

**MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
April 8, 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 (by phone), Mike Gasper, Dan Benning, Jonathan Pleitner, Pat Tearney, and John Sigwart. Also present was City Engineer Rob Vanden Noven (by phone), 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-** This item was tabled.
 - B. Approve Operator License-** MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE OPERATOR LICENSES FOR KARLI KNAUB AND JULIA MAY AS PRESENTED. Motion carried unanimously.
- 4. MAYOR'S BUSINESS-** The Mayor thanked the City Clerk and Election Inspectors for their work with the election.
Mayor Becker thanked City Administrator Mark Grams for his years of dedicated service to the City of Port Washington. The City Attorney showed a PowerPoint presentation of Administrator Grams years of service.
- 5. OFFICERS'/STAFF REPORT**
 - A. Discussion On Proposed Study For Fire And EMS Service Sharing In Ozaukee County-**
The City Administrator reported on the Wisconsin Policy Form draft on Fire & EMS Service Sharing in Ozaukee County that was discussed at their February meeting. The cost of the study is \$22,000 and other communities may be interested in participating which would lower the cost per community to approximately \$3,200 each.
 - B. Update On New Fire Station Facility Subcommittee Recommendations-** The City Engineer who Chairs the Subcommittee reported at the February meeting 3 design firms were chosen for further review. The Subcommittee is recommending 2 firms, SEH and Five Bugles, to be reviewed by Council at a future meeting. Ald. Benning reported this study would help identify the location and type of facility that would be needed. Design work will be done in phases before the construction bidding process.
 - C. Update On April 7th Spring General Election-** The City Clerk reported for the Spring Election 3,340 absentee ballots were issued which represents approximately 43% of the registered voters. The late-arriving absentee ballots postmarked by April 7th will be processed through the machines on April 13th at 4:00 p.m. per court order. The final combined voter turnout between Election Day and late-arriving absentee ballots is expected to be 53% to 54%.
- 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 Resolution 2020 -7 (U. S. Department of Commerce EDA 2019 Supplemental Grant Application)-** Ald. Pleitner reported on the changes requested by the EDA for the grant application to be finalized. City Planner reported that the grant is an 80/20 split or \$800,000 with a \$200,000 City match. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. SIGWART TO APPROVE RESOLUTION 2020-7 U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT

ADMINISTRATION 2019 DISASTER SUPPLEMENTAL GRANT APPLICATION AS PRESENTED.
Motion carried unanimously.

2. Approve Bid For Municipal Garage Roof Coating Project- Ald. Pleitner and the City Engineer gave an update on the current age of the roof and repairs needed include an overlay of rubber on the flattest part of the roof where ponding issues have deteriorated the roof. Three contractors bid on the project and the low bidder was Langer Roofing and Sheet Metal Inc at \$41,175. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. GASPER TO APPROVE LANGER ROOFING AND SHEET METAL INC AT \$41,175 AS PRESENTED. Motion carried unanimously.

8. BOARDS/COMMISSIONS
A. PLAN COMMISSION

1. Ordinance 2020 - 2 (Approve Rezoning A Portion Of Land In The Prairie's Edge Development From RM-2 / OPD to B-2 / OPD North Phase) 1st Reading- The City Planner reported this item is related to the Conditional Use request for an assisted living and memory care center recommended for approval by the Plan Commission at its March 19th meeting. The subject site is comprised of two parcels noted at Lot 6 and Lot 7 on the Prairie's Edge preliminary plat and rezoned by Ordinance 2018-5 in 2018 from AG to B-2 Business and RM-2 Multi Family. Both parcels contain an Overlay Planned Development (OPD) to accommodate the specific use and in that case a commercial building on the B-2 zoned parcel and 8 townhomes on the RM-2 parcel. To accommodate the change of use the parcels will need to uniformly be re-zoned, Lot 6 zoning remains B-2, but needs a revised OPD and Lot 7 will be re-zoned from RM-2 to B-2 and will also require a revised OPD. This item will be considered for approval at the next Council meeting.

9. UNFINISHED BUSINESS- None.

10. NEW BUSINESS

A. Discussion And Possible Action On Sale Of City Land To John Lanser And Mike Schmit For Townhome Development On East Jackson Street- The City Administrator reviewed the surplus land declaration that was approved to allow for windows to be added on the east side of the proposed buildings. This five-foot portion of land is now able to be sold, but needs to be appraised first. Other items that must be completed would include Re-zoning, CSM and a possible Conservation Easement. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO DIRECT THE NEW CITY ADMINISTRATOR TO HIRE AN APPRAISER AND PROCEED WITH THE SALE PREPARATIONS. Motion carried unanimously.

B. Discussion On Amendment To City Conservation Easement Located On Johnson Street (Schmit Property)- The City Administrator reported on the 22-foot section east of the stairs and 60-foot north which was created as a Conservation Easement on Johnson Street. The City Attorney reported that City Forester Jon Crain is currently working on a report that will detail the condition of the trees in the easement and the impact if any, light grading or terracing would have in that area. After a walkthrough of the area, it was determined that there are invasive trees on site that should be removed.

C. Allowance Of Food Trucks On City Property During The Safe-At-Home Order By The Governor- The City Administrator reported on the two inquiries from the owners of Fork and Tap and Yummy Bones would like to place their food trucks near their place of business or possibly in the marina area during this Safe-At-Home order. Currently, the City does not regulate food trucks and they are parked on private property. There are considerations that would have to be taken into account. Would food trucks be allowed to use generators for power, do we allow other food trucks without businesses in the City to come in and are they allowed to park in front of brick and mortar establishments already selling food. The City Attorney reviewed the possible regulations that could be considered or added. Discussion was held and the consensus was to have an ordinance drafted for food sales.

B. Approve Sustain Our Great Lakes Grant Application For The Spinnaker West

Stormwater Retention Basin- The City Engineer reported on the proposal from Stantec to assist the City with preparing a grant application for Spinnaker West stormwater pond construction under the "Sustain Our Great Lakes" (SOGL) program, administered by the National Fish and Wildlife Foundation. The grant we are seeking is for \$200,000 and would require that amount to be matched. We also would be seeking additional grant opportunities for this project such as the Fund for Lake Michigan. Time and materials for this proposal are not to exceed \$5,955. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. SIGWART TO APPROVE STANTEC FEE FOR THE SOGL GRANT APPLICATION NOT TO EXCEED \$5,955 FOR A \$200,000 GRANT WITH A 50% MATCH BY THE CITY OF \$200,000 AS PRESENTED. Motion carried unanimously.

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 –** Mayor

Becker read the closed session item. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. TEARNEY TO GO INTO CLOSED SESSION 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- Mayor Becker read the closed session

item. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. PLEITNER TO GO INTO CLOSED SESSION AT 9:13 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 10:25 p.m.

15. **POSSIBLE ACTION ON ANY MATTER(S) DISCUSSED IN CLOSED SESSION-** MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APPROVE THE EMPLOYEE AGREEMENT WITH JENNIFER CLARK AS PRESENTED. Motion carried unanimously.

16. **ADJOURNMENT-** MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. POSTL TO ADJOURN THE MEETING AT 10:26 P.M. Motion carried unanimously.