

MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
Tuesday, March 1, 2016, 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 and Dan Becker. Absent and excused were Kevin Rudser and Dave Larson. 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

B. Approve Original Operator License

MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN EHRLICH TO RECOMMEND APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING AS PRESENTED, ORIGINAL OPERATOR LICENSE FOR REBECCA FREELAND AND AN EMERGENCY APPROVAL OF A TEMPORARY CLASS "B"/ "CLASS B" RETAILERS LICENSE APPLICATION FOR PORT WASHINGTON HISTORICAL SOCIETY FOR TRIVIA NIGHT AT PORT EXPLOREUM ON MARCH 11, 2016 AT 118 N. FRANKLIN STREET AND TEMPORARY OPERATOR LICENSE APPLICATION FOR THE TRIVIA NIGHT FOR WAYNE CHRUSCIEL AS PRESENTED. Motion carried unanimously.

4. **MAYOR'S BUSINESS**

A. Update On American Wind Symphony Orchestra Visit- Mayor Mlada reported on the symphony that travels providing concerts on a barge that they perform on. They would travel up the great lakes and could possibly stop and perform at Coal Dock Park. There may be more information coming on this.

B. Update On Breakwater- The Mayor and City Administrator reported on the current conference calls with the Army Corps preparing for the breakwater work to begin mid-April until early July. The 4th of July weekend the breakwater will be opened for a period of time through the beginning of August. It will be closed again through the rest of the calendar year to complete the rest of the repair project.

C. Update On North Breakwater Lighthouse Application- Mayor Mlada reported on the email that was received from the National Park Service that our application was tentatively improved. We will need to provide additional information by April 1st.

5. **OFFICERS'/STAFF REPORT**

A. Project Update On 2016 Street, Water Main And Sanitary Sewer Inspection Project

B. Project Update On Tree Removal On Johnson Street

Rob Vanden Noven reported on the upcoming bid opening this week for the road construction project. Once the bid has been accepted, construction should start within the month. Regarding the tree removal agreement approved at the last Council meeting, it was not accepted by the residents on Johnson Street so that work will not be taking place.

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. BOARDS/COMMISSIONS- None.

8. COMMITTEES

A. FINANCE AND LICENSE COMMITTEE

1. Approve 2016 Capital Improvement Projects For Borrowing- Alderman Biggs reported on the 4.5 million dollar borrowing for street improvements, purchase of the new grader and breakwater entry project. The money that was for the Coal Dock Park Railing will be diverted to repair sidewalks and street construction this year. The City Administrator reported on the details of the borrowing and what the project financing will be. The Finance and License Committee recommends that the project borrowing be approved, the money for the railings would be better used to fund the necessary repairs on the street and sidewalk projects at this time. There is money for a portion of the railing to be completed, future grants can be applied for to cover the rest of the railing projects and the public can continue to fund raise to fund the railing. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE 2016 CAPITAL IMPROVEMENT PROJECTS FOR BORROWING AS PRESENTED WITH THE FUNDING FOR THE COAL DOCK PARK RAILING BEING USED FOR NECESSARY STREET AND SIDEWALK REPAIRS. Motion carried unanimously.

2. 2015 Senior Center Survey Budget Overrun- Alderman Biggs reported that the Finance and License Committee recommends tabling this item until additional information regarding the overrun can be obtained. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN DRISCOLL TO TABLE THIS ITEM UNTIL A FUTURE MEETING WHEN MORE INFORMATION IS AVAILABLE. Motion carried unanimously.

B. PERSONNEL COMMITTEE

1. Approve Hiring Of DPW Employee- Rob Vanden Noven reported on the retirement of Al Augustine from the WWTP, Kevin Lanser has requested a transfer from the Street Department to the Water Department, which opens a position on the Street Department. The recommended individual to hire will need to have a background check completed and his current employer recommendation. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO APPROVE THE HIRING OF CASEY FREY TO THE DPW POSITION AT THE STREET DEPARTMENT CONTINGENT UPON THE BACKGROUND CHECK BEING COMPLETED AND RECOMMENDATION FROM HIS CURRENT EMPLOYER. Motion carried unanimously.

9. UNFINISHED BUSINESS- None.

10. NEW BUSINESS

A. Approve Thomas Jefferson Middle School Color Run/Walk On May 21st – The City Administrator reported this event is similar to the one held last year and the Police Department has reviewed and approved the route. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE THOMAS JEFFERSON MIDDLE SCHOOL COLOR RUN/WALK ON MAY 21, 2016 ON THE ROUTE AND TIME PRESENTED Motion carried unanimously.

B. Approve MOU Between The City, Ozaukee County and Ozaukee/Washington County Land Trust (Cedar Vineyard Project)-

The City Administrator reported and City Attorney commented on the parties' Memorandum of Understanding and Agreement. (An updated draft was presented at tonight's meeting.) The City and County will combine funds to be used as contributions to allow OWLT to acquire 105 acres of land for a nature preserve adjacent to Lake Michigan. City and County will share equally state grant monies paid to OWLT as reimbursement for such acquisition costs. Later, Ozaukee County will assume ownership of the land as a county park. The land will be subject to a perpetual conservation easement for public use and benefit. Exhibits A & B will be incorporated into the MOU when completed. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO APPROVE THE MOU AND AGREEMENT BETWEEN THE CITY, OZAUKEE COUNTY, OZAUKEE/WASHINGTON LAND TRUST AND THE HIGHVIEW GROUP, LTD. AS PRESENTED, CONDITIONED UPON APPROVAL OF THE MOU AND AGREEMENT BY ALL OTHER PARTIES. Motion carried unanimously.

C. Approve Agreement Between The City And Ozaukee County Regarding The Financing Of The Nature Preserve In The Cedar Vineyard Development-

The City Attorney distributed and presented this Agreement which contains the terms and conditions of a plan to administer the parties' contributions to, and reimbursement from, the Ozaukee-Washington Land Trust relating to OWLT's acquisition of 105 acres of land from The Highview Group, Ltd. to be used as a nature preserve adjacent to Lake Michigan, which will eventually become a County park. This Agreement addresses the payment, holding and disbursement of contributed funds, and the sharing between the City and County of state grant monies paid to OWLT as reimbursement for such acquisition costs. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN BECKERTO APPROVE THE AGREEMENT BETWEEN THE CITY AND COUNTY AS PRESENTED, CONDITIONED UPON APPROVAL OF THE AGREEMENT BY THE COUNTY. Motion carried unanimously.

D. Consider Pre-Annexation Agreement Between The City And Ansay Development Corporation (For Land North Of Harris Drive)-

This item will be tabled until the next meeting.

E. Consider Stantec Proposal To Submit A DNR Flood Control Grant Application-

Rob Vanden Noven reported on the new DNR grant that would be similar to the last grant application approved with a 50/50 match. This grant application will require easements to be obtained from property owners in the affected area. The Finance and License Committee would approve by the deadline of March 15th if some of the easements could be obtained. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO APPROVE THE PROPSAL WITH STANTEC FOR \$2,800 CONTINGENT UPON EASEMENTS FROM THE PROPERTY OWNERS BEING OBTAINED BY MARCH 11TH. Motion carried unanimously.

F. Consider Resolution 2016-5 Authorizing The Submittal Of A State Grant Application (DNR Flood Control)-

MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO APPROVE RESOLUTION 2016-5 AUTHORIZING THE SUBMITTAL OF A STATE GRANT APPLICATION FOR DNR FLOOD CONTROL. Motion carried unanimously.

11. **FORTHCOMING EVENTS-** Various events were mentioned.

12. **PUBLIC COMMENTS/APPEARANCES-** None.

13. **MOTION TO CONVENE** in closed session per § 19.85(1)(e), Stats. for purposes of deliberating or negotiating the purchasing of public property, investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, to-wit: discuss status of negotiations, and devise bargaining strategies for and terms and conditions of the potential sale and development of approximately 44-acre parcel of vacant City land abutting Lake Michigan and adjacent to S. Wisconsin Street and CTH C and the City owned property on E. Washington Street (the North Slip Parking Lot)- Mayor Mlada read the closed session agenda item. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO GO INTO CLOSED SESSION FOR THE REASONS STATE ON THE AGENDA. ROLL CALL VOTE TAKEN: AYE: EHRLICH, NEUMYER, DRISCOLL, BIGGS AND BECKER. Motion carried unanimously. and

MOTION TO CONVENE in closed session per § 19.85(1)(c), Stats. to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.- The Mayor read the closed session agenda item. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO GO INTO CLOSED SESSION FOR THE REASONS STATED ON THE AGENDA AT 8:36 P.M. ROLL CALL VOTE TAKEN: EHRLICH, NEUMYER, DRISCOLL, BIGGS AND BECKER. Motion carried unanimously.

14. **RECONVENE INTO OPEN SESSION** to take action relating to closed session discussions or deliberations, if any- Council reconvened into open session at 11:10 p.m., no action was taken.

15. **ADJOURNMENT-** MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO ADJOURN THE MEETING AT 11:11 P.M. Motion carried unanimously.