

MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
Tuesday February 6, 2018, 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 Mlada. Council members present: Aldermen Mike Ehrlich, Paul Neumyer, Michael Gasper, Jonathan Pleitner, Dan Benning, 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 Licenses

C. Approve Temporary Class "B"/ "Class B" Retailers Licenses and Temporary Operator Licenses

MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN PLEITNER TO APPROVE THE MINUTES FROM THE PREVIOUS MEETING AS PRESENTED; ORIGINAL OPERATOR LICENSES FOR BRECKEN DUDZEK, MARCELLA FRANK, KRISTEN PAULUS, ELIZABETH SHERWOOD, MICHAEL PRUEFER AND TROY BRETL AS PRESENTED; TEMPORARY CLASS "B"/ "CLASS B" RETAILERS LICENSES AND TEMPORARY OPERATOR LICENSES FOR ST. JOHN XXIII FOR THREE FISH FRYs, FEBRUARY 16, MARCH 2 AND MARCH 16, 2018, TEMPORARY OPERATOR LICENSES FOR ARNOLD STYLES, ROBERT DREIER AND JONATHAN ADKINS AS PRESENTED. Motion carried unanimously.

4. MAYOR'S BUSINESS

A. Resolution 2018-4 International Migratory Bird Day- Mayor Mlada read the resolution. MOTION MADE ALDERMAN EHRLICH, SECONDED BY ALDERMAN NEUMYER TO APPROVE RESOLUTION 2018-4 AS PRESENTED. Motion carried unanimously.

B. Ordinance 2018-1 (Regulating The Application And Sale Of Coal Tar Sealant Products) 2nd Reading- The City Attorney reviewed the ordinance including the penalties. Penalties being recommended for individuals are \$250 for first violation and \$500 for second or subsequent violations. For commercial applicators, residential or commercial developer, industrial or commercial property owner or lessee \$1,000 for first violation and \$2,000 for second or subsequent violations. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN EHRLICH TO APPROVE ORDINANCE 2018-1 INCLUDING THE PENALTIES/FORFIETURES AS RECOMMENDED BY THE CITY ATTORNEY. VOTE TAKEN; AYE: 5, NO: 2 (GASPER, SIGWART). Motion carried.

C. Approval Of Agreement With Discovery World For Denis Sullivan Sails- The City Attorney has reviewed the agreement and approves. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN PLEITNER TO APPROVE THE AGREEMENT FOR JUNE 1-3, 2018 AS PRESENTED. Motion carried unanimously.

- D. Discussion On Marketing/Communications Coordinator Position-** Mayor Mlada commented on the future planning needs at the City for marketing.
- E. Review Of Draft Lighthouse Deed-** The City Attorney reviewed the draft deed.
- F. Update On Breakwater Railing Failure-** Mayor Mlada reported that after review it was a bolt failure related to the installation. Once a full review of the railing failure has been completed, the repair will be done.
- G. Ordinance 2018-7 (Establishing City Motor Vehicle Registration Fees) 1st Reading-** The City Attorney reviewed the draft ordinance. Discussion was held on the need for the fee, future funding of road repair and whether a referendum should be held.

5. OFFICERS'/STAFF REPORT

- A. Next Council Meeting On February 21st-** Due to the Spring Primary on February 20th, the next Common Council meeting will be held on Wednesday, February 21st.

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. Ross Campbell, 1012 Crestview Dr.- Commented that the City doesn't listen to the people that you work for. He spoke with Rob Vanden Noven about his concern over his driveway access during the project and a tree that is a concern on his property.
2. Tim Osowski, 1114 Crestview Dr.- Submitted a petition to the City Clerk, signed by the residents of the neighborhood who are against the sidewalks being installed. The residents are frustrated and feel when they speak they are not being heard.
3. Dan Stacey, 925 Crestview Dr.- Has beautiful trees in the neighborhood that would have to be removed if the sidewalk project is done. Also does not want to pay for the sidewalk project.
4. Bret Hoffmann, 408 Sunrise Dr.- Opposed to the sidewalks that are going to nowhere. Would like to see other areas be addressed.

7. COMMITTEES

A. FINANCE AND LICENSE COMMITTEE

- 1. Refinancing Of 2008 Water System Revenue Bonds And Approve Financial Advisory Agreement-** Carol Wirth from Wisconsin Public Finance Professionals was present to review the refinancing of the 2008 bonds and refinancing and the Financial Advisory Agreement. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE REFINANCING OF 2008 BONDS WITH NEGOTIATED SALES. Motion carried unanimously. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN PLEITNER TO APPROVE THE FINANCIAL ADVISORY AGREEMENT WITH WISCONSIN PUBLIC FINANCE PROFESSIONALS AS PRESENTED. Motion carried unanimously.
- 2. Ordinance 2018-2 (Updating Municipal Fees) 1st Reading-** The City Administrator reviewed the ordinance and fee changes for licensing, planning and zoning. The City Attorney distributed and reviewed the updated fee schedule.
- 3. Approve Fire Service Contract With Town Of Port Washington-** The City Administrator reported on the annual contract, which is approximately a \$2,000 or 2% increase over last year's contract. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BENNING

TO APPROVE THE FIRE SERVICE CONTRACT WITH THE TOWN OF PORT WASHINGTON AS PRESENTED. Motion carried unanimously.

B. TRAFFIC SAFETY COMMITTEE

1. Ordinance 2018-3 (Approve Stop Sign At Farmview Drive And Harris Drive South Intersection) 2nd Reading- The City Administrator reported on the need for a stop sign in this area. MOTION MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN BENNING TO APPROVE ORDINANCE 2018-3 AS PRESENTED. Motion carried unanimously.

2. Ordinance 2018-4 (No Parking On Interior Of Farmview Drive And West Side Of Harris Drive Between Farmview North And Farmview South Intersection) 2nd Reading- The City Administrator reported on the need for no parking in this area. MOTION MADE BY ALDERMAN SIGWART, SECONDED BY ALDERMAN BENNING TO APPROVE ORDINANCE 2018-4 AS PRESENTED. Motion carried unanimously.

8. BOARDS/COMMISSIONS

A. PLAN COMMISSION

1. Public Hearing On The Rezoning Of South Bluff Land For Prairie's Edge And Approve Financial Advisory Agreement- The City Administrator asked to postpone this item a month due to the rezoning, which needs to meet the City comprehensive plan.

2. Ordinance 2018-5 (Rezoning Of South Bluff Land For Prairie's Edge) 2nd Reading- This item is postponed as mentioned above.

3. Public Hearing On The Rezoning Of Property At Harbor Campus- Representatives from Capri Communities /Harbor Campus were present to review their project design and request for rezoning to RM-4. Mayor Mlada opened the public hearing. Jan Young, 767 N. Holden St. - Asked Council not to change the zoning. He lives across from this property and wants the zoning to remain single-family. There being no further comments a MOTION WAS MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN EHRLICH TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

4. Ordinance 2018-6 (Rezoning Of Property At Harbor Campus (Capri Senior Community LLC) 2nd Reading- MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN PLEITNER TO APPROVE ORDINANCE 2018-6 AS PRESENTED. Motion carried unanimously.

5. Public Hearing On Special Exception Request From Port Harbor LLC To Permit A New Building Exceeding 35 Feet In Height At 223 E. Washington Street- Mark Helminiak, architect for the property owner was present to review the building design. There will be ten condo units with parking and retail on the ground floor. The height exception is needed for a portion of the roof. Mayor Mlada opened the public hearing. Gertjan van den Broek from TBF Development, LLC, 305 E. Washington St. – Commented on the Blues Factory project and the Port Harbor LLC development, they are continuing to work together on their projects. Amy Wilborn, 233 E. Pier St.- Commented about the views of property owners being negatively affected. The 35 foot height exception should be upheld and not just a starting point to be exceeded constantly. There being no further comments a MOTION WAS MADE BY ALDERMAN LARSON, SECONDED BY ALDERMAN EHRLICH TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

6. Consideration And Possible Action To Approve A New Building Exceeding 35 Feet In Height At 223 E. Washington St.- The City Attorney reviewed the zoning ordinance criteria for the exception height request. Discussion was held on the zoning ordinance and development

requirements. MOTION MADE BY ALDERMAN SIGWART, SECONDED BY ALDERMAN EHRLICH TO APPROVE THE 35 FEET HEIGHT EXCEPTION ON 223 E. WASHINGTON ST. AS PRESENTED. Motion carried unanimously.

B. PARK AND RECREATION BOARD

1. Approve Hiring Of Recreation Director Administrative Assistant- Recreation Director Kiley Schulte was present to review the selected candidate for the position. Park and Recreation Board is recommending this candidate. MOTION MADE BY ALDERMAN PLEITNER, SECONDED GASPER TO HIRE ANNETTE STIMAC AT \$17.00 PER HOUR. Motion carried unanimously.

C. BOARD OF PUBLIC WORKS

1. Approve Final Design For 2018 Street Improvement Projects- The City Engineer reviewed the street improvements projects for 2018. He reported that at the Board of Public Works discussion was held on delaying the installation of sidewalks; however, going back again to install sidewalks after the streets were already completed was not favored. Therefore, it is recommended to install sidewalks as presented in 2018, and to install sidewalks on Hales Trail in 2019 so that there is better connectivity in that area. MOTION MADE BY ALDERMAN SIGWART TO APPROVE THE STREET CONSTRUCTION DESIGN AS PRESENTED FOR 2018, WITH THE SIDEWALK INSTALLATION ON HALES TRAIL AND CRESTVIEW DR. DELAYED UNTIL 2019. Further discussion followed. ALDERMAN SIGWART CLARIFIED THAT HIS MOTION WOULD PROVIDE FOR INSTALLATION OF SIDEWALK ON HALES TRAIL AND CRESTVIEW DR. IN 2019, AND THE COUNCIL SHOULD ALSO CONSIDER EXTENDING SIDEWALK FROM E. NORPORT DR., ALONG NIESEN RD. AND THROUGH TO HALES TRAIL IN 2019. THERE BEING NO SECOND, THE MOTION DIED. Further discussion was held. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN SIGWART, TO APPROVE THE FINAL STREET DESIGN AS PROPOSED, BUT TO DELAY INSTALLATION OF SIDEWALKS ALONG CRESTVIEW DR., BRENTWOOD CT. AND HALES TRAIL UNTIL 2019. Discussion was held. MOTION MADE BY ALDERMAN GASPER TO AMEND THE MAIN MOTION BY ALDERMAN EHRLICH SO THAT SIDEWALKS WOULD BE INSTALLED ON BRENTWOOD CT. AND CRESTWOOD DR. IN 2018 TO DECREASE CONSTRUCTION DUST. THERE BEING NO SECOND, THE MOTION TO AMEND THE MAIN MOTION DIED. MOTION MADE BY ALDERMAN GASPER TO AMEND THE MAIN MOTION BY ALDERMAN EHRLICH SO AS NOT TO INSTALL SIDEWALK ON BRENTWOOD CT., AND TO MARK IT AS A "SHARED STREET" WITH APPROPRIATE WARNING SIGNS AND/OR OTHER SIGN-AGE AS THE CITY ENGINEER MAY DETERMINE APPROPRIATE AND AS CONSISTENT WITH RELEVANT DESIGN GUIDANCE. THERE BEING NO SECOND, THE MOTION TO AMEND THE MAIN MOTION DIED. The chair then restated the main motion made by Alderman Ehrlich and seconded by Alderman Sigwart, i.e., TO APPROVE THE FINAL STREET DESIGN AS PROPOSED, BUT TO DELAY INSTALLATION OF SIDEWALKS ALONG CRESTVIEW DR., BRENTWOOD CT. AND HALES TRAIL UNTIL 2019. VOTE TAKEN; AYES: 5, NAYS: 2 (Aldermen Gasper and Neumyer). Motion carried.

2. Approve Hiring K Singh And Associate For Construction Inspection Services For 2018 Street Improvement Projects- The City Engineer reported on this company's service. Alderman Gasper recused himself from this item. MOTION MADE BY ALDERMAN SIGWART, SECONDED BY ALDERMAN NEUMYER TO APPROVE THE HIRING OF K SINGH AND

ASSOCIATES AS PRESENTED. VOTE TAKEN; AYE: 6, ABSTAINED: 1 (GASPER). Motion carried.

9. UNFINISHED BUSINESS

A. Discuss And Possible Action On Proceeding With The Sale Of City Land On Grant Street- The City Administrator reported on the potential of the lots. A developer has expressed interest in three lots on the west side. There will be construction costs to extend sewer and water on the east side. MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN NEUMYER TO PROCEED WITH MARKETING AND CREATING AN RFP FOR THIS PROPERTY ON GRANT STREET. VOTE TAKEN; AYE: 5, NO: 1 (SIGWART), ABSTAINED: 1 (GASPER). Motion carried.

10. NEW BUSINESS

A. Discussion On Possible Delay Of Any New Property Development Within The Marina District Area- Alderman Sigwart commented about the development in the Marina area and the need for neighborhood planning in the Marina District. There are other areas of the City that could use future planning also. Discussion was held on areas of development in the City and the current Land Use Plan.

11. FORTHCOMING EVENTS- Various upcoming events were mentioned.

12. PUBLIC COMMENTS/APPEARANCES- None.

13. MOTION TO GO INTO CLOSED SESSION ACCORDING TO WISCONSIN STATE STATUTE 19.85 (1)(c) TO DISCUSS EMPLOYEE PERFORMANCE EVALUATIONS AND SALARY AND WAGE COMPENSATION- Mayor Mlada read the purpose of the closed session. MOTION MADE BY ALDERMAN PLEITNER, SECONDED BY ALDERMAN BENNING TO GO INTO CLOSED SESSION FOR THE REASONS STATE ON THE AGENDA. ROLL CALL VOTE TAKEN; AYE: EHRLICH, NEUMYER, GASPER, BENNING, PLEITNER, LARSON, SIGWART. Motion carried unanimously.

14. RECONVE INTO OPEN SESSION- The Council reconvened into open session at 1:50 a.m.

15. POSSIBLE ACTION FROM DISCUSSIONS HELD IN CLOSED SESSION- MOTION MADE BY ALDERMAN EHRLICH, SECONDED BY ALDERMAN NEUMYER TO APPROVE A 2% COST OF LIVING INCREASE FOR CITY EMPLOYEES AS PRESENTED. Motion carried unanimously.

16. ADJOURNMENT- MOTION MADE BY ALDERMAN NEUMYER, SECONDED BY ALDERMAN PLEITNER TO ADJOURN THE MEETING AT 1:52 A.M. Motion carried unanimously.