

**MINUTES  
CITY OF PORT WASHINGTON  
CITY COUNCIL MEETING  
January 15, 2008**

A duly convened meeting of the Common Council was called to order at 7:30 p.m. by Mayor Scott Huebner in the Council Chambers. Council members present: Aldermen Al Haacke, Paul Neumyer, Jim Vollmar, Burt Babcock, Tom Hudson, Pete Jushka and Chris Ross. Also present: City Administrator Mark Grams, City Planner Randy Tetzlaff, City Attorney Eric Eberhardt and City Engineer Rob Vanden Noven. The Pledge of Allegiance to the flag was recited.

**CONSENT AGENDA**

- A. Approve Minutes of the Previous Meeting – January 2, 2008
- B. Approve Original Operator's License Applications – Stuart M. Johnson and Candece T. Koepke
- C. Approve Temporary Class "B" Fermented Malt Beverage License Application – Port Catholic Home and School/446 N. Johnson St./February 1, February 15, and February 29, 2008 (Fish Fries)

MOTION BY ALDERMAN HUDSON SECONDED BY ALDERMAN NEUMYER TO APPROVE THE CONSENT AGENDA. **Motion carried unanimously.**

**MAYOR'S BUSINESS**

- A. Proclamations Honoring Eagle Scouts – Eagle Scouts Ethan Deutsch, Adam Dean and Colin Zauner were present and the Mayor asked them to step forward and briefly explain what they did for their Eagle Scout project. Mayor Huebner then read the proclamations and presented each of them the framed proclamation.
- B. Mayor Huebner read a proclamation honoring Richard L. Antoine, former Port Washington resident, who is retiring from Procter and Gamble after 39 years of service.
- C. Mayor Huebner read a proclamation proclaiming January 27 to February 2, 2008 as "Catholic Schools Week".
- D. Update On Main Street Program – Mayor Huebner reported that we are going forward with submitting the application for the Main Street Program, which is due February 29<sup>th</sup>. He also said that even if we aren't selected for the program that we would still like to go along with the guidelines and structure of the Main Street Program to use it in the downtown area. He said we talked to the Main Street Committee and they would allow whomever we hire as director to attend their workshops and training clinics. We will bring this up at a future meeting.
- E. Update On Skating Rink – The Ice Skating Rink, located in Veterans Park, is set up and will be flooded when the cold weather arrives.

**OFFICERS'/STAFF REPORTS**

- A. Coastal Management Grant Applications – City Administrator Grams reported that he received an email from the Coastal Management Agency inviting all applicants to attend a meeting on Thursday, January 31<sup>st</sup> to give a five-minute presentation on the grant applications that they submitted. The City Administrator, City Planner, City Engineer and Mayor plan to attend this meeting. Also, they may let us know ahead of time if one of our two applications will get funded.

- B. City Winter Newsletter – City Administrator Grams reported that our City Winter Newsletter would be going out around the 1<sup>st</sup> of February. If any aldermen have an article that they would like to see in the newsletter, please let him know.
- C. The next Mid-Moraine Municipal Association Dinner Meeting will be held on Wednesday, January 23<sup>rd</sup>, hosted by the City of Cedarburg. Mr. Jack Norman from the Institute for Wisconsin's Future will be the guest speaker.

## **PUBLIC COMMENTS/APPEARANCES-None**

## **COMMITTEES**

### **A. Finance & License Committee**

- 1. Resolution 2008-3 (Carryover Of Funds-Park & Recreation and Senior Center) – MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN BABCOCK TO APPROVE RESOLUTION 2008-3. **Motion carried unanimously.**

## **BOARDS/COMMISSIONS**

### **A. Plan Commission**

- 1. Ordinance 2008-1 (Amending Building Setback Lines) **1<sup>st</sup> Reading** – City Planner Tetzlaff gave a brief overview of this ordinance.
- 2. Ordinance 2008-2 (Amending Regulations Of Signs In Industrial And Business Parks) **1<sup>st</sup> Reading** – City Planner Tetzlaff reviewed the ordinance amending sign regulations in industrial and business parks and the flexible criteria being proposed. This was a result of the Council requesting the Plan Commission to reconsider how the City can legally approve the business sign for Manitowoc Crane, a new industry that has moved to Port, to accommodate their requested signage. Alderman Vollmar said that the base criteria for signs in the industrial park are different than the criteria for signs in the downtown area. City Attorney Eberhardt asked if the City Planner and staff might want to take another look at the proposed ordinance. Alderman Hudson feels that the proposed ordinance gives our Plan Commission the latitude to look at the building itself, as well as the site. This gets the job done without having to re-hash verbiage for all building types.
- 3. Public Hearing For A Conditional Use Grant Permit To Allow Automotive Sales And An Auto Body Shop For Property Located At 927 S. Spring Street. City Planner Tetzlaff gave background information of the CUG for 927 S. Spring Street and possible violations of the grant. A professional site plan was submitted to the Plan Commission and after some discussion, they voted to approve a revised plan. With the submittal and approval of a revised parking and site plan, the existing conditional use grant must be amended. Mayor Huebner declared open the public hearing. Ray Flaherty, owner of the property at 927 S. Spring Street spoke to the Council and said he did not realize that having more than 10 cars on his lot violated his CUG and that enforcement was that important. He would like to be able to stay in business, but needs to expand. The Council reviewed the two concepts, Concept A and Concept B of his site plan. Mr. Flaherty said that if he were able to purchase the 10 feet of right-of-way, he would like to go with Concept B; otherwise he would do Concept A. Also, he is now requesting that an auto body repair be allowed on the premise in the building behind the used car sales office.

MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN VOLLMAR TO CLOSE THE PUBLIC HEARING. **Motion carried unanimously.**

City Attorney Eberhardt asked several questions – Is it 17 vehicles that would be allowed or 34? City Planner Tetzlaff said that only 17 vehicles would be allowed on the premise until a revised parking and landscaping plan is completed and then a maximum of 34 cars would be allowed. In referring the CUG, Attorney Eberhardt asked about 6. a. – Is it automotive repair or auto body shop? Mr. Flaherty said it was auto body shop. They would only service cars on the premise, not outside repairs. Attorney Eberhardt checked with the County and their address for this property is 925 S. Spring Street. The Conditional Use Grant shows 927 S. Spring Street. Mr. Flaherty said that the Post Office issued a new number and 927 is correct. On the CUG, under 6.c, recommend removing “during the first year” and under 6.d., remove (4). Alderman Ross would like to make 6.c. a period of 24 months instead of 12 months. City Attorney Eberhardt explained that anytime there is a complaint, the applicant has to appear before the Plan Commission for review and 12 months is what is typically used for Conditional Use Grants. Alderman Haacke made a comment to Mr. Flaherty that he has to adhere to the conditions of his CUG. He said it is an excellent plan and will improve the area and wished him luck. Attorney Eberhardt said that he and the City Planner would fine-tune the CUG addressing the comments of the Council.

4. Approve Conditional Use Grant To Permit Automotive Sales And An Auto Body Shop At 927 S. Spring Street – MOTION BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN HAACKE TO APPROVE THE CONDITIONAL USE GRANT FOR 927 S. SPRING STREET BASED ON CONCEPT A OR B DEPENDENT UPON WHEN THE APPLICANT IS ABLE TO ACQUIRE 10 FEET OF THE RIGHT-OF-WAY AND STRIKING “DURING THE FIRST YEAR” IN #C AND #D (4) AND CONTINGENT UPON FINAL REVIEW BY THE CITY ATTORNEY. **Motion carried unanimously.**

## **B. Board of Public Works**

1. Review 2007 Pavement Ratings – City Engineer Rob Vanden Noven reviewed the list of road ratings for the City, along with an estimate of costs for repair. Mayor Huebner said it is a good thing to see this on an annual basis.
2. Approve Pre-Design Study For Remote Septage Receiving Station On Mineral Springs Drive – MOTION BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN HAACKE TO ACCEPT THE BID FROM RUEKERT AND MIELKE FOR A PRE-DESIGN STUDY TO EXAMINE THE DIFFERENT OPTIONS THE CITY CAN IMPLEMENT TO ADDRESS DEFICIENCIES THAT EXIST WITHIN THE MINERAL SPRINGS REMOTE SITE AT A COST NOT TO EXCEED \$3,500.00. **Motion carried unanimously.**

3. Approve Engineering Services For Water Main Relay Project On Beutel Road – MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN JUSHKA TO APPROVE THE PROPOSAL FROM BONESTROO FOR PROFESSIONAL SERVICES FOR THE WATER MAIN RELAY ON EAST BEUTEL, NORTH LAKEVIEW, AND WILSON AND MEADOW COURT FOR \$26,400. **Motion carried unanimously.**
4. Approve Access Agreement For City Parking Lot – City Engineer Rob Vanden Noven reviewed the proposed access agreement with Mr. Dennis Riley and his investors for soil borings. Alderman Haacke said that if we approve this, they should know that at this time we do not approve their concept plan. City Engineer Vanden Noven said they are aware of that, but before proceeding with their concept plan, they wish to determine the condition of the soils. This is the first step. In the proposed agreement under 4. Term, it should read until March 17<sup>th</sup>. Alderman Vollmar said that in the agreement under #10. Communication, if we grant access, we should be given the results of the test. MOTION BY ALDERMAN ROSS, SECONDED BY ALDERMAN HAACKE TO APPROVE THE ACCESS AGREEMENT WITH MR. DENNIS RILEY AND HIS INVESTORS FOR SOIL BORINGS FOR THE CITY PARKING LOT BEHIND SMITH BROS. SUBJECT TO FINAL REVIEW OF THE CITY ATTORNEY. **Motion carried unanimously.**

#### **UNFINISHED BUSINESS**

- A. Planning For Handicapped Accessible Restrooms In Upper Lake Park And Veterans Memorial Park – City Administrator Grams said he would be talking to the Park and Recreation Board about the restrooms in Veterans Park and Upper Lake Park and the City Engineer would look at locations for restrooms in Veterans Park. Rob will be looking at the cost of running sewer lines to this location. MOTION BY ALDERMAN HAACKE, SECONDED BY ALDERMAN HUDSON TO INSTRUCT CITY OFFICIALS TO WORK WITH THE PARK & RECREATION BOARD ON PLANNING FOR HANDICAPPED ACCESSIBLE RESTROOMS IN UPPER LAKE PARK AND VETERANS PARK AND COME BACK WITH RECOMMENDATIONS OF A PLAN BY THE SECOND MEETING IN MARCH. **Motion carried unanimously.**

#### **NEW BUSINESS**

#### **FORTHCOMING EVENTS**

**PUBLIC COMMENTS/APPEARANCES**-Tom Wellnitz, former resident and Alderman of Port Washington. Mr. Wellnitz said he was here for the Eagle Scout Proclamations, but after watching and witnessing the discussion that was done with the Flaherty's, he would like to make some comments. He said his first impression was an awful lot of drilling, chastising and finger pointing. He said he knows a little about small businesses, because he was a small business owner and knows how difficult it is to make money. He said it appeared as if you were trying to push them away. He said you are requiring so many restrictions on businesses that Port Washington is not considered a business-friendly town. City Administrator Grams said that 99% of the time we are very cooperative, but sometimes when there have been permit violations, you have to be emphatic so the applicant fully understands exactly what they are to do.

**MOTION BY ALDERMAN HUDSON, SECONDED BY ALDERMAN JUSHKA TO GO INTO CLOSED SESSION** According To Wisconsin State Statute 19.85 (1) (c) to review Employee Performance Evaluations and discuss employee compensation. ROLL CALL: Haacke-aye; Neumyer-aye; Vollmar-aye; Babcock-aye; Hudson-aye; Jushka-aye; and Ross-aye. **Motion carried unanimously.**

**Reconvene Into Open Session** – The Council reconvened into Open Session at 10:00 p.m.

**Resolution 2008-4 (2008 Salary Resolution)** – MOTION BY ALDERMAN BABCOCK, SECONDED BY ALDERMAN VOLLMAR TO APPROVE RESOLUTION 2008-4. **Motion carried unanimously.**

MOTION BY ALDERMAN ROSS, SECONDED BY ALDERMAN NEUMYER TO ADJOURN THE MEETING OF THE CITY COUNCIL AT 10:01 P.M. **Motion carried unanimously.**