



CITY OF PORT WASHINGTON, OZAUKEE COUNTY, WI  
**COMMON COUNCIL MEETING**  
**WEDNESDAY, APRIL 3, 2024 AT 6:30 P.M.**  
Port Washington City Hall, 100 W. Grand Avenue, Port Washington, WI 53074

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**MINUTES**

1. **ROLL CALL-** Mayor Ted Neitzke IV convened the meeting of the Common Council at 6:30 p.m. Members present were Alderpersons Deborah Postl, Paul Neumyer, Mike Gasper, Dan Benning, Jonathan Pleitner, Patrick Tearney, and John Sigwart. Also present was City Administrator Melissa Pingel, City Clerk Susan Westerbeke, City Attorney Eric Eberhardt, ADA/HR Director Emily Blakeslee, Public Works Director Rob Vanden Noven, Director of Planning and Development Bob Harris.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG-** The Pledge of Allegiance was recited.
3. **CONSENT AGENDA**
  - A. **Approve Minutes of Previous Meeting-** MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. POSTL TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion carried unanimously.
4. **MAYOR'S BUSINESS**
  - A. **Mayor's Updates-** The Mayor reminded community members to contact him if they are interested in sitting on one of the city's boards, committees, or commissions. He thanked the community for their support of the Fire/EMS Referendum. Mercantile Plaza hosted the State of Wisconsin SCORE Chapter award celebration for the small business mentorship program.
5. **OFFICERS/STAFF REPORT-** None.
6. **PUBLIC COMMENTS/APPEARANCES-** None.
7. **FROM STANDING COUNCIL COMMITTEES**
  - A. **GENERAL GOVERNMENT AND FINANCE COMMITTEE**
    1. **Resolution 2024-2: Resolution Authorizing the Issuance and Sale of up to \$21,505,374 Taxable Water System Revenue Bonds, Series 2024, and Providing for Other Details and Covenants with Respect Thereto-** Finance Director-Treasurer Mark Emanuelson and Wisconsin Public Finance Professionals, LLC Municipal Advisor Carol Wirth were present to discuss Resolution 2024-2. As an outcome of its 2018 sanitary survey, the WDNR required the city to raise the floor of the clear well tanks above groundwater level and to provide emergency backup power. The city subsequently evaluated the plant for additional needs. As a result of the WDNR's requirements and the study on the plant needs, the city prepared plans for improvements, conducted a rate study, obtained construction authorization from the PSC, obtained plan approval from the WDNR and solicited bids for the project. To pay for the plant design and construction, the city has opted to obtain a loan from the WDNR through its Safe Drinking Water Loan Fund. The Safe Drinking Water Loan Fund provides a long-term loan (20 years) at a reduced interest rate (55 percent of market rate) to finance drinking water projects. The current advertised rate is 2.145 percent for our loan. The loan amount is \$21,505,374. This amount includes design costs \$960,000, construction administration \$1,200,000, construction costs \$18,200,000, contingency \$910,000, and \$220,000 of miscellaneous and closing costs. The General Government and Finance Committee reviewed Resolution 2024-2 and recommends approval. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE RESOLUTION 2024-2: RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$21,505,374 TAXABLE WATER SYSTEM REVENUE BONDS, SERIES 2024, AND PROVIDING FOR OTHER DETAILS AND COVENANTS WITH THERETO AS PRESENTED. Motion carried unanimously.

**2. Consideration and Possible Action on Scope of Engagement with Quarles and Brady LLP for the \$12,800,000 Clean Water Loan Fund for the City of Port Washington, WI-** The Finance Director-Treasurer reviewed the Scope of Engagement with Quarles and Brady LLP. The attached engagement letter allows Quarles and Brady to serve as the City's bond counsel for the \$12,800,000 Clean Water Fund Loan for the City of Port Washington, Wisconsin Wastewater treatment plant project. The letter identifies what the role of bond counsel is in this transaction. The estimated fee to complete these services is \$26,000. The General Government and Finance Committee reviewed this agreement and recommends approval. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE THE SCOPE OF ENGAGEMENT WITH QUARLES AND BRADY LLP FOR THE \$12,800,000 CLEAN WATER LOAN FUND FOR THE CITY OF PORT WASHINGTON, WI AS PRESENTED. Motion carried unanimously.

**3. Consideration and Possible Action on a Municipal Advisory Agreement with Wisconsin Public Finance Professionals, LLC for the \$12,800,000 Clean Water Fund Loan-** The Finance Director-Treasurer reviewed the Municipal Advisory Agreement. The attached Municipal Advisory Agreement from Ms. Wirth of Wisconsin Public Finance Professionals, LLC is an engagement letter to serve as the City's municipal advisor for the \$12,800,000 Clean Water Fund Loan for the Wastewater treatment plant project. The letter identifies what the role of municipal advisor will be for this transaction. The Municipal Advisor fees for these services are \$7,500. The General Government and Finance Committee reviewed this agreement and recommends approval. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE THE MUNICIPAL ADVISORY AGREEMENT WITH WISCONSIN PUBLIC FINANCE PROFESSIONALS, LLC FOR THE \$12,800,000 CLEAN WATER FUND LOAN AS PRESENTED. Motion carried unanimously.

**4. Consideration and Possible Action for a One-Day Alcohol Premise Extension for Sir James Pub, 316 N. Franklin Street for May 26, 2024-** The City Clerk reviewed this one-day extension of alcohol license request, which has been requested in prior years. The designated alcohol extension area directly abuts their property to the east and is owned by Port Washington State Bank, who have submitted a letter of approval for its use. Sir James Pub has also provided a copy of their business certificate of liability insurance. There have been no issues with any of their previously held annual events, therefore there are no immediate concerns about their proposed event for this year. The General Government and Finance Committee reviewed this One-Day Alcohol Premise Extension and recommends approval. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE A ONE-DAY ALCOHOL PREMISE EXTENSION FOR SIR JAMES PUB, 316 N. FRANKLIN STREET FOR MAY 26, 2024. Motion carried unanimously.

**5. Consideration and Possible Action on a Revised Developer's Agreement for Hidden Hills North Subdivision (Bielinski Homes, Inc)-** The Public Works Director discussed the revised developer's agreement. On June 21, 2022, the Common Council approved a Developer's Agreement with Bielinski homes for the development of the Hidden Hills North subdivision. The approved developer's agreement was never executed by the City because the developer did not provide all the required attachments and decided to delay construction until 2024. In the past two years, recodification has changed the code references in the agreement so those have been updated, and the language regarding impact fees for park development has replaced the previous language which required the developer to pay those fees upfront. Bielinski Homes, Inc. Representative John Donovan was present to answer questions confirming the development would be ready for home construction in early 2025. Ald. Pleitner requested a list of three major contractors. The General Government and Finance Committee reviewed the revisions to page 4, section 1.g. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. NEUMYER TO APPROVE THE REVISED DEVELOPER'S AGREEMENT FOR HIDDEN HILLS NORTH SUBDIVISION WITH THE RECOMMENDED REVISIONS AS SPECIFIED IN DISCUSSIONS. Motion carried unanimously.

**8. FROM CITY BOARDS/COMMISSIONS**

**A. PLAN COMMISSION**

**1. Ordinance 2024-3: Amending and/or Creating Zoning Ordinances to Allow and Regulate Accessory Dwelling Units in Certain Residential Zoning Districts and in the CCM Multiple Family (Central City Mixed) Zoning District- 1<sup>st</sup> Reading-** The Director of Planning and Development discussed Ordinance 2024-3. In 2022 the City of Port Washington approved a zoning text change to allow for home office and recreational room spaces in the upper/attic portion of residential detached garages – but the use of bathrooms or living quarters were specifically prohibited. During that discussion related issues arose which staff, the Plan Commission, and Common Council determined should be re-visited at a future date. Specifically, those related issues were consideration of allowing accessory dwelling units in certain residential areas and the question of acceptable garage size and heights for accessory garages given the special exception process. The Plan Commission discussed this matter during multiple meetings in 2023 and identified issues and standards for consideration which staff presented to the Plan Commission and at its December 2023 meeting. At its February 6, 2024 meeting, staff reviewed this matter with the Common Council to seek further direction prior to drafting of an ordinance for final consideration. Discussion was held and Council recommendation was to review this ordinance at a future meeting when it is accompanied by a citywide short-term rental ordinance. The Director of Planning was also asked to cancel the public hearing which was scheduled for April 16<sup>th</sup>.

**2. Ordinance 2024-4: Amending and/or Creating Zoning Ordinances to Allow and Regulate Private Ambulance Services as a Conditional Use in the R-1 Single Family Detached Residence District - 1<sup>st</sup> Reading-** The Director of Planning and Development discussed Ordinance 2024-4. Capri Harbor Campus is proposing to use an existing ambulance bay at its campus to house a private ambulance service. To do so will require amending the City's zoning code to add Private Ambulance Services (including crew quarters space) as a conditional use in the residential districts. The use is not intended as standalone use but only when operating within a senior care or senior residence facility to limit such uses within residential neighborhoods. There are no objections from the Port Washington Fire Dept. Discussion was held. This is the first reading of Ordinance 2024-4. A Public Hearing and second reading of the ordinance will be held on April 16.

**9. UNFINISHED BUSINESS-** None.

**10. NEW BUSINESS-** None.

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

**12. ADJOURNMENT-** MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO ADJOURN THE MEETING AT 7:25 P.M. Motion carried unanimously.

Respectfully submitted,  
Susan L. Westerbeke, City Clerk