

MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
Tuesday, March 17, 2020, 7:30 P.M., City Hall

- 1. ROLL CALL-** The meeting was called to order at 7:30 p.m. by Mayor Martin Becker. Members present were Alderpersons Deborah Postl, Paul Neumyer, Mike Gasper, Dan Benning, Jonathan Pleitner, Pat Tearney and John Sigwart. Also present was 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 Meetings-** Approval of minutes was tabled.
 - B. Approve Operator License-** MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE AN OPERATOR LICNESE FOR ALEAH STOLL AS PRESENTED. Motion carried unanimously.
- 4. MAYOR'S BUSINESS**
 - A. Resolution 2020-5 (Delcaring State Of Emergency In The City Of Port Washington)-** The City Administrator reviewed the purpose of this action. It will allow the City to be eligible for Federal funding that may be available. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE RESOLUTION 2020-5 DELCARING A STATE OF EMERGENCY IN THE CITY OF PORT WASHINGTON AS PRESENTED. Motion carried unanimously.
 - B. Update And Possible Action On City Policy Related To COVID-19 Virus-** The City Administrator reported on developing a city policy with COVID-19 and the City Departments. The Library building will be closed, but a pick-up window for book orders is available. The Senior Center is closed with the exception of meal delivery to seniors. Park & Recreation is closed, including the programs. City Hall will be open for the Election, including In Person Early Voting and Voter Registration and the Building Inspection Department is also open, other office are closed.
 - C. Motion To Rescind All Previously Adopted Common Council Actions Authorizing Installation Of Sidewalks Along Crestview Drive, Brentwood Court, Hales Trail And Sunrise Court In The City.-** MOTION MADE BY ALD. POSTL IN ACCORDANCE WITH THE ADVANCE NOTICE GIVEN IN THE AGENDA FOR THIS MEETING, I MOVE TO RESCIND ALL PREVIOUSLY ADOPTED COMMON COUNCIL ACTIONS AUTHORIZING INSTALLATION OF SIDEWALKS ALONG CRESTVIEW DRIVE, BRENTWOOD COURT, HALES TRAIL AND SUNRISE DRIVE IN THE CITY , SECONDED BY ALD. SIGWART. VOTE TAKEN: AYE: 1 (POSTL), NO: 5 (NEUMYER, GASPER, BENNING, PLEITNER, TEARNEY), ABSTAIN:1 (SIGWART). Motion Fails.
- 5. OFFICERS'/STAFF REPORT**
 - A. Spring Election & Presidential Preference Early Voting And Voter Registration-** The City Clerk reported that mail out Absentee Ballots are going out this week. Early In-Person Voting by Absentee Ballot and In-Person Voter Registration is available at City Hall starting on Monday, March 23rd through Friday, April 3rd. Voter Registration and request for Absentee Ballot can also be accessed by going to MyVote.wi.gov.
 - B. Next Council Meeting On Wednesday, April 8th –** Due to the April 7th Spring Election the next Common Council meeting will be held on Wednesday, April 8th at 7:30 p.m.
 - C. Appointment Of Election Inspectors For The 2020-2021 Term-** The City Clerk requested the appointment of additional Election Inspectors to serve including Diane Holzman and Joan Tobianski. MOTION MADE BYA LD. POSTL, SECONDED BY ALD. PLEITNER TO APPOINT DIANE HOLZMAN AND JOAN TOBIANSKI AS ELECTION INSPECTORS FOR THE 2020-2021 TERM 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.- Diane Burkhalter and Bret Hoffmann - Commented about the sidewalk issue discussed earlier on the agenda and are opposed to having sidewalks installed.

7. COMMITTEES

A. FINANCE AND LICENSE COMMITTEE

1. Approve Possible Fund Account And Donation From Possibility Playground- Ald. Pleitner reported on the rainy day fund that can be put aside for the maintenance and future replacement of equipment at the playground. The City Administrator reported that the city has received a donation of \$30,000 and suggests a special account be set up for these funds. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE A FUND ACCOUNT FOR THE DONATION FOR POSSIBILITY PLAYGROUND TO BE USED FOR MAINTENANCE AND REPLACEMENT AS PRESENTED. Motion carried unanimously.

B. PERONNEL COMMITTEE

1. Approve New Job Title /Job Description For Former Account Clerk II Position-The new position for Deputy City Clerk and Administrative Assistant was reviewed. This position will be as a back up to the City Clerk and payroll clerk responsibilities. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. NEUMYER TO APPROVE THE NEW JOB TITLE AND JOB DESCRIPTON FOR DEPUTY CITY CLERK / ADMINISTRATIVE ASSISTANT AS PRESENTED. Motion carried unanimously.

8. BOARDS/COMMISSIONS

A. BOARD OF PUBLIC WORKS

1. Approve Engineering Firm To Prepare Master Plan For Water Utility- Water Filtration Superintendent Leo Duffrin was present to report on the aging plant and repairs needed. Inspectors from the Wisconsin DNR performed a Sanitary Survey of the facility and from their visit issued a sanitary survey report where they identified two deficiencies and one significant deficiency that needs correction by December 31, 2021. We need to provide the DNR with a corrective action plan. Four different engineering firms were contacted to request help with creating a Master Plan for the future of the Water Utility. After reviewing the recommendation is to hire Water/SEH at a cost of \$45,743. Board of Public Works recommends approval of this company for the Water Utility Master Plan. MOTION MADE BY ALD. TEARNEY, SECONDED BY ALD. POSTL TO APPROVE HIRING WATER/SHE FOR \$45,743 SUBJECT TO CITY ATTORNEY REVIEW AND APPROVAL AND WITH THE AMENDMENT TO INCLUDE PROPOSAL AND FINAL CONTRACT. Motion carried unanimously.

9. UNFINISHED BUSINESS- None.

10. NEW BUSINESS

A. Review, Approval and Acceptance of Documents Relating to Sale, Closing and Development of +/- 2 Acres of Vacant Land at 900-910 S. Spring Street (STH 32) in the City, for Senior Housing Units, Spring Harbor Senior Apartments, LLC, Buyer, to-wit:

- (i) Deed Conveying Land from Community Development Authority to City.
- (ii) Development Agreement with Spring Harbor.
- (iii) Tax Increment Project Municipal Revenue Obligation (MRO).
- (iv) Mortgage Note from Spring Harbor.
- (v) Mortgage from Spring Harbor.
- (vi) Subordination Agreement with Spring Harbor and Wis. Bank & Trust.

- (vii) **Collateral Assignment by Spring Harbor to Wis. Bank & Trust.-** MOTION MADE BY POSTPONE THIS AGENDA ITEMS A. AND B. UNTIL THE SPECIAL COMMON COUNCIL MEETING ON MARCH 24TH. Motion carried unanimously.

B. Review and Approve Resolution Authorizing and Ratifying Actions by City Officials Relating to the Sale and Closing of +/- 2 Acres of Vacant Land at 900-910 S. Spring Street (STH 32) in the City to Spring Harbor Senior Apartments, LLC, Buyer, for Senior Housing Units.- See motion above.

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

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

13. **MOTION TO CONVENE IN CLOSED SESSION PER WIS. STAT. § 19.85(1)(e), FOR THE PURPOSE OF DELIBERATING OR NEGOTIATING THE PURCHASING OF PUBLIC PROPERTIES, INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHEN COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION, to-wit: DISCUSS PROPOSED “AMENDMENT TO MASTER DEVELOPMENT AGREEMENT, LAND PURCHASE AGREEMENT, PROMISSORY NOTE AND SECURITY INSTRUMENT” SUBMITTED BY BLACK CAP HALCYON HOLDINGS, LLC (DEVELOPER) INCLUDING REVISED DEVELOPMENT PLANS AND REVISED FINANCIAL TERMS AND CONDITIONS OF PAYMENTS DUE CITY FOR PURCHASE OF PRAIRIE’S EDGE SUBDIVISION LANDS, AND DEVELOP CITY’S COUNTER-PROPOSALS AND/OR NEGOTIATING STRATEGIES.-** The Mayor read the closed session agenda item. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO GO INTO CLOSED SESSION AT 8:57 P.M. FOR THE REASONS STATED ON THE AGENDA. ROLL CALL VOTE TAKEN: AYE: POSTL, NEUMYER, GASPER, BENNING, PLEITNER, TEARNEY AND SIGWART. Motion carried unanimously.
And

MOTION TO GO INTO CLOSED SESSION ACCORDING TO WIS. STAT. § 19.85 (1)(c) TO DISCUSS EMPLOYMENT, PROMOTION, COMPENSATION OR EMPLOYEE EVALUATION OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENT BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY. – The Mayor read the closed session agenda item. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. NEUMYER TO GO INTO CLOSED SESSION AT 8:57 P.M. FOR THE REASONS STATED ON THE AGENDA. ROLL CALL VOTE TAKEN: AYE: POSTL, NEUMYER, GASPER, BENNING, PLEITNER, TEARNEY AND SIGWART. Motion carried unanimously.

14. **RECONVENE IN OPEN SESSION.-** The Council reconvened into open session at 10:35 p.m.

15. **POSSIBLE ACTION ON ANY MATTER(S) DISCUSSED IN CLOSED SESSION.-** No action was taken.

16. **ADJOURNMENT.-** MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO ADJOURN THE MEETING AT 10:36 P.M. Motion carried unanimously.

Respectfully submitted by:
Susan L. Westerbeke, City Clerk