

MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
Tuesday, September 5, 2017, 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, Michael Gasper, Doug Biggs, Jonathan Pleitner, Dave Larson and John Sigwart. 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 And Temporary Operator License Applications**

MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE MINUTES OF THE PREVIOUS MEETING AS PRESENTED; ORIGINAL OPERATOR LICENSES FOR PAUL BECKER, ANDREW MITCHEL, JENNIFER RUNKEL AND WILLIAM CLARK AS PRESENTED AND TEMPORAR CLASS "B"/ "CLASS B" RETAILERS LICNESE AND TEMPORARY OPERATOR LICNESES FOR SNOW RUNNERS LTD FOR YAMAHA OF PORT WASHINGTON 50TH ANNIVERSARY ON SEPTEMBER 16, 2017 AT 528 W. GRAND AVENUE, TEMPORARY OPERATOR LICENSES FOR STEVE KRIER, JEFF CLASEN, MICHELLE CLASEN, JEFFREY RASKIEWICZ, ANNE RASKIEWICZ, RACHEL RASKIEWICZ, KELSEA RASKIEWICZ, RICHARD MURPHY, DUANE DEPIES AND PAUL GRADE AND LEATHERNECK CLUB FOR BEER GARDEN ON OCTOBER 14, 2017 IN UPPER LAKE PARK, TEMPORARY OPERATOR LICENSES FOR DENNIS HEISS AND JAMES SCHMIDT AS PRESENTED. Motion carried unanimously.

4. **MAYOR'S BUSINESS**

A. **Proclamation Honoring 40 Years Of Service For Police Capt. Mike Keller-** Mayor Mlada introduced Chief Kevin Hingiss and Police and Fire Commission Chairman Rick Nelson who gave a presentation on Capt. Keller's years of service. Mayor Mlada read the Proclamation thanking Capt. Keller for his years of distinguished service. Police Capt. Mike Keller was present and thanked the Council and Mayor.

*Agenda taken out of order, 6. Public Comments/Apearances taken here.

*Agenda taken out of order, 9. A. Ordinance 2017-9 Rezoning taken here.

B. **Breakwater Update-** The Mayor reported that the Fish and Wildlife Service will be coming in for the South Breakwater, which may lead to future grant opportunities. The end of the month the Army Corps of Engineers will arrive to work on the armor stone on the outside of the South Breakwater area.

*Agenda taken out of order, 4. C. Port Youth Baseball taken here.

C.**Port Youth Baseball Presentation-** Youth Baseball representatives Richard Stakik and Carl Wegner III were present to report on the potential development of this property and fields, and fund raising efforts that have been successful to date. Sewer service would have to be provided by the Village of Saukville at this time. The City Administrator reported on the situation with the sanitary service area. In the 1980's the school district was considering building a new high school at this location on Hwy 33. At that time so that property would be serviced by the City of Port, there was a swap with the Village of Saukville for the property service area. The City's current sewer facility can handle this area without a problem. The City has made attempts to work with the Village of Saukville on this service area issue, but have not been interested in making that exchange. We have contacted the DNR and SEWRPC for assistance with this, but to this point they have not been able to assist.

D. **Council President Comments-** Alderman Doug Biggs read a letter of resignation into the record, to be effective on September 15, 2017 at 5:00 p.m. The letter has been given to the City Clerk for the files.

5. **OFFICERS'/STAFF REPORT**

A. **Police Department Presentation-** Police Chief Hingiss, Capt. Mike Davel and Capt. Mike

Keller were present along with members of the Police and Fire Commission to present to the Council the past, present and future overview of the Police Department.

B. Update On Street Projects- Rob Vanden Noven reported that the street improvement projects have been completed for the year. The sewer relocation on Washington St. has been completed. The storm sewer continues to be worked on in that location due to issues with the grade. The change order on that will be \$16,000. Donations from civic groups for the Coal Dock Park railing have been a help with the continued funding needed for this project.

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. Michael Zweck- 200 Indigo Dr.- Addressed Council on the parcel that Bielinski wants to rezone in Hidden Hills subdivision. He reviewed the surrounding properties and wants it to continue to be available for single family homes.
2. Ricky Lovell, 220 Indigo Dr.- Informed Council that there are 60 letters of opposition to rezoning by the homeowners in Hidden Hills. There are also concerns about the additional traffic and security concerns with the proposed apartment building.
3. Ron Corlyn, 1800 Aster St.- Commented that Bielinski has available office space in their existing commercial building on Hwy 33. They need to be more aggressive in marketing those and not changing the zoning on the current property.
4. Howard, 264 Wildflower Cir.- The residents in Hidden Hills were told at a meeting held that this subdivision would not be changed.
5. Patty Schulz, 1818 Aster St.- Bielinski told residents at an annual meeting they were considering an apartment building on their open parcel. The residents were told by Bielinski that it is not the company's responsibility to notify property owners of changes in their plans when they have not been approved yet.
6. John Donovan from Bielinski Homes who represents their commercial management division. In November 2016 Bielinski made a proposal to the Plan Commission.
7. Robert, 1689 Aster St.- Opposes the rezoning of the parcel on the Bielinski Hidden Hills site. Just because other cities have mixed zoning we don't have to.
8. Dwayne Haskell, 767 W. Grand Avenue- Addressed the residents of the 5th Ward that are present tonight to discuss their issues with Bielinski. The 3rd Ward's residents have had issues with Council on previous development without much success.
9. Karen Corlyn, 1800 Aster St.- Commented that Bielinski doesn't always do what they say they will do, it has already happened.
10. Rachel Zweck 200 Indigo Dr.- She is the President of the Hidden Hills homeowners association. In November 2016 the residents were given notice of the requested change by Bielinski to rezone the parcel. Currently Bielinski has not made as much effort to seek home owner's feedback on their request for rezoning and the building of an apartment building. When her property was sold to her by Bielinski none of this was supposed to happen on that parcel.

7. COMMITTEES

A. Finance And License Committee

1. Preparation Of 2018 City Budgets- The City Administrator reported that the schedule for the budget process has been set. The Finance and License Committee will be meeting on October 19th to go through the City Budgets. The Council will receive the budget to review in November.

8. BOARDS/COMMISSIONS- None.

9. UNFINISHED BUSINESS

A. Ordinance 2017-9 (Rezoning Of Property From B-2 With An OPD Planned Development Overlay To RM-4 With An OPD Planned Development Overlay) 2nd Reading- The City Planner reviewed the

previous consideration of rezoning by the Plan Commission to allow an apartment building for 55 plus housing. The apartment concept for that specific age group would be more favorable than another commercial use. It was felt that it would be better to deal with a known use than an unknown future use. The City Engineer reviewed the process for development of commercial on that property, which could be

a business that would not have to come before the Council for approval and would be allowed within our requirements. The City Attorney reported on what the term Spot Zoning means. This type of zoning is not always illegal, spot zoning must be for a public purpose and benefit. This proposed rezoning is not significantly different than the surrounding properties, which are currently residential use. The rezoning should lead to a productive use of the parcel, which it appears to be with the apartment building and residents that will be living there. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN SIGWART TO APPROVE ORDINANCE 2017-9 REZONING OF PROPERTY FROM B-2 WITH AN OPD PLANNED DEVELOPMENT OVERLAY TO RM-4 WITH A OPD PLANNED DEVELOPMENT OVERLAY AS PRESENTED. AYE: 6, NOES: 1 (PLEITNER) Motion carried.

B. Update And / Or Possible Action Regarding Miller Engineers' Recommendations And Cost Estimates For Professional Services Relating To Design And Restoration Of North Slip Sheet Piling Tie-Backs-

The City Engineer reported on the work order agreement. He was not able to contact the company for more detail on the specific costs, we have estimates at this time. The City Administrator reported on the options that are available. MOTION MADE BY ALDERMAN SIGWART, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE WORK ORDER AGREEMENT WITH MILLER ENGINEERING, TIME AND MATERIALS, NOT TO EXCEED \$5,600 AND SUBJECT TO APPROVAL BY THE CITY ATTORNEY. Motion carried unanimously.

10. NEW BUSINESS

A. Consideration And Approval Of MOU To Move Forward With City Participation In The Cultivate Mental Health Project-

The Mayor reviewed the project plan and joint participation with the City, Village of Saukville and City of West Bend. The City Attorney reviewed the updated draft of the MOU with the Council. MOTION MADE BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN PLEITNER TO APPROVE THE MOU WITH CITY PARTICIPATION AS PRESENTED IN THE UPDATED DRAFT. Motion carried unanimously.

B. Approve Date For Trick Or Treat- MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN SIGWART TO HOLD TRICK OR TREAT ON HALLOWEEN, OCTOBER 31, 2017 BETWEEN THE HOURS OF 5:00 AND 8:00 P.M. VOTE TAKEN: AYE: 2, NOES: 4 (EHRLICH, NEUMYER, GASPER, PLEITNER), MOTION FAILS. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN NEUMYER TO HOLD TRICK OF TREAT ON OCTOBER 28, 2017 BETWEEN THE HOURS OF 4:00 AND 8:00 P.M. VOTE TAKEN: AYE: 4, NOES: 2 (BIGGS AND SIGWART). Motion carried.

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

12. PUBLIC COMMENTS/APPEARANCES-

1. Gertjan van den Broek, developer of the Blues Factory, updated the Council on this project financing, which is connected to the dock wall tieback issue being resolved. He has had multiple individuals interested in the project and restaurant.

2. Alderman Doug Biggs gave his remarks on his time of service as an Alderman. He thanked his family, residents of the 4th District/Ward, City Staff, past and present Aldermen and Mayor Mlada. The Aldermen thanked Doug Biggs for his service to the City.

13. ADJOURNMENT- MOTION MADE BY ALDERMAN BIGGS, SECONDED BY ALDERMAN PLEITNER TO ADJOURN THE MEETING AT 12:15 A.M. Motion carried unanimously.