



CITY OF PORT WASHINGTON, OZAUKEE COUNTY, WI
COMMON COUNCIL MEETING
TUESDAY, AUGUST 4, 2020 AT 7:30 P.M.
Port Washington City Hall, 100 W. Grand Avenue, Port Washington, WI 53074

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 Planner Bob Harris, 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
- B. July 2020 Invoices

MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE THE MINUTES OF THE PREVIOUS MEETING AS PRESENTED AND THE JULY 2020 INVOICES AS PRESENTED. Motion carried unanimously.

4. **MAYOR'S BUSINESS**

- A. Proclamation and Lifesaver Commendation for Ben Kasdorf
- B. Proclamation and Lifesaver Commendation for Jude Brobst

Mayor Becker read the proclamations for both Ben Kasdorf and Jude Brobst for their heroic effort to save an individual from drowning in the water off Coal Dock Park. Mr. Kasdorf was present to receive his proclamation and commendation. Mr. Brobst will receive his when is his available.

C. Approval of Appointments To City Boards, Committees and Commissions- Mayor Becker requested an appointment be approved for the Library Board. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO APPOINT SHELLY KICHURA TO THE LIBRARY BOARD FOR A THREE-YEAR TERM TO END JULY 1, 2023. Motion carried unanimously.

D. Appointment of Election Inspectors for the 2020-2021 Term- The Mayor asked for appointments of Election Inspectors. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. NEUMEYER TO APPOINT JAY MCMAHON, TOM CARSON, SANDIE HEINECKE, EDWARD KELLEY, DEBORAH POSTL, DANIEL BENNING AND PATRICK TEARNEY AS ELECTION INSPECTORS FOR THE 2020-2021 TERM. Motion carried unanimously.

5. **OFFICERS'/STAFF REPORT**

- A. City Engineer's Report

- 1. Report on 2020 Street Improvements- The City Engineer was not present, no report given.

B. City Planner's Report

1. Status of Certified Survey Map – Prairie's Edge Development, Black Cap Halcyon Holdings, LLC, Applicant- The City Planner reported on the Plan Commission meeting and denial of this application.
2. Status of An Ordinance Rezoning Land in the Prairie's Edge Development from RS-5, Single Family Residential to B-2 Business with an OPD, Overlay Planned Development, Black Cap Halcyon Holdings, LLC, Applicant- See above.
3. Update on EDA Grant- The City Planner reported on the grant application that was filed for \$800,000 for two back-up generators for the WWTP and Water Filtration Plants. Due to COVID-19 the process was delayed and a new resolution authorizing the City has the matching funds available may be needed.
4. Update on Future Land Use Map- The City Planner gave an update, the drafting of documents is being completed at this time. Some updates and GIS work may need to be done by another company.

C. City Clerk's Report

1. August 11th Partisan Primary Polling Locations, In Person Early Voting and Voter Registration Requirements- The City Clerk reported on the upcoming election, early in person voting and registration opportunities and the effects of the 7th Court of Appeals ruling on current voter requirements.

6. 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.- None.

7. FROM STANDING COUNCIL COMMITTEES

A. FINANCE AND LICENSE COMMITTEE

1. Consideration and Possible Action on Authorization to Amend the Contract for Revaluation Assessment Services with Associated Appraisal Consultants, Inc.- Representative Dean Peters was present from Associated Appraisal Consultants to review the changes to the revaluation process due to COVID-19. The service contract signed in February was for a full revaluation, including interior and exterior property review. This is not possible with the current pandemic, being proposed is an amendment to the contract to have the revaluation conducted with exterior property reviews only and mailing property owner questionnaires to complete on the status of their property. The goal is to get to 100% valuation for all properties in the City. The original contract was for \$219,000, the reduction due to this change is \$36,000 and new cost is \$183,000 plus cost of postage for mailings. Addendum A., B. and C. have been reviewed and approved by the City Attorney. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE ADDENDUM A., B., AND C. AT A TOTAL COST OF \$183,000 PLUS COST OF POSTAGE FOR MAILINGS AS PRESENTED. Motion carried unanimously.
2. Consideration and Possible Action Authorizing to Award the North Breakwater Walkway Project to Michel Construction- Ald. Pleitner reviewed the low bid submitted by Michels Corporation. There was a typographical error discovered after bid opening that Michels has recognized and rectified. Legal signed affidavits by Michels Corporation were provided regarding this error and correction. They still remain the lowest bidder for this project. The City Attorney has reviewed and approves of this correction. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. TEARNEY TO APPROVE AWARDING THE NORTH BREAKWATER WALKWAY CONSTRUCTION BID TO MICHELS CORPORATION FOR \$1,458,586 AND ACCEPTANCE FO THE REQUEST FOR SUBSTITUTION TO BE APPLIED AS A CHANGE ORDER DEDUCTING \$260,000 FROM THE TOTAL BID PRICE AS PRESENTED. Motion carried unanimously.

3. Consideration and Possible Action on WEC CARES Subgrant Agreement for 2020 HAVA Coronavirus Aid, Relief and Economic Security- Ald. Pleitner and the City Clerk reported on the grant opportunity allowing the City to recover extra cost between January and November due to COVID-19. The subgrant agreement allows the City to participate in the grant process. The criteria include costs related to the substantial increase in absentee voting by mail, extra staffing needed, supplies/postage, and sanitary/safety equipment. The allocated funds available to the City is determined by the number of registered voters on June 1, 2020, which was 7,509, multiplied by \$1.10 for each at a total of \$8,200. There is also \$200 issued to each municipality that participates. Once the agreement is submitted the City the funds will be released at that time. The Clerk will submit the required expenditure reports by the deadlines set and the Wisconsin Election Commission will be responsible for submitting the final documentation covering the matching funds required for this grant. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO RECOMMEND APPROVAL OF THE WEC CARES SUBGRANT AGREEMENT FOR 2020 HAVA CORONOVIRUS AID, RELIEF AND ECONOMIC SECURITY AS PRESENTED. Motion carried unanimously.

4. Discuss Regarding Events in City Public Facilities- Ald. Benning reported on the previously approved procedures for safety and sanitation at events. The City Administrator reviewed expert reports on the status of the pandemic and how other municipalities are managing events. The County shows our area on all red/high alert at this time, which also indicated gatherings should only be at 25% capacity. Discussion was held on the current status of the pandemic in our area and how the various events are being conducted with regards to safety protocols and organizations using masks and gloves with their staff who is serving the public. Recreation Director Kiley Schulte and Port Washington Main Street Director Melissa Alexander were present to report on their events and public / private rentals being held in the parks. The Council expressed concern over holding events with the current status of the pandemic in Ozaukee County. The consensus of the Council was to continue to review event applications on a month by month bases and closely monitor the health and safety situation.

5. Consideration and Possible Action on Event Permit Applications

- a. Port Washington Main Street/Park & Recreation Dept.-
Food Truck Friday & Friday Night Flicks (8/14 & 8/28)
- b. Be3 Beer Garden (8/15)-

Ald. Pleitner reviewed the events listed. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO APPROVE THE PORT WASHINGTON MAIN STREET/PARK & RECREATION DEPARTMENT FOOD TRUCK FRIDAY/FRIDAY NIGHT FLICKS EVENT FOR AUGUST 14TH AND 28TH AND BE-3 BEER GARDEN ON AUGUST 15TH AS PRESENTED. Motion carried unanimously.

B. PERSONNEL COMMITTEE

1. Motion To Go Into Closed Session according to Wisconsin State Statute 19.85 (1)(f) to discuss financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations.-
Mayor Becker read the closed session language. MOTION MADE BY ALD.

NEUMYER, SECONDED BY ALD. TEARNEY 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.

2. Reconvene Into Open Session to take action relating to closed session discussions, if any- MOTION MADE BY ALD. GASPER, SECONDED BY ALD. POSTL TO RECONVENE INTO OPEN SESSION AT 10:19 P.M. Motion carried unanimously. No action taken.

3. Ordinance 2020-5 Amending the Municipal Code Relating to the Hiring, Suspension and Dismissal of City Employees-Second Reading- MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. GASPER TO APPROVE ORDINANCE 2020-5 AMENDING THE MUNICIPAL CODE RELATING TO HIRING, SUSPENSION AND DISMISSAL OF CITY EMPLOYEES AS PRESENTED. Motion carried unanimously.

C. TRAFFIC SAFETY COMMITTEE

1. Ordinance 2020-6 Repealing 2-Hour Parking Restrictions on Portions of W. Oakland Avenue; Repealing Yield Right-of-Way Intersection Designation for N. Benjamin St. at Intersection with W. Jefferson St.; Providing for Installation of Official Stop Sign on N. Benjamin St. at Intersection with W. Jefferson St.- First Reading- Ald. Neumyer reviewed the request for amendment of the ordinance requested by residents and the Traffic Safety Committee. This is the first reading and this item will appear on the next agenda for final consideration.

8. FROM CITY BOARDS/COMMISSIONS

A. PLAN COMMISSION

1. Public Hearing Alley Vacation and Discontinuance of a Portion of the East-West Alley Located in the 200 Block, Between N. Montgomery Street and N. Milwaukee Street- The City Planner reviewed the request for this alley vacation by James Bach, registered agent for the Sweet Cake Hill Apartments LLC, who is also the current owner of the property at 207 W. Washington Street. The City Plan Commission reviewed the issue and recommended the Council vacate that portion of the alley as proposed and as described in Resolution 2020-11. The City has previously determined that this portion of the alley is not needed for any public purpose. Mayor Becker opened the public hearing for comment, there was none. MOTION MADE BY ALD. GASPER, SECONDED BY ALD. NEUMYER TO CLOSE THE PUBLIC HEARING. Motion carried unanimously.

2. Resolution 2020-11 Vacation and Discontinuance of a Portion of the East-West Alley Located in the 200 Block, Between N. Montgomery Street and N. Milwaukee Street- The City Attorney reviewed the process for recording the alley vacation and discontinuance. MOTION MADE BY ALD. SIGWART, SECONDED BY ALD. GASPER TO APPROVE RESOLUTION 2020-11 VACATION AND DISCONTINUANCE OF A PORTION OF THE EAST-WEST ALLEY LOCATED IN THE 200 BLOCK, BETWEEN NORTH MONTGOMERY STREET AND NORTH MILWAUKEE STREET AS PRESENTED. Motion carried unanimously.

3. Motion To Go Into Close Session according to Wisconsin State Statute 19.85 (1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, to-wit: Prairie's Edge subdivision development matters- Mayor Becker read the closed session item on the agenda. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. PLEITNER TO GO INTO CLOSED SESSION FOR TH REASONS STATED ON THE AGENDA. ROLL CALL VOTE TAKEN: AYE; ALDERPERSONS POSTL, NEUMYER, GASPER, BENNING, PLEITNER, TEARNEY AND SIGWART. Motion carried unanimously.

4 Reconvene Into Open Session to take action relating to closed session discussions, if any- MOTION MADE BY ALD. GASPER, SECONDED BY ALD. POSTL RECONVENE INTO OPEN SESSION. Motion carried unanimously. No action taken.

9. UNFINISHED BUSINESS- None.

10. NEW BUSINESS

A. Review of Proposed Addendum to Master Development Agreement and Land Purchase Agreement for Prairie's Edge Development- The City Administrator informed the Council that he was contacted by the Developer and notified that they are withdrawing their request of this Addendum.

11. FORTHCOMING EVENTS- Various events were mentioned.

12. PUBLIC COMMENTS/APPEARANCES- None.

13. ADJOURNMENT- MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO ADJOURN THE MEETING AT 10:20 P.M. Motion carried unanimously.

Respectfully Submitted by
Susan L. Westerbeke, City Clerk
