

MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
Tuesday, June 4, 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 RETAILERS LICENSES FOR PORT WASHINGTON CHAMBER OF COMMERCE FOR PIRATE FESTIVAL ON JUNE 7, 8, 9, 2019, SALES TO OCCUR AT TWO TENTS, LOCATED IN THE NORTH SLIP PARKING LOT AND SCHOONERS PARKING LOT AREA, CONSUMPTION ALLOWED WITHIN THE APPROVED PIRATE FESTIVAL GROUNDS AREA; ST. JOHN XXIII MEN'S SOCIETY FOR A BEER GARDEN ON OCTOBER 5, 2019 IN UPPER LAKE PARK; ST. JOHN XXIII MEN'S SOCIETY FOR PORT WASHINGTON FISH DAY ON JULY 20, 2019 SALES AND CONSUMPTION IN MARINA PARKING LOT WITHIN APPROVED GROUNDS AREA; PORT WASHINGTON LIONS CLUB FOR A BEER GARDEN ON AUGUST 24, 2019 IN UPPER LAKE PARK AND PORT WASHINGTON MAIN STREET FOR DENIS SULLIVAN SAIL EVENT, JUNE 1, 2019 AT COAL DOCK PARK AT NORTH DOCKING AREA AS PRESENTED AND EVENT CABARET LICENSES FOR H.U.H., INC. FOR PIRATE FESTIVAL ON JUNE 7, 8, 9, 2019 IN APPROVED PIRATE FESTIVAL GROUNDS AREA AS SPECIFIED IN THE APPLICATION; ST. JOHN'S XXIII MEN'S SOCIETY FOR A BEER GARDEN ON OCTOBER 5, 2019 IN UPPER LAKE PARK AND PORT WASHINGTON LIONS CLUB FOR A BEER GARDEN ON AUGUST 24, 2019 IN UPPER LAKE PARK AS PRESENTED. Motion carried unanimously.

4. **MAYOR'S BUSINESS**

A. Fire Station Task Force Presentation (Police & Fire Commission Recommendation)

Task Force Chairman and Police & Fire Commission member Jim Biever gave a presentation. The Police & Fire Commission is recommending a new station be provided. Ald. Benning reported on the committee's findings. Mayor Becker spoke about the cost and public safety concerns.

5. **OFFICERS'/STAFF REPORT**

A. Project Update - 2019 Water And Street Improvement Project- The City Engineer reported Summit Drive storm sewer will be completed next week. This week water main work is being completed on Ravine St.

B. Update On Conversion Of St. Mary's School To Apartments And Creation Of

TIF District (Ansay Development)- Ian McCain from Ansay Development gave a presentation on the apartment concept plan. This would provide up to 35 market rate apartments including studio, 1 bedroom through 3-bedroom options. The State Historical Society is working with the developer to get the area on the historical register.

C. Review And Possible Action Regarding Breakwater Walkway Report - Brian Hinrichs from Foth Engineering reported on two options to provide a walkway on the breakwater to the lighthouse. There are concerns about the high lake levels what the future impact of ice during the winters will be going forward. The cost of steel is high so repairing with steel armor sides and a concrete cap may be the most cost efficient. The City has a \$550,000 grant for this project. The City must match this amount which would bring the total available for this project to \$1.1 million. The low end of the estimated costs would mean the City would need to borrow \$750,000 total to cover construction costs, \$200,000 more than anticipated. MOTION MADE BY ALD. GASPER, SECONDED BY ALD. TEARNEY TO APPROVE OPTION 2 WITHOUT HANDRAILS AND APPROVE A HAP GRANT RESOLUTION. Motion carried unanimously.

D. Approve Pre-Annexation Agreement Between The City And Property Owner At 2713-2715 County Highway C And 1872 Sunset Road- The City Attorney reviewed the annexation request by property owner Alan Victor. The pre-annexation agreement draft was reviewed, and it was requested that council approve subject to the Annexation Ordinance being approved. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE THE PRE-ANNEXATION AGREEMENT BETWEEN THE CITY AND ALAN VICTOR FOR PROPERTY AT 2713-2715 COUNTY HIGHWAY C (TAX PARCEL #07-033-07-014.00 LOT 1) AND 1872 SUNSET ROAD (TAX PARCEL #07-033-07-015.00 LOT 2) SUBJECT TO SIGNING BY JUNE 11TH BY OWNER AND ANNEXATION ORDINANCE 2019-9 BEING APPROVED. 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.

Andrea Jushka- Is in favor of the new fire station and would like Council to consider the location that the Fire Chief suggests.

Alan Victor- Inquired whether other more flexible materials be used to repair the breakwater cap.

7. COMMITTEES

A. FINANCE AND LICENSE COMMITTEE

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

(H.U.H., Inc – Pirate Festival)- Ald. Pleitner reviewed the application. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. NEUMYER TO APPROVE THE EVENT PERMIT WITH STREET AND PARKING LOT CLOSURES PER THE EVENT SITE MAP SUBMITTED. Motion carried unanimously.

2. Approve Renewal Of Class B Combination Alcohol License July 1, 2019 – June 30, 2020

(Rascals Port LLC- James Baade, Agent)- The City Attorney reviewed the request by Rascals Port for an event area to be approved and the process to be followed to approve it. Due to this, it is being recommended that their alcohol renewal and annual cabaret license applications be postponed until the next meeting. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO POSTPONE RASCALS PORT LLC ALCOHOL LICENSE RENEWAL, ANNUAL CABARET LICENSE AND RIGHT-OF-WAY PERMIT UNTIL THE JUNE 18TH MEETING. Motion carried unanimously.

3. Approve Annual Cabaret License July 1, 2019 – June 30, 2020 (Rascals Port-James Baade, Agent)- See motion above.

4. Discussion And Possible Action On Borrowing For Capital Improvements- The City Administrator reviewed the two borrowings the city finance consultant Carol Wirth provided to the Finance Committee. Carol Wirth will be at the June 18th council to provide a report on the borrowings and the effect they'll have on the City's debt service.

B. PERSONNEL COMMITTEE

1. Approve Hiring Of Employee For Water Utility- The City Engineer reported on the Water Filtration plant position. Issac Kapp is being recommended for the position. MOTION MADE BY ALD. SIGWART, SECONDED BY ALD. PLEITNER TO APPROVE HIRING ISSAC KAPP SUBJECT TO AN APPROVED BACKGROUND RECORD CHECK AND PHYSICAL. Motion carried unanimously.

8. BOARDS/COMMISSIONS

A. BOARD OF PUBLIC WORKS

1. Consider Right-Of-Way Permit For Rascals Port LLC- See motion on 7.A.

B. PLAN COMMISSION

1. Ordinance 2019-8 (Amend Section 20.20.000 Of The Zoning Code Relating To Sign Regulations) 2nd Reading- The City Planner reviewed the ordinance with the Council. Discussion was held on current sign regulations, enforcement of the sign code and the restrictive nature of the current draft ordinance. It was suggested that the zoning code should be reviewed. After further discussion the Planner was instructed to return at the next meeting with a modified draft of the ordinance.

2. Ordinance 2019-9 (Annexation Of Property In The Town Of Port Washington At 2713-2715 County Road C And 1872 Sunset Road, Alan Victor) 2nd Reading- The City Attorney reviewed the annexation ordinance and requested the approval be conditional upon the execution of the Pre-Annexation Agreement with Alan Victor by June 11th. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE ORDINANCE 2019-9 ANNEXATION OF PROPERTY IN THE TOWN OF PORT WASHINGTON INTO THE CITY OF PORT WASHINGTON, PROPERTY LOCATED AT 2713-2715 COUNTRY ROAD C (TAX PARCEL #07-033-07-014.00 LOT 1) AND 1872 SUNSET ROAD (TAX PARCEL #07-033-07-015.00 LOT 2) CONDITIONAL UPON APPROVAL AND EXECUTION OF THE PRE-ANNEXATION AGREEMENT BY JUNE 11TH TAKING EFFECT JUNE 12TH, 2019. Motion carried unanimously.

3. Public Hearing For A Conditional Use Grant For Outdoor Serving Of Food And Beverages For The Fork & Tap Restaurant At 203 E. Main Street- Mayor Becker opened the public hearing for comment. The City Planner reviewed the request for outdoor food and beverage service on the patio on the east side of the establishment. The Plan Commission recommends approval of this Conditional Use Permit. There being no public comments a MOTION WAS MADE TO CLOSE THE PUBLIC HEARING BY ALD. GASPER, SECONDED BY ALD. NEUMYER. Motion carried unanimously.

4. Approve Conditional Use Grant To Permit Outdoor Dining Service (203 E. Main Street)- The City Planner reported that the Conditional Use will be for outside service of food and beverages from 11:00 a.m. to 10:00 p.m. MOTION MADE BY ALD. TEARNEY, SECONDED BY ALD. BENNING TO APPROVE THE CONDITIONAL USE PERMIT SUBJECT TO REVIEW BY THE CITY ATTORNEY. Motion carried unanimously.

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. NEUMYER, SECONDED BY ALD. POSTL TO ADJOURN THE MEETING AT 10:19 P.M. Motion carried unanimously.