

MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
Tuesday, May 21, 2019, 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 Martin Becker. Members present were Alderpersons Deborah Postl, Paul Neumyer, Michael Gasper, Dan Benning, Jonathan Pleitner, Patrick Tearney and John Sigwart. Also present: City Engineer Rob Vanden Noven, City Planner Bob Harris, 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 Temporary Class “B”/ “Class B” Retailer’s License Applications**

C. **Approve Event Cabaret License Applications**

MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE THE MINUTES OF THE PREVIOUS MEETING AS PRESENTED; TEMPORARY CLASS “B”/ “CLASS B” RETAILERS LICENSES AND EVENT CABARET LICENSES FOR PORT WASHINGTON FIRE/EMS ASSOCIATION FOR BEER GARDEN 9-21-2019 IN UPPER LAKE PARK, THE FOOD PANTRY, INC FOR BEER GARDEN ON 7-6-2019 IN UPPER LAKE PARK AND PORT WASHINGTON MAIN STREET FOR BEER GARDEN ON 7-27-2019 IN UPPER LAKE PARK AS PRESENTED. Motion carried unanimously.

4. **MAYOR’S BUSINESS**

A. **Proclamation For Arbor Day-** Mayor Becker read the proclamation in celebration of Arbor Day.

5. **OFFICERS’/STAFF REPORT**

A. **Project Update - 2019 Water And Street Improvement Project-** The City Engineer reported the water main in compete and testing is being done. Water main work will be starting on Summit and Garfield.

B. **Resolution 2019-4 (Approving Appointment Of Interim Judge For The Mid-Moraine Municipal Court)-** The City Administrator reported the Mid-Moraine Municipal Court Committee interviewed three candidates to serve as interim Municipal Court Judge until a special election is held next spring. It is the recommendation of the Committee to approve Christine Ohlis as interim judge. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. NEUMYER TO APPROVE RESOLUTION 2019-4 APPROVING APPOINTMENT OF INTERIM MID-MORAINÉ MUNICIPAL COURT JUDGE CHRISTINE OHLIS AS PRESENTED. Motion carried unanimously.

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. Joyce Harms- expressed concerns over the odors coming from the Kleen Test plant on Moore Road. She requested the City contact the plant owner to discuss the issue

7. **COMMITTEES**

A. **FINANCE AND LICENSE COMMITTEE**

1. **Approve Original Class A Combination Alcohol License For SP Mart, LLC-** Ald. Pleitner reviewed the request for an original license by the applicant. MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. BENNING TO APPROVE A CLASS A COMBINATION ALCOHOL LICENSE FOR SP MART, LLC D/B/A SP MART, MUHAMMAD SIDDIQIE-AGENT AT 223 W. GRAND AVENUE TO TAKE EFFECT UPON PURCHASE OF PROPERTY AND SURRENDER OF EXISTING ALCOHOL LICENSE AND VALID THROUGH JUNE 30, 2019 AS PRESENTED. Motion carried unanimously.

2. Approve Renewal Of Alcohol Licenses For 2019-2020- Ald. Pleitner reviewed the request for Renewal of Alcohol Licenses for the establishments listed in the data sheet. The Finance and License Committee is recommending approval of all establishments, with the exception of Rascals Port LLC, which should be postponed until June 4th. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE RENEWAL OF ALCOHOL LICNESES FOR JULY 1, 2019 – JUNE 30, 2020 FOR ESTABLISHMENTS LISTED ON THE DATA SHEET WITH THE EXCEPTION OF RASCALS PORT LLC TO BE POSTPONED UNTIL JUNE 4TH. Motion carried unanimously.

3. Approve Annual Cabaret Licenses For 2019-2020- Ald. Pleitner reported that the Finance and License Committee recommends approval of the Annual Cabaret Licenses to the establishments listed on the data sheet, with the exception of Rascals Port LLC, which should be postponed until June 4th. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APPROVE ANNUAL CABARET LICENSES FOR JULY 1, 2019 – JUNE 30, 2020 FOR THE ESTABLISHMENTS LISTED ON THE DATA SHEET WITH THE EXCEPTION OF RASCALS PORT LLC TO BE POSTPONED UNTIL JUNE 4TH. Motion carried unanimously.

4. Approve Renewal Of Operator Licenses For 2019-2020- Ald. Pleitner reported the Finance and License Committee recommends approval of Renewal of Operator Licenses for all individuals that appear on the data sheet as presented. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. NEUMYER TO APPROVE THE RENEWAL OF OPERATOR LICENSES FOR JULY 1, 2019 – JUNE 30, 2020 FOR THE INDIVIDUALS LISTED ON THE DATA SHEET AS PRESENTED. Motion carried unanimously.

5. Approve Event Permit Application With Street And Parking Lot Closures

(American Legion Memorial Day Parade)- Ald. Pleitner reviewed the application for the American Legion Memorial Day Parade to be held at 10:30 a.m., route ends at Veterans Park on May 27, 2019. Street closures include E. Grand Avenue / N. Franklin Street / E. Pier Street / N. Lake Street. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. TEARNEY TO APPROVE THE EVENT PERMIT WITH STREET CLOSURE AS PRESENTED. Motion carried unanimously.

8. BOARDS/COMMISSIONS

A. COMMISSION ON AGING

1. Approve 6 Month Salary Adjustment For Senior Center Maintenance Employee- The City Administrator reported the six month salary adjustment was not included in the 2019 Salary Resolution. The wage rate for this employee should be \$11.98 per hour not \$11.74, which is his current rate. The Commission on Aging recommends approving this adjustment. MOTION MADE BY ALD. SIGWART, SECONDED BY ALD. GASPER TO APPROVE THE 6 MONTH SALARY WAGE ADJUSTMENT FOR THIS EMPLOYEE TO \$11.98 AS PRESENTED. Motion carried unanimously.

B. BOARD OF PUBLIC WORKS

1. Approve City Storm Water Permit Annual Report- The City Engineer reviewed with the Council the report which is required by the WDNR. The Board of Public Works recommends approval of the report. MOTION MADE BY ALD. SIGWART, SECONDED BY ALD. TEARNEY TO APPROVE THE CITY STORM WATER ANNUAL REPORT AS PRESENTED. Motion carried unanimously.

2. Resolution 2019-5 (2018 Compliance Maintenance Annual Report For Wastewater Utility)- Wastewater Superintendent Dan Buehler was present to review the annual compliancy report and answer questions. The City received A's in 8 of the 9 categories for CPA of 3.83. This resolution is part of the process when submitting to the WDNR. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. SIGWART TO APPROVE RESOLUTION 2019-5 AS PRESENTED. Motion carried unanimously.

3. Approve Hiring Strand & Associates For Modifications To Lift Station1 Overflow Wet Well And 2 Overflow Line- Wastewater Superintendent Dan Buehler reported the DNR's recent requirements will allow the bypass / blending lines to remain open if there is an alarm and system to measure flow if and when these lines are used. The proposal from Strand addresses the DNR requirements so that we can keep these lines open 100% of the time. The Board of Public Works recommends the hiring of Strand to assist staff in getting these overflow structures modified for DNR approval to allow the lines to be open. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. SIGWART TO APPROVE HIRING STRAND AND ASSOCIATES AS PRESENTED. Motion carried unanimously.

4. Consider Right-Of-Way Permit For Rascals Port LLC- This item is postponed until the June 4th meeting.

C. PLAN COMMISSION

1. Public Hearing To Rezone Lands From RM-2 Multiple Family Residential and RS-3 Single Family Residential And An OPD Overlay Planned Development To RM-2 Multiple Family Residential (Newport Vista - The Reserve At High Bluff)- Mayor Becker opened the public hearing for comment. Cathy Hanson, Dave Pader, Thomas Roehrig, Brian McCullum, James Pack and Brian Cayle along with other residents- Not in favor of the request to rezone land in the Reserve at High Bluff Subdivision, which would allow apartments to be built and the road to connect through from New Port Vista to Misty Ridge Subdivisions. Concern was also expressed about the type of apartments would be built, what monthly rental costs would be and tenants that would be moving into their area. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

2. Ordinance 2019-5 (Rezoning Of a Portion Of Land In The Reserve Subdivision (New Port Vista – The Reserve At High Bluff) From RS-3 Single Family Residential To RM-2 Multi Family Residential) 2nd Reading- MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. NEUMYER TO APPROVE ORDINANCE 2019-5 AS PRESENTED. Discussion was held and questions were answered by the developer. Ald. Gasper inquired about the value of the apartment units, which the representative responded would be approximately \$180,000 per unit. VOTE TAKEN: AYE: 7. Motion carried unanimously.

3. Public Hearing To Consider Rezoning Property From RS-3 Single Family Detached To RM-1 Single And Two Family Residential (Portion Of Harbor Village Campus)- The Mayor opened the public hearing for comment. Lynn Lodi- Expressed concern about small size of lots and the retention pond with water issues already existing in that neighborhood. Grant Smith- Expressed concerns about possible contamination on property from when the hospital was there and if disturbed it may spread to other properties. Current storm sewer in the area is frequently clogged. The representative was present to address concerns about water retention and issues with the ground area. MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. BENNING TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

4. Ordinance 2019-6 (Rezoning Portion Of Harbor Village Campus (Lots Of CSM #4053) From RS- Single Family Residential To RM-1 Single And Two Family Residential) 2nd Reading- The developer addressed concerns and answered questions. MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. BENNING TO APPROVE ORDINANCE 2019-6 AS PRESENTED. Motion carried unanimously.

5. Public Hearing To Consider An Overlay Planned Development (OPD) For Properties Located At 1008, 1016, 1024 And 1032 N. Grant Street- Mayor Becker opened the public hearing for comment. The builder Nick Suddendorf was present to report on his plan and answer questions. Dan Schaefer, Thomas Manoni, Dave Kitzerow, David Pierringer, Brian Burdette and Jeannine Kitzerow- Not in favor of OPD for the properties which would allow five lots be built. Concerns were expressed about type and quality of homes being built, small size of lots and how it fits with existing homes in neighborhood. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

- 6. Ordinance 2019-7 (Rezone Lots Located At 1008-1032 N. Grant Street By Keeping The Base Zoning Of RS-4 And Add An OPD Designation Over The Lots) 2nd Reading-** Discussion was held on the proposed lot sizes and the process for the rezoning and OPD request. The builder reviewed the types of homes his is proposing to build and the size of lots being requested can also be found in other areas of the city. MOTION MADE BY ALD. GASPER, SECONDED BY ALD. PLEITNER TO APPROVE ORDINANCE 2019-7 AS PRESENTED. VOTE TAKEN: AYE: 5, NO: 2 (TEARNEY AND SIGWART) Motion carried.
- 7. Public Hearing To Amend Section 20.29.000 Of The Zoning Code Related To Sign Regulations Regarding Use Of Electronic Message Signs-** The Mayor opened the public hearing for comments. Paul Drews, owner of True Value Hardware Store on N. Wisconsin St., is not in favor of the sign restriction. He has one of these signs at his business and it has increased his sales 12% since the sign was put up. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.
- 8. Ordinance 2019-8 (Amend Section 20.20.000 Of The Zoning Code Relating To Sign Regulations) 1st Reading-** The City Planner did a presentation of existing business signs in the city. This zoning code change would allow existing signs to be repaired, but if more than 50% of the sign is destroyed it cannot be replaced. Discussion was held on the current electronic message signs and where signs should not be allowed such as the downtown and historic areas.
- 9. Ordinance 2019-9 (Annexation Of Property In The Town Of Port Washington At 2713-2715 County Road C And 1872 Sunset Road, Alan Victor) 1st Reading-** The City Administrator and City Attorney reviewed the annexation request. The property owner is requesting annexation to allow access to sewer and water from the city. This request has been reviewed by the Town of Port Washington and is not contested. A pre-annexation agreement will be drafted prior to the final approval at the next meeting.
- 9. UNFINISHED BUSINESS-** None.
- 10. NEW BUSINESS-** None.
- 11. FORTHCOMING EVENTS-** Various events were mentioned.
- 12. PUBLIC COMMENTS/APPEARANCES-**None.
- 13. ADJOURNMENT-** MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO ADJOURN THE MEETING AT 11:26 P.M. Motion carried unanimously.

Respectfully submitted:
Susan L. Westerbeke, City Clerk