

**MINUTES  
CITY OF PORT WASHINGTON  
COMMON COUNCIL MEETING  
Tuesday, April 21, 2020, 7:30 P.M., City Hall**

**1. ROLL CALL-** Mayor Martin Becker convened the Common Council meeting into session at 7:30 p.m. 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 by phone, City Planner Bob Harris, City Attorney Eric Eberhardt and City Clerk Susan Westerbeke.

**2. PLEDGE ALLEGIANCE TO THE FLAG-** The Pledge of Allegiance was recited.

**3. OATH OF OFFICE FOR THE ALDERPERSONS OF THE 2<sup>ND</sup>, 4<sup>TH</sup>, 6<sup>TH</sup> ALDERMANIC DISTRICTS-** The City Clerk administered the Oath of Office to Ald. Paul Neumyer- District 2, Dan Benning- District 4 and Pat Tearney- District 6.

**4. CONSENT AGENDA**

**A. Approve Minutes Of Previous Meetings**

**B. Approve Original Operator License Application**

MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE THE MINUTES OF THE PREVIOUS MEETINGS AS PRESENTED AND OPERATOR LICENSES FOR SAMANTHA HUGHES, MORGAN CARDER AND THOMAS DIDIER AS PRESENTED. Motion carried unanimously.

**5. MAYOR'S BUSINESS**

**A. Approval Of 2020-2021 Appointments To City Boards, Committees And Commissions-** Mayor Becker reviewed the list of appointments. MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. PLEITNER TO APPROVE THE APPOINTMENTS OF ALL ALDERPERSONS TO THEIR PREVIOUSLY APPOINTED POSITIONS; CITIZEN APPOINTMENTS INCLUDE MIKE EHRlich TO PLAN COMMISSION; JEFF LAMONT AND AARON PAULIN TO PARK & RECREATION BOARD; JORDAN SCHWANZ, SUE KNAUER AND BILL DRISOLL TO HARBOR COMMISSION; PATRICK POOLE AND ANGELA WILLMS TO COMMISSION ON AGING; KEN JENSEN TO ETHICS BOARD; SCOTT NELSON TO BOARD OF REVIEW; MARY BECKER TO COMMUNITY DEVELOPMENT AUTHORITY; JEREMY HARTLINE, HANK MEHCIZ TO DESIGN REVIEW BOARD AND MARC EERNISSE AS NON-RESIDENT MEMBER TO DESIGN REVIEW BOARD; ROSS LEINWEBER, LAURA BURKE, BRE ANNA PORTH TO BUSINESS IMPROVEMENT DISTRICT AND JOE LAMB CHAMBER OF COMMERCE REPRESENTATIVE TO BUSINESS IMPROVEMENT DISTRICT AND JIM BIEVER TO POLICE AND FIRE COMMISSION AS PRESENTED. Motion carried unanimously.

**6. OFFICERS'/STAFF REPORT**

**A. Election Of Council President-** The City Attorney reviewed the procedures for the nomination process. Mayor Becker asked for nominations for Council President. Ald. Pleitner nominated Ald. Paul Neumyer as Council President. Ald. Sigwart nominated Ald. Dan Benning as Council President. There being no other nominations, Mayor Becker asked for a motion. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO CLOSE NOMINATION AND APPROVE ALD. PAUL NEUMYER AS COUNCIL PRESIDENT. Motion carried unanimously.

**B. Approve Official City Newspaper (Ozaukee Press)-** MOTION MADE BY ALD. POSTL, SECONDED BY ALD. GASPER TO APPROVE THE OZAUKEE PRESS AS THE CITY OFFICIAL NEWSPAPER. Motion carried unanimously.

**C. Designate Official City Depositories (Port Washington State Bank, BMO Harris Bank, Commerce State Bank, American Deposit Management, Local Government Investment Pool)-** MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APPROVE THE PORT WASHINGTON STATE BANK, BMO HARRIS BANK, COMMERCE STATE BANK, AMERICAN DEPOSIT MANAGEMENT AND LOCAL GOVERNMENT INVESTMENT POOL AS THE OFFICIAL CITY DEPOSITORIES AS PRESENTED. Motion carried unanimously.

## 7. 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.*- Dan Micha- Expressed concerns over the ambulance sirens late at night and charges for that. Also expressed concerns over emergency service calls that will be made to the Prairie's Edge subdivision care facility when built.

## 8. COMMITTEES

### A. PERSONNEL COMMITTEE

#### 1. Discussion And Possible Action On Employee Work Hours During Governor Stay At Home

**Executive Order-** Ald. Pleitner reported on the discussion held regarding employee work hours and safe distancing in the workplace. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO LEAVE STAFFING AND WORK HOURS TO DEPARTMENT HEADS DISCRESSION WHILE OBSERVING PROPER SOCIAL DISTANCING AND SANITIZING WORKSTATIONS. Motion carried unanimously.

## 9. BOARDS/COMMISSIONS

### A. PLAN COMMISSION

**1. Public Hearing** - Regarding Proposed Rezoning of a Portion of Land in Prairie's Edge Subdivision from RM-2 Multiple Family zoning to B-2 Local Service Center Business zoning (with OPD Planned Development overlay zoning) as the Site of, and regarding a Conditional Use Grant for, a Community-Based Residential Facility to provide assisted living and memory care. [Black Cap Halcyon Holdings, LLC, petitioner/applicant]- Mayor Becker opened the public hearing for comment. There being none a MOTION WAS MADE BY ALD. BENNING, SECONDED BY ALD. TEARNEY TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

**2. Ordinance 2020-2-** Review, discuss and possible action on ordinance Rezoning a Portion of Land in Prairie's Edge Subdivision from RM-2 Multiple Family zoning to B-2 Local Service Center Business zoning (with OPD Planned Development overlay zoning) as the Site for, and the Development and Use of, a Community-Based Residential Facility to provide assisted living and memory care - 2nd Reading. [Black Cap Halcyon Holdings, LLC, petitioner/applicant]- The City Planner reviewed the ordinance. The Plan Commission recommended approval at their March 19<sup>th</sup> meeting. This approval is subject to the building site plan and operation plan being provided. The City Attorney informed Council that the ordinance legal description has not been provided as part of the current draft. Further he advised Council not to approve the entire ordinance but could approve the portion that was provided by the developer. The Developer would then have to return with another request for the remainder of the property description to be approved. The Developer Tony Polston and his Attorney Lisa Wood were present to review the project development plan. They do not have a final property description at this time and would like a preliminary approval or approval of Rezoning 1 ½ acres at this point and a CSM for lot 6 and lot 7 or subject to a Certified Survey Map (CSM) being approved. They also requested that the ordinance be approved with modification allowing for the CSM to be submitted later. The City Attorney also advised the applicants that the City Zoning Code requires an approval of Rezoning must include a legal description. Discussion was held on the project plan and value of the property development. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. TEARNEY TO APPROVE ORDINANCE 2020-2 AS PRESENTED AND WITH AN OVERLAY. VOTE TAKEN; AYE: 6, NO: 1 (SIGWART) Motion carried.

**3. Conditional Use Grant & Land Covenant-** Review, discuss and possible action on request for Conditional Use Grant (CUG) for Development and Use of a 36-unit Community-Based Residential Facility to provide assisted living and memory care on a Portion of Land (i.e., the "North Phase") in Prairie's Edge Subdivision, including report of the Plan Commission and requirements and conditions of CUG and Land Covenant. [Black Cap Halcyon Holdings, LLC, petitioner/applicant]- The City Planner reviewed the CUG and Land Covenant. At its March 19<sup>th</sup> meeting the Plan Commission recommended to approve the Conditional Use request subject to the following: 1) Submittal and approval of a final Building, Site & Operations Plan. 2) Approval of a Preliminary Plat of the north parcel. 3) Rezoning from RM-2 / OPD to B-2 / OPD.

4) Submittal to and approval of civil plans, including storm water, by the City Engineer. The City Attorney reported that the length of the CUG is usually 12 months with a review, which is reasonable. The CUG draft is preliminary and for review and proposed conditions. Discussion was held. MOTION MADE BY ALD. SIGWART, SECONDED BY ALD. PLEITNER TO MOVE THIS ITEM TO THE MAY 5<sup>TH</sup> MEETING. Motion carried unanimously.

**10. UNFINISHED BUSINESS-** Ald. Postl requested the Council reconsider the previous motion and approval to employee work hours that was approved on 8. A. 1. Additional discussion was held on the memo City Administrator Grams had issued to the Council. MOTION MADE BY ALD. POSTL, SECONDED BY ADL. PLEITNER TO TABLE AGENDA ITEM 8. A. 1. UNTIL THE LABOR ATTORNEY CAN REVIEW THIS CONSIDERATION FURTHER. Motion carried unanimously.

**11. NEW BUSINESS**

**A. Approve Change Of Alcohol Agent For GPM Southeast, LLC d/b/a Rstore #4509 Gas Station At 1100 S. Spring Street And Rstore #4510 Gas Station At 1605 N. Wisconsin Street-**

Ald. Pleitner and the City Clerk reported on the request for Change of Agent to these two gas stations. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APPROVE THE CHANGE OF ALCOHOL AGENT TO JEAN CAROL TRAKEL FOR GPM SOUTHEAST, LLC D/B/A RSTORE #4509 AT 1100 S. SPRING STREET AND RSTORE #4510 AT 1605 N. WISCONSIN STREET AS PRESENTED. Motion carried unanimously.

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

**13. PUBLIC COMMENTS/APPEARANCES-** Dan Micha- Inquired whether Fish Day 2020 would be held. Concerns were expressed over the Beer Gardens being able to be held and organizations that count on those events for their funding throughout the year. Also, the local businesses and how the shut-down is affecting them.

**14. ADJOURNMENT-** MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO ADJOURN THE MEETING AT 9:14 P.M. Motion carried unanimously.

Respectfully submitted by:  
Susan L. Westerbeke, City Clerk