

MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
Tuesday, November 3, 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, Dave Larson and Dan Becker. Also present: City Engineer Rob Vanden Noven, City Planner Randy Tetzlaff, 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 Meetings- **MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE PREVIOUS MEETINGS MINUTES AS PRESENTED. Motion carried unanimously.**

4. **MAYOR'S BUSINESS**

A. Proclamation Business Appreciation Month- Mayor Mlada read the Proclamation and thanked all our City businesses and encourages our residents to shop here in Port Washington.

B. Update On North Breakwater Lighthouse- The Mayor reported on the team meeting of 34 to 40 people met. Smaller groups are meeting to work on various areas of the application process. November 23rd will be the next large group meeting and then again on December 9th. November 17th there will be a public information meeting at held at 6:15 p.m. prior to the Common Council meeting.

C. Update On NOAA National Marine Sanctuary Public Scoping Meeting- Mayor Mlada reported that will be held on November 18th at 6:30 p.m. at Wilson House next to Port Washington State Bank.

On Friday, November 13th the USS Milwaukee will be outside our harbor around 10:30 a.m. This ship will be stationed in San Diego, California.

The Agenda was taken out of order and 8. A. 3. was taken here

5. **OFFICERS'/STAFF REPORT**

A. Update On Emergency Water Main Repair On Stanford Street- Rob Vanden Noven reported that the repair has been completed. Curb and gutter is going in this week and paving next week.

B. Report On 2016 Street Improvements Public Information Meeting- Rob Vanden Noven reported on the public information meeting, which was held prior to this meeting. The meeting was well attended by residents.

C. Update On Valley Creek Repair- Rob Vanden Noven reported on this area south of the bike path near Briarwood Lane. The banks were stabilized and supported with rip rap. The west side of the creek, 60 feet of new storm sewer was put in and bank stabilized. The projects came in at approximately \$15,000 under what was anticipated.

NewPort Vista sanitary sewer is installed for Phase 3 and 4 and water main will be in by end of week. The phases should be built by the end of the year which will be approximately be 70 units.

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, Theis St.- commented on the upcoming closed session on the agenda. If it is about the Blues Factory, he would like the council to give the public an update once a month on the progress of the discussions and potential developer's agreement.

7. COMMITTEES

A. FINANCE AND LICENSE COMMITTEE

1. Approve BID Project Plan And Proposed BID Assessment Rate- Wayne Chrusiel was present and reported on the BID mill rate which will stay the same as last year, which will result in \$63,000. Main Street requested and will receive \$60,000 in funds and the City requested and will receive \$5,000 in funds for the marketing of the Denis Sullivan in 2016. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE BID PROJECT PLAN AND PROPOSED BID ASSESSMENT RATE AS PRESENTED. The City Attorney commented that he needs to review and approve the BID Project Plan. AN AMENDED MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE BID PROJECT PLAN, PROPOSED BID ASSESSMENT RATE AND REVIEW AND APPROVAL OF THE CITY ATTORNEY. Motion carried unanimously.

2. Review Of 2016 Departmental Budgets- Alderman Larson reported on the proposed mill rate for the City which will be the same as last year at 5.78 per thousand. With the TIF included the rate is 5.80 per thousand. MATC's rate is slightly lower than last year and the rate that will be the highest is from Port Washington-Saukville School District due to the approved referendum. When the tax bills are sent out it is not the city taxes that have affected the property owner's bills, it is the school district rate that has increased the bills. Changes to fees are being proposed to bring the City into the average range of other surrounding communities. Capital Outlay was reviewed there are items that were included in the budget and other items that have been deferred to a future budget for consideration since we under levy limit restrictions. The city needs to grow to support the needs of infrastructure, services that need to be continued to be provided for city residents. The City Administrator reported on increases needed in the 2016 departmental budgets.

3. Approve Coastal Management Grant Application- Alderman Larson reported that this grant application will be for funding of the breakwater gateway project. The grant application is for \$98,000. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS TO APPROVE THE COASTAL MANAGEMENT GRANT APPLICATION AS PRESENTED. Motion carried unanimously.

4. Consider Revised Lease Agreements With ATT- This item was tabled, the final draft has not been received for review.

B. TRAFFIC SAFETY COMMITTEE

1. Ordinance 2015-10 (Eliminate Meter Parking In Pebblehouse Parking Lot) 2nd Reading- The City Administrator reported on the ordinance. The parking meters in the Pebblehouse parking lot will be removed and two-hour parking will be allowed and a 15-minute parking stall next to the Pebblehouse. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BECKER TO APPROVE ORDINANCE 2015-10 ELIMINATE METER PARKING IN PEBBLEHOUSE PARKING LOT AS PRESENTED. Motion carried unanimously.

8. BOARDS/COMMISSIONS

A. PLAN COMMISSION

1. Approve Sale Of Land To Renew Port Holdings I, LLC- The City Attorney reported on the revised survey map, which includes the area for the condominium ramp. The survey also includes a small portion of property which will house the electrical transformer. Randy Tetzlaff reported that the Plan Commission has approved the sale of these pieces of property as surplus. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN NEUMYER TO APPROVE THE SALE OF PROPERTY FOR THE TRANSFORMER TO RENEW PORT HOLDINGS I, LLC AS PRESENTED. Motion carried unanimously.

2. Consider Possible License Agreement Or Sale Of Land To Renew Port Holding I, LLC- MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN NEUMYER TO APPROVE THE SALE OF LAND FOR THE PARKING RAMP TO RENEW PORT HOLDINGS I, LLC AS PRESENTED. Motion carried unanimously.

3. Update On New Revised Site Plan For Cedar Vineyard- Tom Swarhout was present to report on the request for revision of the site plan. The drawing will be modified west of the winery to add nine lots to allow for some smaller lot sizes. The smaller lots will still be over an acre. Last week the DNR was on site for wetland delineation, there are no wetland issues. Met with wine makers and the plants will be delivered late spring for planting.

B. BOARD OF PUBLIC WORKS

1. Approve Street Opening Permit For Renew Port Holdings I, LLC (Harbour Lights Project)- Rob Vanden Noven reported that the Board of Public Works has reviewed and is recommending approval of the street opening permit. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN RUDSER TO APPROVE AS PRESENTED CONTINGENT UPON REVIEW OF THE CITY ATTORNEY AND FOR A PERIOD OF ONE YEAR. Motion carried unanimously.

9. UNFINISHED BUSINESS

1. Ordinance 2015-11(Amend Municipal Code To Include Pot Bellied Pigs As Pets Within The City) 1st Reading- The City Attorney reported on the Aldermen's submitted surveys, which were used in drafting the ordinance. Discussion was held regarding the various items to be included. Suggestions were made to the City Attorney for inclusion in the final draft to be heard at the next meeting.

10. NEW BUSINESS

A. Approve Agreement With EnviroForensics For Sample Testing At

Pebblehouse- The City Attorney reported on the agreement from Environmental Forensic Investigations, Inc. This agreement is to allow this company access to the Pebblehouse and adjoining alleyway to conduct environmental investigation relating to the Harborview Cleaners property at 134 E. Grand Avenue. This includes accessing and collecting indoor air samples in the Pebblehouse, and sub-slab soil vapor samples by drilling beneath the basement floor. In addition, the Agreement would give them access as needed to the existing groundwater monitoring well located in the public alley between the Pebblehouse and Harborview Cleaner to collect water samples, and permission to make 3 outdoor soil borings in that alley. This company is working with the Department of Natural Resources on this project. MOTION MADE BY ALDERMAN DRISCOLL, SECONDED BY ALDERMAN RUDSER TO APPROVE THE ACCESS AGREEMENT BETWEEN THE CITY AND ENVIRONMENTAL FORENSIC INVESTIGATIONS, INC (EnviroForensics) AT NO COST TO THE CITY AND AS PRESENTED. Motion carried unanimously.

11. FORTHCOMING EVENTS- Various upcoming events were mentioned by the Mayor and Aldermen.

12. PUBLIC COMMENTS/APPEARANCES- *Maureen Boyle addressed the Council reporting on the various businesses and individuals that have been recognized for their hard work and commitment to the city.

13. MOTION TO CONVENE IN CLOSED SESSION pursuant to § 19.85(1)(e), Stats., for purposes of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, where competitive or bargaining reasons require a closed session, to-wit: to deliberate and develop negotiating strategies for, and discuss the terms and conditions of, acquiring, razing, improving and/or leasing commercial property located within TIF District #2 in downtown Port Washington- Mayor Mlada read the closed session item on the agenda. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN DRISCOLL TO GO INTO CLOSED SESSION AT 10:10 P.M. FOR THE REASONS STATED ABOVE ON THE AGENDA. ROLL CALL VOTE TAKEN: AYE: EHRLICH, NEUMYER, DRISCOLL, BIGGS, RUDSER, LARSON AND BECKER. Motion carried unanimously.

14. RECONVENE INTO OPEN SESSION TO TAKE ACTION RELATING TO CLOSED SESSION DELIBERATIONS, IF ANY. None.

15. ADJOURNMENT- MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BECKER TO ADJOURN THE MEETING AT 12:05 A.M. Motion carried unanimously.

City Council Meeting

November 3, 2015

Page 5

Please note: It is possible that one or more members, and possibly a quorum of members, of other governmental bodies of the municipality may be in attendance at the above meeting to gather information. No action will be taken by any other governmental body at this meeting except by the governing body noticed above. State ex rel. Badke v. Village Board, 173 Wis. 2d 553 (1993).