

**MINUTES**  
**CITY OF PORT WASHINGTON**  
**COMMON COUNCIL MEETING**  
**Tuesday, August 6, 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 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” Retailer’s License Applications**
  - D. **Approve Event Cabaret License Applications**
  - E. **Approve Alcohol Beverage Licenses Change Of Membership – Alcohol Agent**

MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE THE MINUTES OF THE PREVIOUS MEETING, ORIGINAL OPERATOR LICENSES FOR KRISTEN FASSBENDER, KATIE KNUTSON, JESSICA HOFFMANN, SAMUEL SPEAKER, ELIZABETH COLDEN, ANDREA SHAFTON, BRANDI EVANS, MITCH LUBNER AS PRESENTED; TEMPORARY CLASS B RETAILERS LICENSES/EVENT CABARET LICENSES FOR AMERICAN LEGION POST 82 FOR 100<sup>TH</sup> YEAR CELEBRATION ON AUGUST 17, 2019 IN VETERANS PARK, PORT WASHINGTON MAIN STREET FOR FOOD TRUCK FESTIVAL IN CONJUNCTION WITH MOVIES IN THE PARK ON AUGUST 23, 2019 AT VETERANS PARK AS PRESENTED. Motion carried unanimously.
4. **MAYOR’S BUSINESS-** None.
5. **OFFICERS’/STAFF REPORT**
  - A. **Project Update - 2019 Water And Street Improvement Project-** The City Engineer reported that curb and gutter is to be completed on Garfield Ave. and Rogers St. also landscaping is to be completed on Summit Dr.
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.- none.*
7. **COMMITTEES**
  - A. **FINANCE AND LICENSE COMMITTEE**
    1. **Approve Scope Of Engagement With Quarles & Brady LLP For Issuance Of \$2,890,000 Taxable Note Anticipation Notes-** City financial advisor Carol Wirth was present to review the agreement. These are in the same format as previously approved agreements for past borrowings. Finance & License Committee recommends approval. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE THE SCOPE OF ENGAGEMENT WITH QUARLES & BRADY LLP FOR AN ESTIMATED FEE OF \$7,125 AS PRESENTED. Motion carried unanimously.
    2. **Approve Scope Of Engagement With Quarles & Brady LLP For Issuance Of \$1,110,000 Taxable General Obligation Promissory Notes-** Carol Wirth reviewed the agreement. Finance & License Committee recommends approval. MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE THE SCOPE OF ENGAGEMENT WITH QUARLES & BRADY LLP FOR AN ESTIMATED FEE OF \$7,750 AS PRESENTED. Motion carried unanimously.

**3. Resolution 2019- 8 (Resolution Authorizing The Issuance Of \$2,890,000 General Obligation Promissory Notes And The Issuance And Sale Of \$2,890,000 Taxable Note Anticipation Notes In Anticipation Thereof)-** Carol Wirth reviewed the documents with the Committee. The Note Anticipation Notes (NAN) will be refinanced with refunding bonds and taxable interest rates are very good now. The interest costs came in \$10,000 less than anticipated. Three bids by public sale were received and Piper Jaffray & Company, who is the approved bidder, came in with a rate of 2.61%. The General Obligation /Promissory Notes have a bond rating of A1. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO RECOMMEND APPROVAL OF RESOLUTION 2019-8 AS PRESENTED. Motion carried unanimously.

**4. Resolution 2019- 9 (Resolution Authorizing The Issuance And Sale Of \$1,110,000 Taxable General Obligation Promissory Notes)-** Carol Wirth reported there were eight bids received and Mesirow Financial, Inc is the approved bidder with a rate of 2.12%. The interest costs came in \$24,000 less than anticipated. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO RECOMMEND APPROVAL OF RESOLUTION 2019-9 AS PRESENTED. Motion carried unanimously.

**5. Update On Development Of New Fire Station-** The City Administrator reported on discussions held with the County regarding land they have available at the Justice Center site. Their interest in a joint project is to address ongoing storage needs they have. The County will be reviewing their needs and site plan ideas further and setting a meeting up with the City to discuss their findings in more detail. If the Justice Center site does not work, the County would be interested in working with the City on a different site, such as the Schanen Farm property on Hwy 33.

**6. Approve Contract With Discovery World For Denis Sullivan Sails, September 27<sup>th</sup> - 29<sup>th</sup>-** Ald. Pleitner reported on the contract, which would provide sails during the weekend of September 27<sup>th</sup> – 29<sup>th</sup>. The Finance & License Committee recommends approval. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE THE CONTRACT WITH DISCOVERY WORLD FOR THE DENIS SULLIVAN SAILS AT A COST OF \$9,375 AS PRESENTED. Motion carried unanimously.

**7. Approve Event Permit Application With Street And Parking Lot Closures (American Legion 100<sup>th</sup> Year Celebration, Be3 Land Regatta Run/Walk)-** Ald. Pleitner reported on the Event Permit Applications that are recommended for approval by the Finance & License Committee. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APPROVE THE EVENT PERMITS, INCLUDING NECESSARY STREET AND PARKING LOT CLOSURES AS PRESENTED. Motion carried unanimously.

## **8. BOARDS/COMMISSIONS**

### **A. PLAN COMMISSION**

**1. Public Hearing For A Conditional Use Grant For The Outdoor Serving Of Food And Beverages At Southwest Corner Of North Franklin Street And East Pier Street-** The Mayor opened the public hearing for comment. John Reichert - Amazing Ice Cream, read a letter regarding the impact of a temporary ice cream business on his business. Expressed concerns over the applicants similar site plan concept, which would mimic the proposed Port Washington Main Street “Heart of the Harbor” plaza. John Sigwart and Jeff Lamont both expressed concerns over the placement of an airstream food trailer on N. Franklin Street in the downtown historic district. Concerns also over landscape plans, zoning code compliance and the PW Main Street plaza concept, which fundraising has started for. There being no further comments a MOTION WAS MADE BY ALD. POSTL, SECONDED BY ALD. TEARNEY TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

**2. Approve Conditional Use Grant For The Outdoor Serving Of Food And Beverages At Southwest Corner Of North Franklin Street And East Pier Street-** The City Planner reviewed the approval process by the Plan Commission. The fire pit would need to be fueled by natural gas and meet the 25 ft. clearance from structures. Discussion was held by the Council and concerns were expressed over the location of an air stream trailer in the downtown historic district; whether the trailer is conforming to the zoning code, which was designed for brick and mortar buildings with outdoor seating and how this part-time seasonal business will affect the other year-round businesses in the downtown area.

Nick and Melissa Suddendorf were present to explain their concept and site landscape plan. It was the consensus of the Council to send this back to the Plan Commission for further clarification. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. TEARNEY TO SEND THIS CONDITIONAL USE GRANT FOR SERVING OF FOOD AND BEVERAGES BACK TO THE PLAN COMMISSION FOR CLARIFICATION OF THE SITE PLAN AND REVIEW OF ZONING CODE COMPLIANCE. VOTE TAKEN: AYE: 6, NO: 1 (SIGWART). Motion carried.

**3. Approve Certified Survey Map For BNN Development LLC At 723 Schmitz Drive-** The City Planner reviewed the Certified Survey Map (CSM). This change would address the current property zoning issues and divide the into two lots, with a single zoning. It will also dedicate an 80ft right-of-way to accommodate S. Park Street. Nick Suddendorf was present to answer questions on access. MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. PLEITNER TO APPROVED THE CERTIFIED SURVEY MAP AS PRESENTED. Motion carried unanimously.

**4. Ordinance 2019-11 (Rezoning Of Land At 723 Schmitz Drive From I-2 To I-1 With An OPD Overlay) 1<sup>st</sup> Reading-** The City Planner reviewed the rezoning of land with an OPD overlay. Parcel 1 of the CSM is currently I-2 and the request is to rezone to I-1. The Overlay Planned Development (OPD) over Lot 1 is to provide a zero-foot set-back, which is needed for the 80ft ROW on S. Park Street as part of the redevelopment of the site. This property was formerly known as the Murphy Oil property and has been vacant for approximately 25 years. The applicant is interested in obtaining ownership of the property and constructing individually owned self-storage units There will be a public hearing and second reading of this ordinance at the next meeting.

**5. Ordinance 2019-12 (Rezoning Of Land St. Mary's School Campus 430-446 and 451 Johnson Street For An Overlay Planned Unit Development) 1<sup>st</sup> Reading-** The City Planner reviewed the plan for the redevelopment of St. Mary's school and parish center into a market rate apartment complex consisting of up to 30 units, comprised of 1,2, and 3 bedroom apartments. There will be a reconfiguration of space for on and off-street parking as well. Because the St. Mary's campus pre-dates the current zoning requirements, the redevelopment project will require use of an OPD to provide flexibility that is not permitted by our Central City Mixed (CCM) base zoning. There will be a public hearing and second reading of this ordinance at the next meeting.

**9. UNFINISHED BUSINESS-** None.

## **10. NEW BUSINESS**

**A. Discussion And Possible Action To Start Process Of Selling a Portion Of City Land For A Redevelopment Project On Jackson Street (John Lanser And Mike Schmit)-** The City Administrator reviewed the request to purchase city property to allow the building of townhomes on the northside of E. Jackson St. To meet the building code and allow for windows on the eastside of the townhomes, he would like to acquire a minimum of five feet from the City to meet the building code. The City would need to declare this land surplus to sell it, and there would still be about 15 feet from the bike trail to the west edge of the city property. John Lanser and Mike Schmit were present to review their concept plan and answer questions. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO SEND THIS REQUEST TO DECLARE A PORTION OF LAND AS SURPLUS TO THE PLAN COMMISSION FOR CONSIDERATION. Motion carried unanimously.

**B. Resolution 2019-10 (Harbor Assistance Program Grant Application)-** The City Administrator reported this resolution allows the City to submit a grant application to the Harbor Assistance Program. The grant request is for \$750,000 and would help finance the Breakwater Project, making repairs to the Sections A-C of the breakwater. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. SIGWART TO APPROVE RESOLUTION 2019-10, NOT TO EXCEED \$750,000 FOR BREAKWATER REPAIR. Motion carried unanimously.

**C. Approve Contract To Extend Sewer & Water On Grant Street-** The City Engineer reviewed the bid tabulation document to extend sewer and water main services in the 1000 block of N. Grant Street. The work is necessary to provide these services to the vacant properties that were sold by the City for private development last year. The contract cost, \$189,310.00 would be paid by revenues from the sale of the lots. It is recommended to award the contract to Heartland Construction for the contract cost. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. TEARNEY TO APPROVE THE LOW BIDDER, HEARTLAND CONSTRUCTION, FOR \$189,310 PAID FOR BY SALE OF LOTS AS PRESENTED AND SUBJECT TO REVIEW BY THE CITY ATTORNEY AND CITY ENGINEER. Motion carried unanimously.

11. **FORTHCOMING EVENTS-** Various events were mentioned.

12. **PUBLIC COMMENTS/APPEARANCES-** None.

13. **ADJOURNMENT-** MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. GASPER TO ADJOURN THE MEETING AT 9:28 P.M. Motion carried unanimously.

Respectfully submitted:  
Susan L. Westerbeke, City Clerk