

**MINUTES
CITY OF PORT WASHINGTON
COMMON COUNCIL MEETING
Tuesday, May 5, 2020, 7:30 P.M., City Hall**

1. **ROLL CALL-** Mayor Martin Becker convened the Common Council meeting 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, City Administrator Anthony Brown, 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-** MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. PLEITNER TO APPROVE THE MINUTES OF THE PREVIOUS MEETING AS PRESENTED. Motion carried unanimously.
 - B. **Approve Original Operator License Application-** None.
4. **MAYOR'S BUSINESS**
 - A. **Welcome New City Administrator Anthony Brown-** Mayor Becker welcomed the new City Administrator Anthony Brown to the City. City Administrator Brown thanked the Mayor, Council and City Staff for welcoming him to the City.
 - B. **Approval Of 2020-2021 Appointments to City Boards, Committees and Commissions-** The Mayor requested appointment of two additional individuals. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPOINT ROGER STROHM TO ZONING BOARD OF APPEALS AND ED JOHNSON TO POLICE AND FIRE COMMISSION AS PRESENTED. Motion carried unanimously.
 - C. **Update on Safer At Home Order-** Mayor Becker reported about businesses that are expressing concern about closures due to the Safer At Home order. Discussion was held about encouraging continued social distancing in public areas. Ald. Benning reported there were discussions held during the Finance & License Committee meeting and the Committee recommended not holding public events in the month of July.
5. **OFFICERS'/STAFF REPORT**
 - A. **Report On 2020 Street Improvements-** The City Engineer reported that water main work is in progress on Jefferson and Webster Streets.
6. **PUBLIC COMMENTS/APPEARANCES**

Your comments are welcome. Please limit comments to 3 minutes. If you need more time, contact the City Administrator and ask that your topic be placed on a Common Council Agenda.-
None.
7. **COMMITTEES**
 - A. **FINANCE AND LICENSE COMMITTEE**
 1. **Approve Scope of Engagement with Quarles & Brady LLP For Issuance Of \$2,920,000 City of Port Washington General Obligation Promissory Notes-** Ald. Pleitner reported on the agreement with Quarles and Brady, which is for their services as bond council for the City. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO APPROVE THE SCOPE OF ENGAGEMENT WITH QUARLES & BRADY LLP FOR \$10,000 AS PRESENTED. Motion carried unanimously.

2. Resolution 2020-8 (Resolution Authorizing the Issuance and Sale Of \$2,920,000 General Obligation Promissory Notes for The City of Port Washington, Wisconsin)- City Financial Advisor Carol Wirth was present by telephone to reviewed the 2020 debt financing issuance to refinance two existing debt issuances from 2010 and issue new debt for 2020 capital projects. Bankers Bank from Madison came in with the lowest interest rate of 1.65510%. Due to a lower interest rate than was originally anticipated the amount has changed from \$2,920,000 to \$2,895,000. The City Moody's Rating is A1. June 8th will be the closing of the issue and money is transferred to the City. The funds received will be kept in an account until needed for projects. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO RECOMMEND APPROVAL OF RESOLUTION 2020-8 RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$2,895,000 GENERAL OBLIGATION PROMISSORY NOTES FOR THE CITY OF PORT WASHINGTON, WISCONSIN AS PRESENTED. Motion carried unanimously.

3. Discussion And Possible Action On FEMA Reimbursement- Ald. Pleitner reported the City received a check for \$61,000 for reimbursement for expenditures in 2018 for debris removal resulting from the August 28, 2018 storm event. The Finance & License Committee discussed the funds being used for storm mitigation projects and some sidewalk maintenance. The funds are currently being held in an account while reviewing the future project costs. Some sidewalk repairs can be completed by the Street Department employees so that cost is kept in house.

4. Review and Discussion on Food Truck Ordinance- The City Attorney reviewed the draft ordinance with the Council. Ald. Gasper reviewed his concerns with some of the restrictions, regulations, and enforcement of food trucks, if allowed in the City. Discussion was held on whether the City should allow temporary use of food trucks by existing businesses that own them and whether to proceed with drafting a citywide Food Truck Ordinance. The City Attorney was instructed to proceed with drafting an ordinance for consideration at a future meeting.

B. PERSONNEL COMMITTEE

1. Report on Employee Work Hours Policy During State Dept. of Health Services' "Safer At Home" Emergency Order(s)- Ald. Pleitner reported on the discussion held at the Personnel Committee with the City Administrator, City Labor Attorney and Department Heads. The Committee instructed the City Administrator to draft a work from home policy for employees, which will be reviewed at the next Personnel Committee and Common Council meeting.

8. BOARDS/COMMISSIONS

A. PLAN COMMISSION

1. Conditional Use Grant - Review, discuss and possible action on Conditional Use Grant for Development and Use of 36-unit Community-Based Residential Facility to provide assisted living and memory care on a Portion of Land (the "North Phase") in Prairie's Edge Subdivision. [Black Cap Halcyon Holdings, LLC, petitioner/applicant.]- The City Planner reviewed the discussion held at the April 21st meeting. The Conditional Use Grant (CUG) draft was agreed upon by the City Attorney and Developers Attorney. Additional acreage will have to be included in a future re-zoning and at that time this CUG will be amended to include the additional acreage. The City Attorney reviewed the CUG, informing Council that it runs with the property. There are 8 conditions listed and there will be a 12-month review of them. The Developer Tony Polston and his Attorney Lisa Wood were present to answer question. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. TEARNEY TO APPROVE THE CONDITIONAL USE GRANT FOR DEVELOPMENT AND USE OF A COMMUNITY-BASED RESIDENTIAL FACILITY FOR PRAIRIE'S EDGE SUBDIVISION, BLACK CAP HALCYON HOLDINGS, LLC AS PRESENTED. Motion carried unanimously.

2. Land Covenant - Review, discuss and possible action on Land Covenant incorporating Conditional Use Grant for Development and Use of 36-unit Community-Based Residential Facility to provide assisted living and memory care on a Portion of Land (the “North Phase”) in Prairie’s Edge Subdivision. [Black Cap Halcyon Holdings, LLC, petitioner/applicant.]- The City Attorney reviewed the Land Covenant, which goes with the Conditional Use Grant. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. TEARNEY TO APPROVE THE LAND COVENANT INCORPORATING THE CONDITIONAL USE GRANT FOR DEVELOPMENT OF A COMMUNITY-BASED RESIDENTIAL FACILITY FOR PRAIRIE’S EDGE SUBDIVISION, BLACK CAP HALCYON HOLDINGS, LLC AS PRESENTED. Motion carried unanimously.

9. UNFINISHED BUSINESS- None.

10. NEW BUSINESS

A. Resolution No.: 2020-9 - Review, discuss and possible action on Resolution Authorizing Tree/Shrub Removal and Replacement and Landscaping in Conservation Easement Area Adjacent to E. Jackson Street (Lanser Townhomes project). [Jackson East Development, LLC, developer.]- The City Attorney reviewed the current Conservation Easement, which protects the natural state of the land on property that is owned by Mike Schmit. Exceptions include damaged, diseased plantings can be removed and replaced with specific species. This area can also be landscaped by terracing to help prevent future erosion. This resolution contains language regarding removal and replacement along with an owner indemnification. Owner and Developer John Lanser was present to answer questions. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. GASPER TO APPROVE RESOLUTION 2020-9 AUTHORIZING TREE AND SHRUB REMOVAL AND REPLACEMENT AND LANDSCAPING IN CONSERVATION EASEMENT AREA ADJACENT TO E. JACKSON STREET AS PRESENTED. Motion carried unanimously.

11. FORTHCOMING EVENTS- Various events were mentioned

12. PUBLIC COMMENTS/APPEARANCES- The City Attorney spoke about former District 5 Alderman Kevin Rudser who passed away on March 21st at the age of 51. Ald. Rudser served as a dedicated Alderman on the Council and was active in many projects, including development of the beach safety program for the City. Condolences to his wife, daughter, and young son, Kevin will be very much missed by his community.

13. ADJOURNMENT- MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO ADJOURN THE MEETING AT 9:10 P.M. Motion carried unanimously.

Respectfully submitted by:
Susan L. Westerbeke, City Clerk