

MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
Tuesday, December 20, 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. 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

MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN DRISCOLL TO APPROVE THE MINUTES OF THE PREVIOUS MEETING AS PRESENTED; APPROVE ORIGINAL OPERATOR LICENSES FOR JORDAN SNYDER AND ASHLEE MORRISON AND TABLE AN ORIGINAL OPERATOR LICENSE FOR KAYLA VOLKERT AND APPROVE TEMPORARY CLASS "B"/ "CLASS B" RETIALERS LICENSES FOR ST. JOHNS XXIII CONGREATATION FOR FEBRUARY 20, 2017 AND MARCH 10, 24, 2017 AT 446 N. JOHNSON ST AND TEMPORARY OPERATOR LICENSES FOR STEVE HANSEN AND GERALD LEE AS PRESENTED. Motion carried unanimously.

4. **MAYOR'S BUSINESS**

A. Ordinance 2016-12 Revised Composition Of Park And Recreation Board- Mayor Mlada reported on the request for amendment to the board structure. This is the first reading and will be considered again at the January 3, 2017 meeting.

B. Update On Lighthouse Ornament Fundraiser- The Mayor updated the Council on the sale of lighthouse ornament fundraiser. The current sales have been busy, 668 pieces have already been sold and over \$13,000 has been raised.

C. Update On INFOS Port Washington Initiative- Mayor Mlada reported that donations have been received to proceed with expanding INFOS to South Beach. One of our business partners that are supporting this project is Kleen Test, which was present to present a check to the City for \$2,500.

5. **OFFICERS'/STAFF REPORT-** None.

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. John Sigwart, 230 W. Theis St.- Commented about the closed session item language being broad. Asked that Council do not take action on the items listed tonight due to the late time in which you would go back into open session to take a vote. Wait until the next meeting would be preferred. Another comment about the marina district development, leaving the public property vacant would be preferred.
- 2. James Petrie 510 N. Harrison St. and Jean Kircher 504 N. Harrison St. were present to report on the petition that was created by the residents of the 500 block of N. Harrison St. They are concerned about the set- backs, loss of off street private parking, loss of privacy and increase of liability to homeowners.

3. Michael Gasper, 514 Chestnut St.- Commented about the development of the lakefront district. Would like to see planning that allows flexibility in the future. Is against TIF funding for the developers who cannot raise enough funds. Would like to see the City take in the boat trailer parking issues into consideration when planning the waterfront area.
4. Kimberly Haskell , 767 W. Grand Avenue- Inquired on who to speak with to obtain more information on the waterfront development area. Concerns over the impact on aesthetics, traffic and the architecture being presented in the new development plan.

7. COMMITTEES

A. FINANCE AND LICENSE COMMITTEE

1. Approve Proposed 2017 EMS Billing Rates- Alderman Larson reported on the annual EMS rate review. The proposed rates are up between a half percent to 3%. This is being recommended by EMS Medical Billing Associates. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS TO APPROVE THE 2017 EMS BILLING RATES AS PRESENTED. Motion carried unanimously.

2. Approve 2017 Fire Services Contract With Town Of Port Washington- Alderman Larson reported on the annual service contract, the amounts are connected to the debt service. The City Administrator informed the Council that the Town is billed also for fire calls, which helps recoup costs. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BIGGS TO APPROVE THE 2017 FIRE SERVICE CONTACT WITH THE TOWN OF PORT WASHINGTON FOR A BASE CHARGE OF \$102,999.57 AS PRESENTED. Motion carried unanimously.

8. BOARDS/COMMISSIONS

A. PLAN COMMISSION

1. Resolution 2016-27 (Vacation Of East-West Alley In The 400 Block Of N. Milwaukee St.)- The City Attorney reported on the purpose for the vacation of the portion of the alley. This item will have a Public Hearing, which will be noticed in the newspaper three times prior to the hearing. Consideration will be in February. Randy Tetzlaff reported on the issue with the garage and parking issues with this property.

2. Public Hearing To Rezone Land Along North Side Of Maritime Drive Adjacent To Railroad Tracks From AG To I-2- Mayor Mlada opened the Public Hearing for comment. There being no comments a MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN LARSON TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

3. Ordinance 2016-11 (Rezone Land Along North Side Of Maritime Drive Adjacent to RR Tracks From AG To I-2) – 2nd Reading- MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO APPROVE ORDINANCE 2016-11 AS PRESENTED. Motion carried unanimously.

4. Public Hearing To Renew A Conditional Use Grant To Permit Portable Concrete Crushing And Recycling At 775 Schmitz Drive- Mayor Mlada opened the Public Hearing for comment. There being none a MOTION WAS MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

5. Approve Renewal Of Conditional Use Grant For Schmitz Ready Mix At 775 Schmitz Drive- MOTION MADE BY ALDERMAN BIGGS. SECONDED BY ALDERMAN DRISCOLL TO APPROVE SUBJECT TO REVIEW OF THE CITY ATTORNEY. Motion carried unanimously.

6. Public Hearing To Consider An Amended Conditional Use Grant To Permit Automotive Repair At 927 S. Spring Street- Mayor Mlada opened the Public Hearing for comment. Business owner of Lighthouse Auto, Charles Isaacson was present to report on the business being moved to new location, which the auto sales and service will be combined. Randy Tetzlaff reported on the conditions to be met. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

7. Approve Amended Conditional Use Grant For Automotive Repair At 927 S. Spring Street- MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN BECKER TO APPROVE SUBJECT TO REVIEW OF THE CITY ATTORNEY. AYE: 6 ABSTAIN: 1 (NEUMYER) Motion carried.

B. BOARD OF PUBLIC WORKS

1. Consider 2017 Street Improvement Projects- Rob Vanden Noven reported on the Public Information Meeting that was held. Street and Water Main improvements, which includes all of Harrison St., all of W. Dodge St., Montgomery St. from Dodge St. to Walters St., Walters St. from Holden St. to Wisconsin St., Holden St. from Walters St. to Jefferson St. and two alleys between Walters St./ Pierre Ln./ Wisconsin St./ Milwaukee St. and Dodge St./Van Buren St./ Webster St./ Montgomery St. The total cost of street design, construction and inspection is approximately \$1.9M plus approximately \$1M for water main improvements. The Board of Public Works recommends approval of the 2017 Street Improvement Projects. MOTION MADE BY ALDERMAN LARSON, MOTION WITHDRAWN. MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN RUDSER TO APPROVE THE 2017 STREET IMPROVEMENT PROJECTS WITH THE CHANGE OF WIDTH WITH SIDEWALKS ON HARRISON STREET AS PRESENTED. AYE: 6, NAY: 1 (DRISCOLL) Motion carried.

2. Approve UV Design For Water Treatment Plan- This item is tabled until the next meeting.

C. COMMUNITY DEVELOPMENT AUTHORITY

1. Consider Revolving Low Interest Loan To Purchase Equipment For Amazing Ice Cream, LLC, 125 W. Grand Avenue- John Reichert was present to report on the addition of homemade ice cream. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN NEUMYER TO APPROVE THE REVOLVING LOW INTEREST LOAN FOR PURCHASE OF EQUIPMENT AS PRESENTED. Motion carried unanimously.

9. UNFINISHED BUSINESS- None.

A. Resolution 2016-28 (Authorizing The Sale And Conveyance Of City Land West Of The Ozaukee Interurban And East Of 314 E. Jackson Street)- The City Administrator reported on the previously approved sale. This resolution is required for this to be completed. MOTION MADE BY ALDERMAN DRISCOLL, SECONDED BY ALDERMAN BECKER TO APPROVE RESOLUTION 2016-28 AUTHORIZATIONS THE SALE AND CONVEYANCE OF CITY LAND WEST OF THE OZAUKE INTERURBAN AND EAST OF 314 E. JACKSON STREET AS PRESENTED. Motion carried unanimously.

10. NEW BUSINESS- None.

11. FORTHCOMING EVENTS- The Mayor and Aldermen reported on various events.

12. PUBLIC COMMENTS/APPEARANCES- None.

13. **MOTION TO CONVENE IN CLOSED SESSION PER § 19.85(1)(E)(C), STATS. FOR PURPOSES OF DELIBERATING OR NEGOTIATING THE PURCHASING AND/OR SELLING 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, FORMULATE TERMS AND CONDITIONS OF POTENTIAL PURCHASE AND/OR SALE, AND FUTURE BARGAINING STRATEGIES FOR REDEVELOPMENT OF: THE PUBLIC CAR-TRAILER PARKING LOT LOCATED ADJACENT TO LAKE ST., E. WASHINGTON ST. AND E. PIER ST.; AND THE PROPERTY LOCATED AT 301 E. PIER STREET (FORMER SITE OF VICTOR'S PIER STREET SHANTY RESTAURANT), IN THE CITY, THE PROPERTY LOCATED AT 403 W. FOSTER ST. (SENIOR CENTER BUILDING) AND THE SPORTS COMPLEX PROPERTY ON MARITIME DRIVE AND TO CONSIDER EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION FOR ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES**

RESPONSIBILITY- Mayor Mlada read the closed session item. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO GO INTO CLOSED SESSION AT 9:56 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 DISCUSSIONS OR DELIBERATIONS, IF ANY-**

The Council reconvened into open session at 11:11 p.m. MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN BIGGS TO MOVE TO AUTHORIZE AND DIRECT THE CITY ADMINISTRATOR AND CITY ATTORNEY, WITH THE ASSISTANCE OF CITY STAFF, TO PROCEED TO NEGOTIATE, DRAFT, EXECUTE AND DELIVER AN OFFER TO PURCHASE THE PROPERTY AT 403 WEST FOSTER STREET IN PORT WASHINGTON, UPON THE TERMS AND CONDITIONS DISCUSSED IN CLOSED SESSION TONIGHT, FOR FUTURE USE AS A SENIOR CITIZENS CENTER. Motion carried unanimously.

MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN EHRLICH TO MOVE TO AUTHORIZE AND DIRECT THE CITY ADMINISTRATOR AND CITY ATTORNEY, WITH THE ASSISTANCE OF CITY STAFF, TO PROCEED TO DISCUSS AND NEGOTIATE WITH STEPHEN PERRY SMITH THE TERMS AND CONDITIONS OF SALE OF THE CITY'S CAR-TRAILER PARKING LOT ADJACENT TO LAKE STREET, E. WASHINGTON STREET, AND E. PIER STREET, AND TO REPORT BACK TO THE COUNCIL WITH THE PROGRESS OF THEIR DISCUSSIONS AND NEGOTIATIONS. Motion carried unanimously.

MOTION MADE BY ALDERMAN BECKER, SECONDED BY ALDERMAN DRISCOLL TO MOVE TO INCREASE THE SALARY OF THE LIBRARY DIRECTOR BY 2% FROM \$69,000 TO \$70,380. Motion carried unanimously.

15. **ADJOURNMENT-** MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN RUDSER TO AJOURN THE MEETING AT 11:14 P.M.