

MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
Tuesday, May 17, 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 Paul Neumyer, Bill Driscoll, Doug Biggs, Kevin Rudser, Dave Larson and Dan Becker. Absent and excused was Alderman Mike Ehrlich. Also present: City Engineer Rob Vanden Noven, City Planner Randy Tetzlaff, City Attorney Eric Eberhardt 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 Operator License Applications
- D. Approve Event Cabaret License Application
- E. Approve Renewal Of Operator License Applications For July 1, 2016-June 30, 2017

MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE MINUTES OF THE PREVIOUS MEETING AS PRESENTED, ORIGINAL OPERATOR LICENSE APPLICATION FOR G. MICHAEL MYERS; TEMPORARY OPERATOR LICENSES FOR PORT WASHINGTON PIRATE FESTIVAL, JUNE 3-5, 2016 FOR KEVIN KIRST AND JOHN SIGWART AS PRESENTED; EVENT CABARET LICENSE FOR PORT FESTIVALS, INC, PORT WASHINGTON PIRATE FESTIVAL JUNE 3-5, 2016, RALPH RIPPLE-AGENT AT ROTARY PARK, WASHINGTON STREET AND NORTH SLIP PARKING LOT AS PRESENTED AND RENEWAL OF OPERATOR LICENSE APPLICATIONS FOR JULY 1, 2016- JUNE 30, 2017 AS PRESENTED BELOW AND SUBJECT TO APPROVED BACKGROUND CHECK BY THE POLICE CHIEF. Motion carried unanimously.

Mayor Mlada informed the public that the City has been without email since last week Thursday. If you need to contact staff at City Hall please stop in or telephone in for assistance.

4. **MAYOR'S BUSINESS**

- A. Proclamation Honoring Shawn Graff, Former Executive Director Of OWLT- Mayor Mlada thanked Shawn Graff for all his dedication to the Ozaukee-Washington Land Trust. The proclamation was read and presented.
- B. Breakwater Update- The Mayor reported that even the weather has not been that cooperative, the repair project is on schedule. The welding and pouring of cement will occur by the end of this week.
- C. Lighthouse Update- A letter was received yesterday that we are recommended to receive conveyance of the lighthouse. There are a few more steps to go through within the Federal government and could take a few years to complete.
- D. Denis Sullivan Update- The Port Exploreum his be ready on Thursday to begin selling tickets for the Denis Sullivan sails.
- E. City Business Partner Update- The Mayor reported that ZuZu Pedals, Tammy Thompson-Oreskovic is being honored for five years in the City along with New Port Shores, John Weinrich for 25 plus years in business here in the City.

*AGENDA TAKEN OUT OF ORDER, ITEM 12. A.

5. **OFFICERS'/STAFF REPORT**

A. Update On Street Improvement Projects- Rob Vanden Noven gave an update on the various street improvement projects that are in progress. Woodland Avenue, Larabee Street and

Summit Drive are complete. Lincoln Avenue is complete and the gas company has work to do on the streets being reconstructed.

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.

1. Dan Micha- complimented Council and the Mayor on attracting businesses to the City and keeping the City budget trimmed. Would like to see the Council gather all the individuals that live around the project area for the North Slip Parking Lot.
2. John Sigwart, 231 W. Theis Street- encourages the Council to approve Resolution 2016-15 for the block grant application.
3. Dan Rismeyer, 430 Walters Street- is in favor of the Blues Factory, but not in the N. Slip Parking Lot.
4. John Jacque, 417 Montgomery Street- encourages Council to support the CDBG grant for the Senior Center Community Center.
5. Ann Schmidt- is in favor of the Blues Factory and has submitted a letter to the Ozaukee Press for this week's edition.
6. Karen Wolesski, 415 N. Lake Street- the current Senior Center has classes with size constraints due to the space they are currently in. Asked that the lakefront not be cluttered with buildings.
7. Doug Biggs- explained that due to the County server issues the City was not able to email out of post on the website the meeting agenda or information in the same way it usually does. I've posted on my Facebook and on the I Live In Port Washington site the meeting information.
8. Fred Schaefer, 209 W. Theis Street- objects to the sale of the N. Slip Parking Lot, it is a million dollar view.

*AGENDA TAKEN OUT OF ORDER, ITEM 10. A. 1 – 3

*AGENDA TAKEN OUT OF ORDER, ITEM 9. 3.

- 7. 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, tentative terms and conditions of potential sale, and future bargaining strategies for redevelopment of vacant public parking lot located between the North Slip and E. Washington Street in the City- The Mayor read the closed session item as it appears on the agenda. **MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO GO INTO CLOSED SESSION AT 9:25 P.M. FOR THE REASONS STATED ON THE AGENDA. ROLL CALL VOTE TAKEN: AYE: NEUMYER, DRISCOLL, BIGGS, RUDSER, LARSON AND BECKER. Motion carried unanimously.**

- 8. RECONVENE INTO OPEN SESSION** to take action relating to closed session discussions or deliberations, if any- The Council reconvened into open session at 10:06 p.m. City Attorney Eberhardt outlined the terms, conditions and contingencies in the Offer to Purchase the North Slip municipal parking lot, which was submitted by The Blues Factory, Inc. for a purchase price of \$250,000 for approximately 0.40 acres. The deadline to accept the Offer is May 18, 2016. Among other things, the sale of the public parking lot is contingent upon the parties entering into a Developer's Agreement by June 7, 2016, or a mutually agreeable later date. All of the aldermen present commented on the terms of the Offer to Purchase, the past and future steps in this transaction, and the positive impact The Blues Factory development will have on the City. **MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE SALE OF THE NORTH SLIP MUNICIPAL PARKING LOT TO THE BLUES**

FACTORY, INC. AT A PRICE \$250,000 FOR APPROXIMATELY 0.40 ACRES, AS PRESENTED.
Motion carried unanimously.

9. COMMITTEES

A. FINANCE AND LICENSE COMMITTEE

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

Alderman Larson reported on the premises amendment to allow the downtown establishments on Franklin Street to allow beverages to be carried in plastic cups outside their establishments into the enclosed festival area on May 29, 2016. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN NEUMYER TO APPROVE A ONE DAY EXTENTION OF PREMISES FOR THE ALCOHOL LICENSES HELD BY HOLIDAY INN HARBORVIEW, PASTA SHOPPE, PIER 6, SCHOONER PUB, SIR JAMES PUB, STARTER'S RESTAURANT, TWISTED WILLOW, AND BERNIES FINE MEATS FOR THE COMMUNITY STREET FESTIVAL ON MAY 29, 2016 BETWEEN THE HOURS OF 12:00 P.M. TO 5:00 P.M. FOR THE PURPOSE OF SERVING BEER AND WINE PRODUCTS IN PLASTIC CUPS WITHING THE ENCLOSED AREA AS PRESENTED. Motion carried unanimously.

2. Approve Event Permit Application For Port Washington Pirate Festival, June 3-5, 2016-

Alderman Larson reported on the event permit application. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS TO APPROVE THE EVENT PERMIT APPLICATION FOR PORT WASHINGTON PIRATE FESTIVAL ON JUNE 3 – 5, 2016 SUBJECT TO THE CITY ATTORNEY APPROVAL OF THE CERTIFICATE OF INSURANCE. Motion carried unanimously.

3. Approve Funding For Concept Plan On Section A-C Of The

Breakwater- Ron French was present to report on the funding for the concept plan contract for A-C of the Breakwater. The grant application is due on June 1st. This will include engineering, underwater and above survey, design, scope and budget. \$400,000-\$600,000 is being requested. A 2.5 million HAP emergency application will follow. The City Attorney has reviewed the contract and approves of it as written. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN NEUMYER TO APPROVE THE AGREEMENT WITH FOTH FOR THE RECREATIONAL BOATING FUND APPLICATION SUPPORT-NORTH BREAKWATER A-C FOR \$49,000, NOT TO EXCEED AMOUNT WITHOUT APPROVAL AND SUBJECT TO THE CITY ADMINISTRATOR APPROVAL OF FUNDING. Motion carried unanimously.

10. BOARDS/COMMISSIONS

A. COMMISSION ON AGING

1. Approve Resolution 2016-14 (Adopting A Citizen Participation Plan)- Dave Carlson from SHE was present to report on the application for the CDBG plan and process for submittal for Federal funds granted to the State. The City needs to adopt the current plan as part of the submittal process. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BECKER TO APPROVE RESOLUTION 2016-14 ADOPTING A CITIZEN PARTICIPATION PLAN AS PRESENTED. Motion carried unanimously.

2. Approve Authorizing Resolution 2016-15 (Authorizing Submission Of A Community Development Block Grant Application)- Dave Carlson also reported on the AD Hoc Committee that has been working on developing a plan for a future Senior Center site. The matching funds for the grant is \$15,000 and will come from the City. Catherine Kiener informed Council that the matching funds will come from the Friends of the Senior Center who is currently developing a capital campaign to raise funds and will need the City to assist with this process. The application is due on May 27, 2016. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN NEUMYER TO APPROVE RESOLUTION 2016-15 AUTHORIZING SUBMISSION OF A CUMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION AS PRESENTED. Motion carried unanimously.

3. Approve Relocation Plan- Dave Carlson reported on the requirements for Federal funds, which are not needed in this case, but is a required section on the application to be completed for this grant to be considered. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE RELOCATION PLAN AS PRESENTED. Motion carried unanimously.

B. PLAN COMMISSION

1. Public Hearing On The Rezoning Of Property At 1102 N. Benjamin Street From B-2 Local Service Center To RS-4 Single Family Detached Residence-

Mayor Mlada opened the Public Hearing for comment. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN NEUMYER TO CLOSE THE PUBLIC HEARING AS NO COMMENTS WERE MADE. Motion carried unanimously.

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) 2nd Reading-

Randy Tetzlaff reported on the request for rezoning to bring the property into compliance. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN LARSON TO APPROVE ORDINANCE 2016-2 REZONING OF PEROPERTY AT 1102 N. BENJAMIN STREET SUBJECT TO THE REVIEW BY THE CITY ATTORNEY AND SUBJECT TO A TEXT CORRECTION. Motion carried unanimously.

3. Ordinance 2016-3 (Overlay Planned Development Zoning (OPD) With Base Zoning Districts RS-1, B-2 And PUL For A Proposed Mix-Use Development To Be Known As Cedar Vineyard) 1st Reading-

Randy Tetzlaff reported that the lender for the project is requiring zoning approval prior to the closing of on the real estate. This ordinance will have a public hearing on May 24th followed by second consideration.

11. UNFINISHED BUSINESS- None.

12. NEW BUSINESS

A. Approve Hiring Of Marketing And Communications Coordinator- Mayor Mlada reported on the interviews for this position. Maureen Boylan is being recommended for this part-time position. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN DRISCOLL TO APPROVE HIRING MAUREEN BOYLAN AS THE PART-TIME MARKETING AND COMMUNICATIONS COORDINATOR AT \$13.00 PER HOUR UP TO \$9,000 AS PRESENTED. Motion carried unanimously.

B. Acceptance of Annexation Petition (Lake Hills West, LLC)- Randy Tetzlaff reported the Plan Commission has reviewed the concept plan for a 33-lot single-family subdivision development. This is located just north of the new 60-unit apartment project known as Hillside Estates; west of CTH LL; and east of the Ozaukee Interurban Trail. Lake Hills West, LLC, which is Ansay development is required to complete the annexation of the 21 acres from the Town of Port Washington into the City of Port Washington for this subdivision project. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN LARSON TO APPROVE AND ACCEPT THE ANNEXATION PETITION BY LAKE HILLS WEST, LLC AS PRESENTED. Motion carried unanimously.

C. Approve Street Closing For Community Street Festival, May 29, 2016- MOTION MADE BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN RUDSER TO APPROVE THE STREET CLOSING INCLUDING FRANKLIN STREET FROM GRAND AVENUE TO JACKSON STREET FROM 10:00 A.M. TO 6:00 P.M.; PIER STREET BETWEEN FRANKLIN STREET AND

WISCONSIN STREET FROM 10:00 A.M. TO 6:00 P.M. FOR THE COMMUNITY STREET FESTIVAL ON MAY 20, 2016 AS PRESENTED. Motion carried unanimously.

D. Approve Street Closing For Port Washington Pirate Festival, June 3-5, 2016- MOTION MADE BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN RUDSER TO APPROVE THE STREET CLOSING INCLUDING ONE BLOCK OF WASHINGTON STREET FROM HARBORVIEW LANE TO LAKE STREET THURSDAY, JUNE 2ND THROUGH SUNDAY JUNE 5TH; NORTH SLIP PARKING LOT WEDNESDAY, JUNE 1ST THROUGH SUNDAY JUNE 5TH; HALF OF THE CIRCLE FROM THE EXIT TO THE LOT BEHIND SCHOONERS TO THE EXIT OF THE DOCKSIDE PARKING LOT AND EASTERN MOST ROW OF PARKING IN THE LOT BEHIND SCHOONERS AS PRESENTED. Motion carried unanimously.

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

14. PUBLIC COMMENTS/APPEARANCES- None.

15. ADJOURNMENT- MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BECKER TO ADJOURN THE MEETING AT 11:25 P.M. Motion carried unanimously.