

MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
Tuesday, June 21, 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 Aldermen Mike Ehrlich and Dave Larson. Also present: 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- This item was taken later in the agenda and not considered at this time.
 - C. Approve Temporary Class "B"/ "Class B" Retailers License Applications
 - D. Approve Temporary Operator License Applications
 - E. Approve Event Cabaret License Applications
 - F. Approve Annual Cabaret License Applications For July 1, 2016-June 30, 2017
 - G. 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; TEMPORARY CLASS "B"/ "CLASS B" RETAILERS LICENSES AND TEMPORARY OPERATOR LICENSES FOR PORT WASHINGTON MAIN STREET FOR RACE THE HARBOR ON JUNE 22, 2016 (AMENDED APPLICATION) NORTH GRASSY AREA OF COAL DOCK PARK ENTRYWAY, TEMPORARY OPERATOR: WAYNE CHRUSCIEL; OZAUKEE MASONIC LODGE FOR PORT FISH DAY, JULY 16, 2016 AT MARINA LOT, TEMPORARY OPERATORS: STEVEN LANE, MARK FLACK, THOMAS ABBOTT, CRAIG HEATWOLE;PORT WASHINGTON LIONS CLUB FOR PORT FISH DAY, JULY 16, 2016 ON FISH DAY GROUNDS, TEMPORARY OPERATORS: CARL WEGNER, SHAWN HOKANSON, MICHAEL TEGLIA, DAVID MUELLER;PORT WASHINGTON ROTARY CLUB FOR PORT FISH DAY, JULY 16, 2016 ON CORNER OF LAKE AND JACKSON ST., TEMPORARY OPERATORS: ANGELA WILLMS, JUSTIN SCHNEIDER, BARRETT STRAUB, DAVE DIDIER;ST. PETER OF ALCANTARA CONGREGATION FOR PORT FISH DAY, JULY 16, 2016 AT MARINA, TEMPORARY OPERATORS: EDMOND QUENTIN, CHARLES LANSER, LORAS LUX, RANDALL LANSER;PORT WASHINGTON LIONS CLUB FOR LIONSFEST & FISH DERBY JULY 29-31, 2016 NORTH OF MARINA/ KIWANIS PAVILION, TEMPORARY OPERATORS: ROBERT MIHALKO, MICHAEL HUSTING, DAVID PERREN, CLAUDE ZIMMERMANAS PRESENTED; EVENT CABARET LICENSE FOR PORT WASHINGTON LIONS CLUB FOR LIONSFEST AT KIWANIS PAVILION AT THE MARINA, DAVID MUELLER AND CLAUDE ZIMMERMAN AGENTS; ANNUAL CABARET LICENSE FOR BLUE HERON ARTISANS GALLERY LLC D/B/A BLUE HERON ARITSANS AT 102 E. PIER STREET, BETTE LANGFORD-AGENT AND RENEWAL OF OPERATOR LICENSES FOR KAREN STOFFEL, BARRETT STRAUB AND STEPHANIE THORNE AS PRESENTED. Motion carried unanimously.
- Item 4. C. was taken here.
- Item 3. B. was taken here.

MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN DRISCOLL TO APPROVE ORIGINAL OPERATOR LICENSES FOR MAGGIE SARVER, ANTOINETTE ANHEIER, HERBERT FISCHER, ASHLEY DALEY, KAL GAHAN, KENNETH POULSON AND DOMINIC SPENNER AS PRESENTED. Motion carried unanimously.

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Alderman Biggs reported on the three applicants that are being considered separately. Alexandra Smith has applied for an Original Operator License. Due to her background record, it is being recommended by Police Chief Hingiss that her license be denied. Attorney Eberhardt reported on Smith's previous record and the addition of the May 25, 2016 arrest.

Police Chief Hingiss reported on his denial recommendation. One OWI conviction in 2012 and another OWI arrest in May of 2016. The applicant did not disclose the May 2016 arrest on her application. The Council discussed her application and heard from the bar owner, Mark Poull, about how she was a very good employee. Following discussion, a MOTION BY ALDERMAN DRISCOLL, SECONDED BY ADLERMAND RUDSER TO APPROVE AN OPERATOR LICENSE FOR ALEXANDRA SMITH FOR JULY 1, 2016 – JUNE 30, 2017. Motion carried unanimously.

4. MAYOR'S BUSINESS

- A. Proclamation Celebrating The Benefits Of Parks And Recreation- The Mayor read the Proclamation. Park & Recreation Director Charlie Imig was present at the meeting.
- B. Denis Sullivan Update- The second sail engagement begins tomorrow on the same day as the America's Dairyland Bike Race/Bike The Harbor event.
- C. City Business Partner Update- Dale Allen and Dennis Brady from Fat Boys Bait & Tackle at 228 N. Franklin Street were present to present their business. ZuZu Pedals 5 year anniversary and Baltica Tea Room is also celebrating its 5 year anniversary. Doerr Award was given to the Schowalter family from Port Washington State Bank.
- D. City Merchandising Update- Tabled

The July Common Council meeting will be held on Tuesday, July 12th at 7:30 p.m. There will be only one regular meeting in July.

5. OFFICERS'/STAFF REPORT

- A. Update On Street Improvement Projects- The City Administrator gave a report, the street projects are behind schedule due to the gas mains being located. Benjamin St., Woodland Ave. and Larabee St. will be completed by the of July and the rest by the end of August.

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, Port Washington- Congratulated the Schowalter family. Commented about businesses starting up in Port and the development of the downtown. Mention was also made about the water filtration systems available and the future development of the waterfront area.
- 2. Tom Wellnitz, 806 N. Wisconsin Street- Commented on the Fish Day Parade and need for an extension of it to include Heritage Nursing and Rehabilitation facility. There are individuals and groups that would donate money to make it happen. Council was asked to deny the Fish Day Event permit or approve it conditional upon the parade being extended three blocks to include Heritage.

7. COMMITTEES

A. FINANCE AND LICENSE COMMITTEE

- 1. **Resolution 2016-17 (Resolution Authorizing The Issuance And Sale of \$5,030,000 General Obligation Refunding Bonds)**- The City Administrator reported on the purpose of the bonds. Carol Wirth was present to report on the bonds. The City continues to have a AA3 rating. This bond is a 15 year and is at 2.08% interest. The majority of the bond issue is supported by the tax levy. The remainder is being supported by the TID. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN DRISCOLL TO APPROVE RESOLUTION 2016-17 –RESOLUTION AUTHORIZING

THE ISSUANCE AND SALE OF \$5,030,000 GENERAL OBLIGATION REFUNDING BONDS AS PRESENTED. Motion carried unanimously.

2. Resolution 2016-18 (Resolution Authorizing The issuance And Sale Of \$2,500,000 Water System Revenue Bonds Of The City Of Port Washington, Ozaukee County, Wisconsin, And Providing For The Payment Of The Bonds And Other Details With Respect To The Bonds)-

This in conjunction of the street improvement projects, which are paid for by water rate structure and are not part of the tax levy. Moody's ratings for water bonds is always one notch below the other bonds, which for the city is a A1 rating at a rate of 2.62% for 20 years. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN DRISCOLL TO APPROVE RESOLUTION 2016-18- RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$2,500,000 WATER SYSTEM REVENUE BONDS OF THE CITY OF PORT WASHINGTON, OZAUKEE COUNTY, WISCONSIN, AND PROVIDING FOR THE PAYMENT OF THE BONDS AND OTHER DETAILS WITH RESPECT TO THE BONDS. Motion carried unanimously.

3. Approve Event Permit Application And Street Closings For 4th Of July

Celebration- MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE EVENT PERMIT APPLICATION AND STREET CLOSINGS FOR THE 4TH OF JULY CELEBRATION AS PRESENTED. Motion carried unanimously.

4. Approve Event Permit Application For Port Fish Day, July 16, 2016-

MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN RUDSER TO RECOMMEND APPROVAL OF THE EVENT PERMIT APPLICATION FOR PORT FISH DAY, JULY 16, 2016. Discussion was held on the parade route and the cost of police coverage and cost. This is a private organization that puts this event on and makes the decisions on how that gets done. Some of the Aldermen encourage Fish Day Committee to include the parade route change. AMENDED MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN RUDSER TO APPROVE THE EVENT PERMIT APPLICATION FOR PORT FISH DAY, JULY 16, 2016 AND TO ENCOURAGE FISH DAY COMMITTEE TO WORK ON EXTENDED THE PARADE ROUTE TO INCLUDE THE AREA OF HERITAGE NURSING HOME. AYE: 4, NAY: 1 (NEUMYER) Motion carried.

5. Approval Of Downtown Pedestrian Signage-

Mayor Mlada reported on the signage that would help direct visitors to areas in the downtown area. The City Street Department sign shop will be able to create this sign in house, which will be a cost savings. The cost would not exceed \$500 to create 10-12 signs at approximately \$40 each. MOTION MADE BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE DOWNTOWN PEDESTRIAN SIGNAGE NOT TO EXCEED \$500 AS PRESENTED. Motion carried unanimously.

6. Approval Of Waterfront Safety Funding Of Life Ring Holders For Coal

Dock Park- Mayor Mlada reported on the addition of life ring holder cabinets, which will help keep the rings in place. The cabinets have a notification system if they've been opened. The focus is on getting Coal Dock Park done first and then move to the breakwater. The cost will be covered by the Waterfront Safety Committee for the purchase of 5 units for \$1,900. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE WATERFRONT SAFETY COMMITTEE PURCHASE OF FIVE LIFE RING HOLDERS FOR COAL DOCK PARK FOR \$1,900 AS PRESENTED. Motion carried unanimously.

7. Bids For Phase I Of Breakwater Project-

The City Administrator reported on the bids submitted that were too high. After discussion with FOTH and then the City Attorney it is being recommended by the Finance and License Committee to reject the bids and re-bid at a later date, which may allow more companies to bid. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN DRISCOLL TO REJECT THE BIDS RECEIVED FOR THE PHASE 1 BREAKWATER PROJECT. Motion carried unanimously.

**8. BOARDS/COMMISSIONS
A. PLAN COMMISSION**

1. Ordinance 2016-4 (Annexation Of Lake Hills West, LLC Property) 2nd

Reading- Randy Tetzlaff reported on the annexation from the Town of Port

Washington into the City. The company would like to get the developers agreement to the Council at the July meeting and the re-zoning in front of Council by August 2nd.

B. BOARD OF PUBLIC WORKS

1. Resolution 2016-19 (Approve CMAR Report)- The City Administrator reported that this report must be submitted annually to the DNR. The WWTP has received a top score from them. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN RUDSER TO APPROVE RESOLUTION 2016-19 APPROVE CMAR REPORT AS PRESENTED. Motion carried unanimously.

2. Approve Proposal For Painting City Logo On Thomas Drive Water Tower- The City Administrator reported that the Board of Public Works recommends approval of this proposal. MOTION MADE BY ALDERMAN RUDSER, SECONDED BY ALDERMAN NEUMYER TO APPROVE THE PROPOSAL WITH UTILITY SERVICE GROUP FOR PAINTING THE INTERIOR AND EXTERIOR OF THE THOMAS DRIVE WATER TOWER \$12,500 AS PRESENTED. Motion carried unanimously.

9. UNFINISHED BUSINESS- None.

10. NEW BUSINESS

1. Resolution 2016-16 (Harbor Assistance Program Grant Application)- The City Administrator reported on the grant application. The City has applied and received this grant before for repair of other sections of the breakwater. This grant would be for repair to sections A-C of the breakwater projects. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO APPROVE RESOLUTION 2016-16 HARBOR ASSISTANCE PROGRAM GRANT APPLICATION. Motion carried unanimously.

11. FORTHCOMING EVENTS- The Mayor and Aldermen mentioned numerous events coming to the City.

12. PUBLIC COMMENTS/APPEARANCES- 1. Tom Wellnitz, 806 N. Wisconsin St.- commented on a letter that was sent to the Ozaukee Press over a month ago regarding the extension of the Fish Day parade. The Fish Day Committee should go and visit the residents at Heritage Nursing Home.

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 the City owned properties on East Washington Street (the North Slip Parking Lot) and the Marina car/trailer parking lot within TIF District #2.- Mayor Mlada read the closed session language. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO GO INTO CLOSED SESSION FOR THE REASONS STATED ON THE AGENDA. ROLL CALL VOTE TAKEN: AYE: NEUMYER, DRISCOLL, BIGGS, RUDSER AND BECKER. Motion carried unanimously.

AND

MOTION TO CONVENE in closed session per § 19.85(1)(b), Stats. to consider licensing of any person licensed by a board or commission or the investigation of charges against such person, and the taking of formal action on any such matter, to-wit: the applications for alcohol beverage Operator's Licenses submitted by Timothy Raab, Stephanie Thorne and Alexandra Smith, and the Police Chief's and/or Finance & Licensing Committee's recommendations not to issue or renew such licenses for said persons for the license period from July 1, 2016 to June 30,

2017. [NOTE: The hearing of such licensing matter with respect to any of these persons will not be held in closed session if, prior to the convening of closed session, he or she requests that their matter be heard in open session.- Mayor Mlada read the closed session language. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO GO INTO CLOSES SESSION FOR THE REASONS STATED ON THE AGENDA. ROLL CALL VOTE TAKEN: AYE: NEUMYER, DRISCOLL, BIGGS, RUDSER AND BECKER. Motion carried unanimously.

14. RECONVENE INTO OPEN SESSION to take action relating to closed session discussions or deliberations, if any.- The Council reconvened into open session at 12:41 a.m. No action taken.

15. ADJOURNMENT- MOTION MADE BY ALDERMAN RUDSER, SECONDED BY ALDERMAN NEUMYER TO ADJOURN THE MEETING AT 12:42 P.M. Motion carried unanimously.