



CITY OF PORT WASHINGTON, OZAUKEE COUNTY, WI  
**COMMON COUNCIL MEETING**  
**TUESDAY, JULY 7, 2020 AT 7:30 P.M.**  
Port Washington City Hall, 100 W. Grand Avenue, Port Washington, WI 53074

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**MINUTES**

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, City Attorney Eric Eberhardt, City Administrator Anthony Brown and City Clerk Susan Westerbeke and Deputy City Clerk Kelsey Hughes.

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

3. **CONSENT AGENDA**

*All items listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed and considered at this point on the agenda.*

A. Approve Minutes of Previous Meetings- MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO APPROVE THE MINTUES OF THE PREVIOUS MEETING AS PRESENTED. Motion carried unanimously.

4. **MOTION TO CONVENE** in closed session per Wis. Stat. § 19.85(1)(b), for purposes of considering licensing of any person licensed by the Common Council, and the taking of formal action on such licensing matter, where the applicant has been notified of: (1) the right to appear at an evidentiary hearing which may be held prior to final action being taken; (2) the meeting at which final action may be taken; and (3) the right to demand that the evidentiary hearing or meeting be held in open session, as it relates to Jensen Elizabeth Hurley's application for renewal of her Operator's License to sell and/or serve alcohol beverages within the City, and the Police Chief's and/or License Committee's recommendation not to renew such license for said person for the license period from July 1, 2020 to June 30, 2021.

[NOTE: The hearing of this licensing matter will not be held in closed session if, prior to the convening of closed session, the applicant requests that this matter be heard in open session.] - Mayor Becker read the closed session item on the agenda. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO GO INTO CLOSED SESSION FOR THE REASONS STATED ON THE AGENDA. ROLL CALL VOTE TAKEN: AYE: ALDERPERSONS POSTL, NEUMYER, GASPER, BENNING, PLEITNER, TEARNEY AND SIGWART. Motion carried unanimously.

5. **RECONVENE INTO OPEN SESSION** to announce result of licensing action taken in closed session, if any, and to resume consideration and action on items listed on open session portion of agenda.- MOTION MADE BY ALD. GASPER, SECONDED BY ALD. POSTL TO RECONVENE INTO OPEN SESSION AT 7:59 P.M. Motion carried unanimously.

6. **MAYOR'S BUSINESS-** Mayor Becker commented about the events being held in the city, the extensive additional time being spent by the City Clerk and City Attorney on incomplete applications. Ald. Postl reported on the discussions held at the Finance and License Committee meeting. They will no longer approve any events that applications are not complete and submitted on time. Ald. Benning reported the new Event Manual and Event Permit Application was drafted and approved for use in January of this year. The Certificate of Liability language has not changed.

## 7. OFFICERS'/STAFF REPORT

- A. City Engineer's Report
  - 1. Report on 2020 Street Improvements- The City Engineer reviewed the progress of the street improvement projects. Concrete work will be completed in August, they are slightly behind due to weather.
- B. City Planner's Report- None
- C. City Clerk's Report
  - 1. Update on Absentee Voting and Election Changes Resulting from a Court Order- The City Clerk reviewed the by mail and in-person early absentee voting process available to registered residents. Further, there was a ruling by the 7<sup>th</sup> Court of Appeals that affects voter registration residency requirements reversing the current 10-day requirement to 28 days. There are also some minor modifications to college Photo Id.

## 8. PUBLIC COMMENTS/APPEARANCES

*Your comments are welcome. Please limit comments to three (3) minutes. If you need more time, contact the City Administrator and ask that your topic be placed on a Common Council Agenda.-*

\*Mike Meador- Inquired about the reason there was no 4<sup>th</sup> of July parade, but the City is allowing the protest march to occur.

## 9. FROM STANDING COUNCIL COMMITTEES

- A. PERSONNEL COMMITTEE
  - 1. Ordinance 2020-5 Amending the Municipal Code Relating to the Hiring, Suspension and Dismissal of City Employees-First Reading- The City Administrator reviewed the current municipal code and request for amendment. This Ordinance modification removes language requiring final approval of employee hiring, suspending, or dismissing by board, committee and common council. This will allow Department Heads and the City Administrator to manage hiring, suspending and dismissing employees. Department Heads would still have to go through council review and approval process or appointment and dismissal., but discipline would be handled by the City Administrator. Other municipalities administrators or managers have this authority and it allows for more flexibility in hiring when qualified individuals are available. There will be a second reading of this ordinance at the next meeting.
- B. FINANCE AND LICENSE COMMITTEE
  - 1. Consideration and Possible Action on Original Class B Alcohol License for Rascals Bar, LLC d/b/a Rascals Bar, Aaron Fleischman-Agent at 201 W. Grand Avenue - 2020 - 2021 License Year- Ald. Pleitner reported on the new license application. The application has been approved by the City Clerk and background check by the Police Chief. This license is recommended for approval by the Finance and License Committee. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APPROVE THE ORIGINAL CLASS B ALCOHOL LICENSE FOR RASCALS BAR, LLC D/B/A RASCALS BAR, AARON FLEISCHMAN-AGENT FOR THE JULY 1, 2020 – JUNE 30, 2021 LICENSE YEAR AS PRESENTED. Motion carried unanimously.
  - 2. Consideration and Possible Action on Event Permit Applications for August 2020- Ald. Pleitner reported on the events. Finance and License Committee recommends approval.
    - a. Stars & Stripes Legacy Club Beer Garden- 8/1
    - b. Port Washington Lions Club Beer Garden- 8/22-MOTION MADE BY ALD. POSTL, SECONDED BY ALD. BENNING TO APPROVE THE EVENT PERMIT APPLICATIONS FOR STARS AND STRIPES LEGACY BEER GARDEN ON AUGUST 1<sup>ST</sup> AND PORT WASHINGTON LIONS CLUB BEER GARDEN FOR AUGUST 22<sup>ND</sup> AS PRESENTED. Motion carried unanimously.

3. Consideration and Possible Action on Extension of Alcohol Premise for Newport Shores Inc. 407 E. Jackson Street to include abutting area of Kiwanis Pavilion- 7/17 and 7/18- Ald. Pleitner reported on the request for extension of an alcohol license premise for John Weinrich, agent for Newport Shores. This request is to extend his currently licensed premises on his southern lot line to the abutting Kiwanis Pavilion to sell and serve beer in cans during July 17<sup>th</sup> and 18<sup>th</sup> Fish Fry event run by the Port Washington Lions Club. The Finance and License Committee approved this application subject to the applicant submitting an updated Indemnification Agreement that contains both the July 17<sup>th</sup> and 18<sup>th</sup> dates. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APPROVE THE EXTENSION OF ALOCHOL PREMISES FOR NEWPORT SHORES, INC. AT 407 E. JACKSON STREET, JOHN WEINRICH-AGENT TO THE ABUTTING KIWANIS PAVILION ON JULY 17<sup>TH</sup> AND 18<sup>TH</sup> WITH ALL REQUIRMENTS AS PRESENTED AND SUBJECT TO SUBMITTAL OF UPDATED INDEMNIFICATION AGREEMENT INCLUDING THE JULY 17<sup>TH</sup> AND 18<sup>TH</sup> DATES BY WEDNESDAY, JULY 8<sup>TH</sup> AT 4:30 P.M. Motion carried unanimously.

3. Approve Resolution 2020-12 Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$3,815,000 Taxable General Obligation Refunding Bonds- The City Financial Advisor Carol Wirth was present to review the resolution and bonds. There are 7 outstanding trust fund loans for TID #2 refunding. The General Obligation Refunding Bonds are for CIP purposes and the current amount is now \$3,805,000 at 1.921%. There is a parameters resolution which allows flexibility to put out and accept bids by the City Administrator. This will allow him to hold sale and award bonds to obtain the best rate and flexible schedule but must be completed by August 28<sup>th</sup>. The resolution was approved by the Finance and License Committee as presented. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APPROVE RESOLUTION 2020-12 AUTHORIZING THE ISSUANCE AND ESTABLISHING PARAMETRS FOR THE SALE OF NOT TO EXCEED \$3,805,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS AS PRESENTED. Motion carried unanimously.

4. Approve Municipal Advisory Agreement with Wisconsin Public Finance Professionals, LLC for Issuance of \$3,805,000 Taxable General Obligation Refunding Bonds- Carol Wirth reviewed the advisory agreement. The Finance and License Committee recommends approval of this agreement. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. BENNING TO APPROVE THE MUNICIPAL ADVISORY AGREEMENT WITH WISCONSIN PUBLIC FINANCE PROFESSIONALS, LLC FOR \$22,700 AS PRESENTED. Motion carried unanimously.

5. Approve Scope of Engagement with Quarles & Brady LLP for Issuance of \$3,805,000 Taxable General Obligation Refunding Bonds- Carol Wirth reviewed the Scope of Engagement. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APRPROVE THE APPROVE THE SCOPE OF ENGAGEMENT WITH QUARLES & BRADY, LLP FOR THE BOND ISSUE FOR \$16,625 AS PRESENTED. Motion carried unanimously.

**10. FROM CITY BOARDS/COMMISSIONS-** None.

**11. UNFINISHED BUSINESS-** None.

**12. NEW BUSINESS-** None.

**13. FORTHCOMING EVENTS-** Various events mentioned.

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

**15. ADJOURNMENT-** MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO ADJOURN THE MEETING AT 8:45 P.M. Motion carried unanimously.