pub, Sir James Pub, Twisted Willow and Bernie's Fine Meats. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS TO APPROVE THE AMENDED PREMISES DESCRIPTION FOR HOLIDAY INN HARBORVIEW, PASTA SHOPPE, PIER 6, SCHOONER PUB, SIR JAMES PUB, TWISTED WILLOW AND BERNIES FINE MEATS FOR SUNDAY, MAY 24TH DURING THE HOURS THAT THE COMMUNITY STREET FESTIVAL RUNS IN THE BARRICADED AREA. Motion carried unanimously.

2. Consider Additional DNR Grant For Coal Dock Park- The City Administrator reported that additional grant money is available for the railing project. There is \$45,000 available and the city would match the funds, which we currently have available for this project. The ordering of the railings and construction of the project would not begin until 2016. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN EHRlich TO ACCEPT THE ADDITIONAL \$45,000 FUNDING AS PRESENTED. Motion carried unanimously.

8. BOARDS/COMMISSIONS

A. PLAN COMMISSION

1. Public Hearing For A Special Exception Request From Renew Port Holdings LLC To Permit Construction Of A New Building Exceeding 35 Feet In Height At The Southeast Corner Of Franklin Street and Main Street- Mayor Mlada opened the Public Hearing for public comment.

*Dave Kaster, 211 E. Pier Street commented that he works on the third floor of the Boerner Building and the employees feel that the proposed building height of the Harbor Lights project does not fit in with the surrounding buildings and changes the character and charm of the downtown district. This also may set a precedent for future projects to exceed building height.

* Lynn Cosentine, 1495 Garay Lane commented that anything over three stories in height changes the intimacy of the downtown area. Views from many areas around the downtown area may be affected.

*Gene Markiewicz, 815 W. Grand Avenue inquired why we would want to change the current building height of this project and once constructed changes can no longer be made.

2. Consider A Special Exception Request From Renew Port Holdings LLC To Permit Construction Of A New Building Exceeding 35 Feet In Height At The Southeast Corner Of Franklin Street and

Main Street- Randy Tetzlaff reported on the original Harbor Lights concept plan. The maximum height ordinance was amended to allow for special exceptions. Gertjan Van Den Broeck and Jorgen Hanson were present to review the original concept plan and architectural drawings from 2013. They then reviewed the updated plans with the new building heights being requested and the purpose they serve in the project. The height changes will not be visible from Franklin or Main Streets; they will be visible from the harbor walk area. MOTION MADE BY RUDSER, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE 61 FEET HEIGHT EXCEPTION. The City Attorney commented that the heights are 61 feet at the mezzanine level and 51 feet at the turret and cornice level. AMENDED MOTION MADE BY ALDERMAN RUDSER, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE HEIGHT EXCEPTION OF 61 FEET AT THE MEZZANINE LEVEL AND 51 FEET AT THE TURET LEVEL AS PRESENTED. Aye: 5, Nay: 1 (Larson)
Motion carried.

3. Public Hearing To Consider A Conditional Use Grant To Permit Outdoor Eating And Drinking For Wing It, 620 W. Grand Avenue-

Mayor Mlada opened the Public Hearing for public comment. There being no comments a MOTION WAS MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN RUDSER TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

4. Consider A Conditional Use Grant To Permit Outdoor Eating And Drinking For Wing It, 620 W. Grand Avenue-

Randy Tetzlaff reported on the conditional use grant permit being considered. The conditional use will allow them to have outdoor dining on the front patio that faces W. Grand Avenue. The City Attorney will need to review the conditional use documents. MOTION MADE BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN LARSON TO APPROVE A CONDITIONAL USE GRANT WITH THE CITY ATTORNEYS REVIEW. AYE: 5, ABSTAINED:1 (EHRLICH). Motion carried.

B. BOARD OF PUBLIC WORKS

1. Consider Consultant Selection For Design Of 2016-2017

Street Improvements- Rob Vanden Noven reported on the proposals received. The Board of Public Works recommends awarding Gremmer and Associates the contract. This company has successfully worked for the city in the past. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN BIGGS TO APPROVE GREMMER AND ASSOCIATES FOR THE CONTRACT TO DESIGN THE 2016-17 STREET IMPROVEMENT PROJECT SUBJECT TO CONTRACT REVIEW. Motion carried unanimously.

2. Consider Revisions To The 2016-2017 Street Improvement Plan- Rob Vanden Noven reviewed the plan and the revisions. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN RUDSER TO APPROVE THE REVISIONS TO THE 2016-17 STREET IMPROVEMENT PLAN TO INCLUDE THE ADDITION OF WOODLAND AVENUE FROM GARFIELD TO THE CUL DE SAC AND LINCOLN AVENUE BETWEEN SUMMIT AND PORTVIEW AND THE REMOVAL OF WALTERS STREET BETWEEN HOLDEN AND GRANT STREETS AS PRESENTED. Motion carried unanimously.

3. Consider Proposals For Sanitary Sewer Televising- Rob Vanden Noven reported on the proposals for the project. The Board of Public Works recommends awarding Visu-Sewer the contract. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN NEUMYER TO APPROVE THE CONTRACT FOR SANITARY SEWER TELEVISIONING WITH VISU-SEWER FOR \$12,544 CONTINGENT UPON THE REVIEW OF THE CITY ATTORNEY. Motion carried unanimously.

4. Consider City Stormwater Permit Annual Report- Rob Vanden Noven reviewed the annual report, which is required by law to be provided to the WDNR. The cost of the annual report permit is \$1,500 plus costs of compliance with the permit. MOTION MADE BY ALDERMAN RUDSER, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE CITY STORM WATER PERMIT ANNUAL REPORT AS PRESENTED. Motion carried unanimously.

9. UNFINISHED BUSINESS- None.

10. NEW BUSINESS

1. Approve Closing Of Streets For Community Street Festival, Sunday, May 24th – MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN RUDSER TO APPROVE THE STREET CLOSINGS FOR THE COMMUNITY STREET FESTIVAL ON MAY 24, 2015 TO INCLUDE FRANKLIN STREET FROM GRAND AVENUE TO JACKSON STREET 10:00 A.M. TO 6:00 P.M. AND PIER STREET BETWEEN FRANKLIN STREET AND WISCONSIN STREET 10:00 A.M. TO 6:00 P.M. AS PRESENTED. Motion carried unanimously.

2. Approve Hiring Part-Time Maintenance Worker At Senior Center Building- The City Administrator reported on the part-time maintenance position, the position is budgeted for 11.5 hours per week at \$9.50 per hour. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN RUDSER TO APPROVE HIRING JAMES

LYNCH PART-TIME AT \$9.50 PER HOUR PENDING HIS PHYSICAL. Motion carried unanimously.

3. Renew License Agreement With NOAA- The City Administrator reported on the renewal of a license agreement with NOAA. This agreement is for space NOAA rents at the Marina for a weather monitoring system they installed twenty years ago. There are no changes to the terms or conditions of the license agreement. MOTION MADE BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE RENEWED LICENSE AGREEMENT BETWEEN NOAA AND THE CITY OF PORT WASHINGTON AS PRESENTED. Motion carried unanimously.

4. Resolution 2015-7 (Approve Application For Outdoor Recreational Aids)- The City Administrator reported on the DNR grant applications for the funding of the Gateway Portion of the Breakwater project. To continue the grant process we have to pass this resolution. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN EHRLICH TO APPROVE RESOLUTION 2015-7 APPROVE APPLICATION FOR OUTDOOR RECREATIONAL AIDS AS PRESENTED. Motion carried unanimously.

11. FORTHCOMING EVENTS- Various events were reported on by the Mayor and Aldermen.

12. PUBLIC COMMENTS/APPEARANCES- None.

13. MOTION TO GO INTO CLOSED SESSION ACCORDING TO WISCONSIN STATE STATUTE 19.85 (1)(c) TO DISCUSS WAGE AND FRINGE BENEFIT COMPENSATION FOR EMPLOYEE- Mayor Mlada read the motion to go into closed session. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN DRISCOLL TO GO INTO CLOSED SESSION AT 10:38 P.M. FOR THE REASON STATED ABOVE ON THE AGENDA. AYE: 6, Motion carried unanimously.

14. RECONVENE INTO OPEN SESSION- The Council reconvened into open session at 10:50 p.m.

15. ACTION ON ANY ITEM DISCUSSED IN CLOSED SESSION- MOTION MADE BY ALDERMAN DRISCOLL, SECONDED BY ALDERMAN RUDSER TO APPROVE PROPOSED PAYOUT AND RETIREMENT FOR OFFICER ERIC SCHMELING PENDING A SIDE LETTER TO BE DRAFTED BY THE CITY LABOR ATTORNEY AND POLICE UNION REPRESENTATIVE. Motion carried unanimously.

16. ADJOURNMENT- MOTION MADE BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN LARSON TO ADJOURN THE MEETING AT 10:52 P.M. Motion carried unanimously.