

MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
Tuesday, May 3, 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, 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 Meeting
- B. Approve Original Operator License Applications
- C. Approve Temporary Class "B"/ "Class B" Retailers License Applications
- D. Approve Temporary Operator License Applications

MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE MINUTES OF THE PREVIOUS MEETING AS PRESENTED; ORIGINAL OPERATOR LICENSE APPLICATIONS FOR AARON KOENIG AND LEWIS HORVEI AS PRESENTED; CLASS "B"/ "CLASS B" RETAILERS LICENSE APPLICATIONS FOR PORT WASHINGTON MEMORIAL VFW POST 7588 FOR PORT WASHINGTON FISH DAY, JULY 16, 2016 AT EAST MINI SHELTER, UPPER LAKE PARK; PORT WASHINGTON MEMORIAL VFW POST 7588 FOR PORT WASHINGTON FISH DAY, JULY 16, 2016 AT LION'S PAVILION, UPPER LAKE PARK; ROTARY CLUB OF PORT WASHINGTON-SAUKVILLE FOR BEER GARDEN ON SEPTEMBER 17, 2016 AT UPPER LAKE PARK; ROTARY CLUB OF PORT WASHINGTON-SAUKVILLE FOR BEER GARDEN ON OCTOBER 8, 2016 AT UPPER LAKE PARK; PORT WASHINGTON CHAMBER OF COMMERCE FOR PORT WASHINGTON PIRATE FESTIVAL ON JUNE 3-5, 2016 AT NORTH SLIP PARKING LOT AND PORT WASHINGTON CHAMBER OF COMMERCE FOR PORT WASHINGTON PIRATE FESTIVAL ON JUNE 3-5, 2016 AT ROTARY PARK AS PRESENTED AS PRESENTED AND TEMPORARY OPERATOR LICENSE APPLICATIONS FOR PORT WASHINGTON MEMORIAL VFW POST 7588 FOR PORT WASHINGTON FISH DAY, JULY 16, 2016 FOR DANIEL PALS AND BILL SARRING; PORT WASHINGTON MEMORIAL VFW POST 7588 FOR PORT WASHINGTON FISH DAY, JULY 16, 2016 FOR DENNIS ANSAY, DONALD STOFFEL AND LARRY SABISH; ROTARY CLUB OF PORT WASHINGTON-SAUKVILLE FOR BEER GARDEN ON SEPTEMBER 17, 2016 FOR JENNIFER KNAUB, THERESE DALLGAS, GRETA SCHANEN, GARY KNAUB, CHRISTOPHER JACKSON AND JOSEPH BUCZEK; ROTARY CLUB OF PORT WASHINGTON-SAUKVILLE FOR BEER GARDEN ON OCTOBER 8, 2016 FOR BARRETT STRAUB AND DAVE DIDIER; PORT WASHINGTON CHAMBER OF COMMERCE FOR PORT WASHINGTON PIRATE FESTIVAL ON JUNE 3-5, 2016 FOR PAT CLARK, RICHARD TODD, RONELL PROSEK, GRACE MIRNONAS AND TANYA WENZLAFF AND PORT WASHINGTON CHAMBER OF COMMERCE FOR PORT WASHINGTON PIRATE FESTIVAL ON JUNE 3-5, 2016 FOR RALPH RIPPLE, MICHAEL RINNER, JENNY MIRONAL, KURT KOPALA AND CHANTAL SCHROER AS PRESENTED. Motion carried unanimously.

4. **MAYOR'S BUSINESS**

Mayor Mlada reported on the Coal Dock Park visioning meeting that was held prior to the Council meeting.

A. Proclamation Annual Buddy Poppies Drive By VFW-Auxiliary Post #5373- Mayor Mlada read the proclamation. May 20th and 21st is the annual donation drive of Buddy Poppies in appreciation for the sacrifices of our honored dead.

B. Proclamation Recognizing May As Mental Health Month And Week Of May 2nd As Children's Mental Health Awareness Week- The Mayor reported on the awareness programs available and involvement of the school district and Character Counts. The proclamation was read, recognizing the week of May 2nd as Children's Mental Health Awareness Week in the City.

C. Approval Of The June 22-28 Denis Sullivan Engagement Contract- Mayor Mlada reported on the current engagement contract for the next sail schedule. The City Attorney has reviewed the contract and is in proper for and is approved. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN BIGGS TO APPROVE THE ENGAGEMENT CONTRACT WITH DISCOVERY WORLD LTD FOR THE JUNE 22-28, 2016 OF THE DENIS SULLVAN SAIL SCHEDULE AS PRESENTED. Motion carried unanimously.

D. City Business Update- The Mayor spoke about D.D. Williamson and plant manager Scott Engle who is present and being presented the business award.

5. OFFICERS'/STAFF REPORT

A. Consider Cross Connection Control Program Proposal (Appearance By Gary McLaren, HydroCorp)- Present to report were Dave Ewig, Water Superintendent and Gary McLaren, HydroCorp. WI Administrative Code requires cross connections inspections in industrial, commercial and non-residential buildings. The city department employee's will complete inspections of the residential buildings. HydroCorp will do the site inspection survey and train department employees as well. The City Attorney will need to review the service agreement contract. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN NEUMYER TO APPROVE A TWO YEAR CONTRACT FOR \$34,416 PER YEAR FOR A TOTAL OF \$68,832 SUBJECT TO THE REVIEW BY THE CITY ATTORNEY OF THE SERVICE AGREEMENT CONTRACT. Motion carried unanimously.

B. Update On Street Improvement Projects- Rob Vanden Noven gave a report, on Dodge Street are being patched. Lincoln, Summit and Tower, water main will be completed and storm sewer will be started on Lincoln. Woodland and Larabee St. water main work will be complete and grading and concrete will follow in the next few weeks. Visu-Sewer is in the city currently and completing their work. Sidewalks are being completed and next week the sidewalk shaving crews will start.

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.

* Bonnie Knaub, 936 Parknoll Lane- commented on the senior center and community center needs, encouraged the city to borrow funds for more Coal Dock Park railing and would like Council to review the Blues Factory requirements.

*Tom Wellnitz, 806 N. Wisconsin Street- commented about proclamations being well written and more follow up being needed on individuals honored by city officials. Inquired what the closed session item and language on the agenda is actually representing, and if

it is in proper form or there is malfeasance. Further comments were made on the public comment section and public being allowed time to speak, also the Ozaukee Press editorial.

*City Attorney Eric Eberhardt- responded to the suggestion that the closed session language on the agenda is not in proper form. The language is taken directly from State Statutes and is notated on the agenda the section of Statute being used. There certainly is no malfeasance by the city.

7. COMMITTEES

A. FINANCE AND LICENSE COMMITTEE

1. Approve Application For Retail Alcohol License Transfer - Premises To Premises (Yummy Bones BBQ, LLC, 117 E. Main St. To 201 N. Franklin St.) –

Alderman Larson reported on the upcoming move of Yummy Bones BBQ to a new location at 201 N. Franklin St, which was the old Portico Shop. This requires a transfer of the Class B Fermented Malt license to the new location. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN EHRLICH TO RECOMMEND APPROVAL OF THE RETAIL ALCOHOL LICENSE TRANSFER PREMISES TO PREMISES FOR YUMMY BONES BBQ, LLC, NEW LOCATION TO BE 201 N. FRANKLIN STREET AS PRESENTED. Attorney Eberhardt inquired whether the premises description on the transfer request represented the area that the stock will be stored and served. The City Clerk responded that the premises area is being designated as 201 N. Franklin Street to cover the total inside area, since the owner is not certain of the configuration and location of the coolers and storage within the area at this time. Motion carried unanimously.

2. Approve 2016 Fourth Of July Fireworks Contract With J&M Display-

Alderman Larson reported on the contract proposal by J&M Displays. This contract is for 2016 and an additional 3- year contract to include 2017, 2018 and 2019 at a cost of \$13,500 with 8% additional bonus product of like quality and condition as the fireworks purchased by the city. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE FIREWORKS CONTRACT WITH J&M DISPLAYS FOR 2016-2019 (FOUR YEARS) FOR \$13,500. Motion carried unanimously.

3. Resolution 2016-13 (Resolution To Approve Commitment Of Fund Balance)-

Alderman Larson reported on the requirement for the Resolution to be created by the auditors, Baker Tilly. This will separate the funds coming in for the Denis Sullivan program. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS TO APPROVE RESOLUTION 2016-13 RESOLUTION TO APPROVE COMMITMENT OF FUND BALANCE AS PRESENTED. Motion carried unanimously.

B. PERSONNEL COMMITTEE

1. Amend 2016 Salary Resolution- The City Administrator reported on the increase in Park and Recreation, Marina and DPW starting wages for summer employees. We've had difficulty in finding summer help. The Personnel Committee is recommending this increase of the starting rate to \$9.00 per hour. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE HOURLY RATE CHANGE AS RECOMMENDED BY THE PERSONNEL COMMITTEE. Motion carried unanimously.

C. ENVIRONMENTAL PLANNING COMMITTEE

1. Approval Of Funding Match For Sister City Trip To Sassnitz,

Germany- Mayor Mlada reported on the Sister City program and proposed trip to Sassnitz, Germany to attend programs and tour with our Sister City. The Economic Planning Committee has \$1,000 in their budget that would be contributed to this trip for the Mayor and other city staff. This request is for the city to match the funds with an additional \$1,000. Alderman Biggs inquired where the funds will come from in the city budget to cover this request. The City Administrator responded that the funds could come from the Economic Development account. **MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO APPROVE \$1,000 OUT OF ECONOMIC DEVELOPMENT ACCOUNT TO MATCH THE FUNDS BEING CONTRIBUTED BY THE ECONOMIC PLANNING COMMITTEE AS PRESENTED.**
Motion carried unanimously.

8. BOARDS/COMMISSIONS

A. PLAN COMMISSION

1. Approve CSM For North Slip Parking Lot and Car/Trailer Lot- This item was tabled.

2. Ordinance 2016-2 (Rezoning Of Property at 1102 N. Benjamin Street From B-2 Local Service Center To RS-4 Single Family Detached Residence) 1st Reading- Randy Tetzlaff reported on the rezoning of this property. This is another property that is zoned singly and cannot be financed by the owner without it being a conforming use. The Plan Commission recommends approval of this ordinance. The next meeting will include a Public Hearing on this item prior to second consideration.

9. UNFINISHED BUSINESS- None.

10. NEW BUSINESS

1. Resolution 2016-14 (Resolution Of Support For Recreational Trails Grant For Coal Dock Park Railing)- Rob Vanden Noven reported that this resolution was already approved for a previous project and is no longer necessary for this project. The previous resolution will cover both grants.

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

12. PUBLIC COMMENTS/APPEARANCES- Sally Schirk-Ehrlich – commented about the North Slip Parking lot and encouraged the Council not to sell the property.

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 South Wisconsin Street and CTH C and the City owned properties on East Washington Street (the North Slip Parking Lot) and the Marina car/trailer parking lot within TIF District #2.- The Mayor read the closed session agenda language and asked for a motion to go into closed session. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO GO INTO CLOSED SESSION FOR THE REASONS SPECIFIED ON THE AGENDA AT 8:56 P.M . 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 discussions or deliberations, if any- No action was taken.
15. **ADJOURNMENT-** MOTION MADE BY ALDERMAN RUDSER, SECONDED BY ALDERMAN LARSON TO ADJOURN THE MEETING AT 11:30 P.M. Motion carried unanimously.