



CITY OF PORT WASHINGTON, OZAUKEE COUNTY, WI
COMMON COUNCIL MEETING
WEDNESDAY, APRIL 7, 2021 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 Engineer Rob Vanden Noven, City Planner Bob Harris, City Attorney Eric Eberhardt, City Administrator Anthony Brown, and City Clerk Susan Westerbeke.
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 Meeting- **MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO APPROVE THE MINUTES OF THE PREVIOUS MEETINGS WITH CORRECTIONS REQUESTED. Motion carried unanimously.**
4. **MAYOR'S BUSINESS**
 - A. Mayor's Updates- Mayor Becker extended his sympathy to the family of Frank Metz, his support of the marina project many years ago was appreciated. The Mayor also thanked Ron Schowalter and the family at the Port Washington State Bank for their support of the community over the years including the marina.
5. **OFFICERS'/STAFF REPORT**
 - A. City Engineer's Report from Rob Vanden Noven- The Hales Trail sidewalk project starting date is not set but should commence by the end of April. The 2021 Street Projects will begin by the end of May. The Breakwater is now open, and railing is fixed.
 - B. City Planner's Report by Bob Harris- The next Plan Commission meeting will be held on Thursday this week and includes two conceptual subdivision.
 - C. City Clerk's Report from Susan Westerbeke- The April 6th Spring Election was well attended with a city-wide turnout of 33.58%, 2,861 votes cast, and 1,029 absentee ballots issued. The swearing in of the new Mayor and Alderpersons will be conducted at the next meeting on April 20th. Thank you to all the Chief Election Inspectors and Poll Workers for their dedicated service during this election cycle 2020-2021.
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.

Joe Burke- Thanked Mayor Becker for his service. Spoke about numerous items including bluff stabilization, after hours young people in Upper Lake Park and sidewalks on Hales Trail.
7. **FROM STANDING COUNCIL COMMITTEES**
 - A. **FINANCE AND LICENCE COMMITTEE**
 1. Consideration and Possible Action on Replacement of Skateboard Equipment at the Skatepark- Ald. Pleitner reviewed the reported on the need for repair of equipment. Park Superintendent Jon Crain was present and reviewed the proposal for repair and replacement of the equipment at the park. Because it came in under budget the remaining funds would pay for the addition of a drinking fountain, benches and shade trees. **MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO APPROVE THE PROPOSAL FROM AMERICAN RAMP COMPANY FOR A TOTAL OF \$56,804.01 AND ADDITION OF AMENTITIES AS PRESENTED. Motion carried unanimously.**

8. FROM CITY BOARDS/COMMISSIONS

A. PLAN COMMISSION

1. Review and Possible Action on Resolution 2021-3 Amendments to Tax Incremental District

#3- The City Planner reported on the resolution. The City Administrator requested Council table this item to allow staff time make updates. The City TIF Consultant Christy DeMaster is providing advice and guidance on changes to reflect values and will be present at the April 20th meeting to report. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO POSTPONE THIS CONSIDERATION UNTIL THE APRIL 20TH COUNCIL MEETING. Motion carried unanimously.

B. PARK AND RECREATION BOARD

1. Consideration and Possible Action on the 2021-2025 Comprehensive Outdoor Recreation Plan (CORP) Prepared by Rettler Corporation- Recreation Director Kiley Schulte and

representative from Rettler Corporation were present to give a presentation and report. This plan provides the City with an inventory of existing park and recreational facilities, list of City goals and objectives and past accomplishments, review of physical and environmental resources and constraints in planning and demographic trends, analysis of parkland and recreational needs, system wide recommendations, implementation strategies and funding programs. The amount of project cost is \$15,000. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO APPROVE AND ADOPT THE 2021-2025 COMPREHENSIVE OUTDOOR RECREATION PLAN AS PRESENTED. Motion carried unanimously.

2. Ordinance 2021-1 Amending the Municipal Code for Event Permits Relating to Beer Garden Event Series- 1st Reading- City Attorney Eberhardt reviewed the ordinance with Council.

Section 1. of this ordinance section 9.13.000 II.F. of the municipal code relating to definitions of events regulated by Statute 9.13.000. This creates F. "Beer Garden Series Event" held in Upper Lake Picnic Area 6 facilities from 11:00 a.m. until 8:00 p.m. on consecutive Saturdays starting with the first Saturday in July and continuing until mid-October. Beer Garden Series Events are specifically regulated pursuant to Section 9.13.010, Municipal Code. Section 2. of this ordinance 9.13.010, Municipal Code entitled "Beer Garden Series Events" is created and which includes Definitions, Rules and Regulations, Procedures and Applicability of Other City Ordinances. This Ordinance also requires the Friends of Park and Recreation organization to treat all persons and groups uniformly, and not to discriminate, in providing access to and use of City facilities, to obtain and provide proof of adequate liability insurance naming the City as additional insured and to pay for any Extraordinary Services provide by the City for an Event. Any other group wishing to operate its own beer garden, without going through the Friends organization, may do so pursuant to the City's existing Event Ordinance. Discussion was held and questions were answered. There were suggested items to review further and address before the next reading on April 20th.

9. UNFINISHED BUSINESS- None.

10. NEW BUSINESS

A. Review of 2020 MS4 Annual Report to Wisconsin DNR Regarding Stormwater Permit

Compliance- The City Engineer reported each municipality in the State of Wisconsin which is permitted under the Municipal Separated Storm Sewer (MS4) Permit is required to submit an annual report on its activities with the governing body. This report first goes to the Board of Public Works, but because of the timing of the Non-point source grant application, which is due on April 15th, and relevancy of this report it is coming first to the Common Council. The report has already been submitted to the DNR.

B. Review and Approval of Resolution 2021-2 Governmental Responsibility Resolution for Urban Nonpoint Source and Stormwater Grants-The City Engineer reported on the Government Responsibility Resolution for Urban nonpoint Source and Stormwater Grants to be approved, which will also authorize the City Engineer to perform the duties listed in the resolution. The City's original Stormwater Management Plan was finished in 2008 and 50% funded by a WDNR NPS grant. The plan is now 13 years old and much of the plan is no longer in compliance with current regulations. The cost for the grant is \$4,800, \$10,000 was budgeted. The cost to complete the work in 2022 is estimated at \$30,000. If the grant is awarded the local share is 50%, approximately \$65,000 and will need to be budgeted as a capital expense in 2022. The Board of Public Works recommends approval. MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. GASPER TO APPROVE RESOLUTION 2021-2 GOVERNMENTAL RESPONSIBILITY RESOLUTION FOR URBAN NONPOINT SOURCE AND STORMWATER GRANTS AS PRESENTED. Motion carried unanimously.

C. Review and Possible Action on Memorandum of Agreement (MOA) between the US Army Corps of Engineers (USACE) and the City of Port Washington to Accept Contributed Services for Certain Activities at the Port Washington Breakwater- The City Engineer reported on the Memorandum of Agreement (MOA) between the US Army Corps of Engineers (USACE) and the City to Accept Contributed Services for Certain Activities at the Port Washington Breakwater. This MOA which was created by the USACE is required in order to continue with breakwater improvements already underway. This MOA has been approved by the City Attorney with the addition of a signature line for the City Clerk. The City has already met the terms of the MOA with the exception of the \$1,300 payment which we will provide with the executed agreement. There has been a jurisdictional change and the City has been transferred from the Detroit region to the Chicago region. This will be the MOA with the Chicago office. Discussion was held on the fee and whether that had already been paid previously. This MOA requires a payment be included when submitted. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. NEUMYER TO APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF PORT WASHINGTON AND THE US ARMY CORPS OF ENGINEERS WITH THE SIGNATURE LINE FOR THE CITY CLERK ADDED. Motion carried unanimously.

D. Review and Possible Action on Resolution 2021-4 Relating to COVID-19 Prevention and Control in City of Port Washington- The City Administrator reviewed the Governors emergency order that was overturned by the Supreme Court. This Resolution is being proposed to keep City employees and public safe by requiring masks while in City buildings. Local businesses are also encouraged to continue providing safe environments for their patrons with safety guidelines, social distancing and requesting masks be worn when appropriate. Discussion was held on the length of time the resolution would be in effect, the suggestion is until herd immunity has been reached, which would be between 70% and 90%. Mayor Becker informed Council that he would not sign a resolution that was over 70% herd immunity stating that higher rates will never be achieved because of the percentage of the population that will refuse to be vaccinated. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. TEARNEY TO APPROVE RESOLUTION 2021-4 RELATING TO COVID-19 PREVENTION AND CONTROL IN CITY OF PORT WASHINGTON WITH AMENDMENTS BY THE CITY ADMINISTRATOR AND CITY ATTORNEY INCLUDING 70% HERD IMMUNITY. Motion carried unanimously.

11. FORTHCOMING EVENTS- Various events were mentioned.

12. PUBLIC COMMENTS/APPEARANCES- Joe Burke- Commented he would like to see the city be more environmentally friendly.

13. ADJOURNMENT- MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO ADJOURN THE MEETING AT 10:27 P.M. Motion carried unanimously.

Respectfully submitted,
Susan L. Westerbeke, City Clerk
