



CITY OF PORT WASHINGTON, OZAUKEE COUNTY, WI
COMMON COUNCIL MEETING

TUESDAY, AUGUST 3, 2021 AT 7:30 P.M.

Port Washington City Hall, 100 W. Grand Avenue, Port Washington, WI 53074

MINUTES

1. ROLL CALL – Alderman Paul Neumyer convened the Common Council meeting at 7:30 p.m. stating Mayor Ted Neitzke IV and Aldermen & Council President Dan Benning are absent and excused. Ald. Neumyer requested a motion to appoint a chairman to run the meeting. **MOTION MADE BY ALD. TEARNEY, SECONDED BY ALD. POSTL TO APPOINT ALDERMEN JONATHAN PLEITNER CHAIR OF THE COMMON COUNCIL MEETING. Motion carried unanimously.** Alderman Jonathan Pleitner took roll call. Members present were Alderpersons Deborah Postl, Paul Neumyer, Michael Gasper (via telephone), Jonathan Pleitner, Pat Tearney, and John Sigwart. Absent and excused were Mayor Ted Neitzke IV, Alderman Dan Benning, City Attorney Eric Eberhardt, and City Clerk Susan Westerbeke. Also present were City Administrator Anthony Brown, City Engineer Rob Vanden Noven, City Planner Bob Harris, 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. Postl, seconded by Ald. Neumyer to approve the minutes of the previous meeting as presented. **Motion carried unanimously.**

4. MAYOR'S BUSINESS

A. Mayor's Updates - None

5. OFFICERS'/STAFF REPORT

A. City Engineer's Reported by Rob Vanden Noven. The Hales Trails/Crestview sidewalk project started a few weeks ago; Crestview will be completed this week and then they will begin landscape restoration. The Street Improvement project is two thirds complete with paving and landscape restoration by the end of the month. The vegetation has been removed at the Spinnaker West Pond and the grading is nearing completion. Then they will begin on utility relocation. The City is still waiting on contractor to begin on the larger sidewalk installation project; hoping it will start later this month. Ald. Pleitner inquired when the retention pond at Spinnaker West will be completed. City Engineer states by mid-September. Ald. Neumyer would like a status update on the Breakwater project. City Engineer states it is 80% complete on the base core patching, the installation of anchor rods is 10-15% complete. Once both of these items are complete, then they will pave the new walkway. Anticipated date is sometime in September. Ald. Neumyer inquired on reactivating the wave detection at North Beach. Dan Buehler stated they have work to do on reconnected the disconnected wires.

B. City Planner's Report – The future land use plan will be at the September 16th Plan Commission meeting and September 21st for Common Council Public Hearing and final approval. The downtown plan is getting started this month, kickoff will be later this fall. The housing analysis study is on track to be completed by the fall.

C. City Clerk's Report – None

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.

Karen Menne-Jacobsen – nonresident – Ayres Associates representative wanted to introduce herself. They assist with engineering, architecture, and surveying.

7. FROM STANDING COUNCIL COMMITTEES

A. FINANCE AND LICENSE COMMITTEE

1. Report on Financing 2021 Sewer Utility Projects –Carol Wirth from Wisconsin Public Finance Professionals, LLC presented on financing for the 2021 Sewer Utility capital improvement projects. The City finances sewer utility capital projects with revenue bonds; provisions under Chapter 66 of the Wisconsin Statutes. The 2021 Sewer System Revenue Bonds will provide funds for the capital projects, expenses of issuance, and to fully fund the reserve requirement. The estimated issue size is \$1,735,000. The City currently has \$575,000 of 2012 revenue bonds outstanding. These will be paid off early by October 1, 2021, if applicable, to accommodate comparable borrowing terms with the State of Wisconsin Clean Water Fund Loan program which will have principal payments due on May 1 and semiannual interest payments due on May 1 and November 1 each year. The 2021 Sewer System Revenue Bonds will be a 15-year long-term financing with a prepayment option in 2030. Since the Sewer System is preparing for a \$7-\$8 million upgrade, the City is also exploring the State of Wisconsin Clean Water Fund Loan program. The funds from the borrowing of the revenue bonds will be deposited to the Sewer Project Account on October 6, 2021. Ald. Pleitner asked for the differences in program loan rate for 20, 30, 40 years. Carol states it is most common for a 20-year revenue bond payment, 30-year for some projects which would have about 0.25% difference in amortization. Ald. Sigwart inquired what would happen to the money if the reserve fund were not needed. Carol states this money will be used to make our last payment.

2. Consideration and Possible Action on Municipal Advisory Agreement for \$ 1,735,000 Sewer System Revenue Bonds – Carol Wirth reviewed agreement. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO APPROVE THE MUNICIPAL ADVISORY AGREEMENT WITH WISCONSIN PUBLIC FINANCE PROFESSIONALS, LLC FOR ISSUANCE OF \$1,735,000 OF SEWER SYSTEM REVENUE BONDS. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO APPROVE THE MUNICIPAL ADVISORY AGREEMENT FOR \$1,735,000 SEWER SYSTEM REVENUE BONDS. Motion carried unanimously.

3. Consideration and Possible Action on Original Class A Alcohol License for Locally Inspired, LLC at 126 E. Main Street – Ald. Pleitner reviewed the application. Locally Inspired submitted an application and supporting documents for a Class A Liquor License. The background check was conducted and approved by Police Chief Hingiss. Ald. Tearney inquired what types of products they would sell. Deputy City Clerk was informed they would sell, as an example, premixed Bloody Marys. Ald. Gasper inquired whether there was a limit on this type of alcohol license. Deputy City Clerk responded there is not a limit on “Class A” Liquor licenses. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO APPROVE THE ORIGINAL “CLASS A” ALCOHOL LICENSE FOR LOCALLY INSPIRED, LLC D/B/A LOCALLY INSPIRED, KELLY BROWN – AGENT. Motion carried unanimously.

8. FROM CITY BOARDS/COMMISSIONS

A. PLAN COMMISSION

1. Consideration and Possible Action on Conditional Approval of Proposed Final Plat for Center Phase of Prairie’s Edge Subdivision, S. Wisconsin Street – The City Planner reported the second section of the Prairie’s Edge development is scheduled for construction and the applicant is seeking conditional approval of the Center Phase Final Plat. The proposed Final Plat generally reflects the preliminary plat and conceptual plat. Final subdivision plats are usually approved only after the physical installation of roadways and utilities. At the request of the developer, a Final Plat for the subdivision was conditionally approved in 2018 and 2021, subject to the City Engineer accepting all needed civil plans and letters of credit. At the July 2021 meeting, the

Plan Commission recommended to conditionally approve the Center Phase Final Plat subject to approval of all required civil plans and letters of credit. The City Planner is asking for the following conditions for approval: approval of all required civil plans, letter of credit for public infrastructure, Center Phase addendum approval, title name changed to Prairie's Edge Center Phase Final Plat, and the name change of Seanmhair Lane to Seanma Wynd. Attorney Lisa Wood, from Prairie's Edge, appeared via telephone stating that the title name is to be changed to Final Plat Prairie's Edge Center Phase. Ald. Sigwart questions approving the final plat before having the addendum. City Administrator states this would be an approval with a condition of the addendum being approved. Ald. Sigwarts inquires if this addendum is the Addendum to the Developer's Agreement. City Administrator confirms, an addendum to the Developer's Agreement to the Center Phase. Ald. Pleitner asks the City Planner to restate the conditions. Approval of all required civil plans, letter of credits, approval of Center Phase Agreement, title to be stated as Final Plat Prairie's Edge Center Phase, and the Shawnmhair street name replaced with Seanma Wynd. City Administrator asks for clarification on the Center Phase Agreement. Attorney Wood states it's the same as the Center Phase addendum and the letter of credit is for public infrastructure. Ald. Sigwart asked for clarification on the process, that the Final Plat will not be approved until all the conditions are met. City Administrator states that staff plans to review the addendum and the civil plans have already been reviewed. Ald. Sigwart wanted confirmation that the cash transactions have been resolved. City Administrator states the North Phase has been complete, for the Center Phase that is part of the addendum. Ald. Neumyer inquired if there were any time constraints. City Administrator states the time constraints are only on the developer's end to get approvals for grading. MOTION MADE BY ALD. TEARNEY, SECONDED BY ALD. POSTL TO CONDITIONALLY APPROVED THE PROPOSED FINAL PLAT FOR CENTER PHASE OF PRAIRIE'S EDGE SUBDIVISION, S. WISCONSIN STREET SUBJECT TO THE RECOMMENDATIONS OF THE CITY PLANNER: APPROVAL OF ALL REQUIRED CIVIL PLANS, LETTER OF CREDIT FOR PUBLIC INFRASTRUCTURE, CENTER PHASE ADDENDUM APPROVAL, TITLE OF PLAT CHANGED TO FINAL PLAT PRAIRIE'S EDGE CENTER PHASE, AND CHANGE OF STREET NAME FROM SEANMHAIR LANE TO SEANMA WYND. Motion carried unanimously.

9. UNFINISHED BUSINESS - None

10. NEW BUSINESS

A. Presentation by City Auditor Baker Tilly on 2020 City of Port Washington Audit Results – Wendi Unger from Baker Tilly presented the findings of the 2020 Audit. The City was given a “clean” unmodified opinion which is the highest level of assurance from an auditor. The reporting and incites document is used to communicate any comments or recommendations to the City. Overall, the City had a balanced budget and ended the year favorable by \$199,000. Water utility ended the year at \$4.4 million cash, \$2.3 million restricted for debit services requirements and equipment replacements. Wastewater utility ended the year at \$4.7 million cash with \$1.5 million restricted for debit services requirements and equipment replacements. The City's borrowing capacity was \$31.6 million as of December 31, 2020.

B. Presentation by ETC Institute on the 2021 City of Port Washington Community Survey Results – City Administrator introduced this item. It was part of the 2021 Budget process to get incites on how citizens perceive quality of services and understand citizen priorities. Jason Morado from ETC Institute presented the 2021 City of Port Washington Community Survey Results. There were 502 completed surveys. The major findings were residents have a positive perception of the city, residents are satisfied with the quality of services throughout the city, and satisfaction with the city is much higher then compared to surrounding communities. The top priorities were maintenance of streets/sidewalks/infrastructures, communication with the public, and planning/managing development and redevelopment.

C. Consideration and Possible Action on the Intergovernmental Agreement Governing Operation of the P25 Phase 2 Radio System Between Ozaukee County and Participating Users – City Administer states this project has been in the works for 5-6 years. This is needed to replace the existing radio system which services police and public works. Fire Chief Mark Mitchell previously stated that the maintenance costs would not be any more than it

is currently. This item will need to be approved by the Police and Fire Commission at their upcoming Monday meeting. Police Chief Kevin Hingiss stated he does not expect much, if any, change in training. City Administrator stated this should be conditionally approved, upon the satisfaction of the City Attorney's questions to the County. MOTION MADE BY ALD. TEARNEY, SECONDED BY ALD. POSTL TO CONDITIONALLY APPROVE THE INTERGOVERNMENTAL AGREEMENT GOVERNING OPERATION OF THE P25 PHASE 2 RADIO SYSTEM BETWEEN OZAUKEE COUNTY AND PARTICIPATING USERS SUBJECT TO THE CITY ATTORNEY'S REVIEW. Motion carried unanimously.

D. Ordinance 2021-10: Amending Chapter 1 of the City of Port Washington Municipal Code- 1st Reading – Ald. Postl presented a summary of the changes to Chapter 1 of the City of Port Washington Municipal Code. There needed to be an update to the Mayoral Ordinance to reorganize the format of the Agenda and to make the meetings more efficient. Ald. Postl had input from the Mayor, feedback from the alderpersons, and review by the City Attorney. With the COVID-19 pandemic, more electronic rules and verbiage needed to be added including web-based meetings. The time of meetings would be moved to 6:00 p.m. based on the feedback of the constituents. Ald. Postl stated she will follow up with the City Attorney on the aldermanic district and polling place location section. There is a new section for annual missions statements and goals for of the additional committees, and Roberts Rules of Order Newly Revised, which has steps for electronic meetings, will be incorporated. Ald. Sigwart asked if there was going to be any discussion tonight. Ald. Postl stated Mayor Neitzke would like to be present for the discussion portion. Ald. Sigwart mentioned 6:00 p.m. was too early, he would rather see the public comments section at the end of the meeting, and the 6-hour notice of special meetings seems too short of a notice to the public. Ald. Gasper expressed concern about the start time moving to 6:00 p.m. because it is not practical with his work schedule. Inquired whether this ordinance would be divided, and each section could be voted on separately because, as it stands, he would vote 'NO' to the entire ordinance because of the time change. Ald. Postl stated she would summarize these concerns and present them to the Mayor.

11. FORTHCOMING EVENTS - None

12. PUBLIC COMMENTS/APPEARANCES - None

13. ADJOURNMENT – Motion made by Ald. Postl, seconded by Ald. Neumyer to adjourn the meeting at 9:01 p.m. Motion carried unanimously.

Respectfully submitted
Susan L. Westerbeke, City Clerk
