



**CITY OF PORT WASHINGTON, OZAUKEE COUNTY, WI  
COMMON COUNCIL MEETING  
TUESDAY, SEPTEMBER 7, 2021 AT 7:30 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 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 were 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 Meetings – MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion carried unanimously.

**4. MAYOR'S BUSINESS**

**A.** Mayor's Updates – Port Washington Yacht Club hosted Venetian Night held over the weekend. Duluth Trading will no longer be offering Smith Brothers Coffee Shop which was a corporate decision. Next meeting on September 21<sup>st</sup> will include a joint Port Washington-Saukville School Board and City Council, the meeting will be held at 6:30 p.m. On September 18<sup>th</sup>, the Post Office will be renamed in a ceremony at 11:00 a.m.

**B.** Approve Appointment of Member to Library Board – Joanna Bannon, Principal of Dunwiddie Elementary School will be the Port Washington Saukville School District representative. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE JOANNA BANNON AS THE PORT WASHINGTON-SAUKVILLE SCHOOL DISTRICT REPRESENTATIVE TO THE LIBRARY BOARD. Motion carried unanimously.

**5. OFFICERS'/STAFF REPORT**

**A.** City Engineer reported that the 2021 Street Improvement Project is completed. Hales Trail Sidewalk Improvement has been completed. Spinnaker West Pond project has been delayed due to utility poles needing to be moved. Breakwater project should be completed in the next two weeks. Misty Ridge Lane was paused.

**B.** City Planner reported that he met with Downtown Plan group. Request for proposals (RFP) have been created and sent out. September 28<sup>th</sup> is the deadline for submission.

**C.** City Clerk reported that redistricting has begun, and Ozaukee County Supervisory Districts have been preliminarily drawn. The City Clerk is working with the program currently and with the Ozaukee County GIS Coordinator.

**6. PUBLIC COMMENTS/APPEARANCES – None**

**7. FROM STANDING COUNCIL COMMITTEES**

**A. FINANCE AND LICENSE COMMITTEE**

**1.** Resolution 2021-14 A Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$2,265,000 Water System Revenue Bonds, Series 2021 of the City of Port Washington, Ozaukee County, Wisconsin, and Providing for the Payment of the Bonds and Other Details with Respect to the Bonds – City Administrator reviewed Resolution 2021-14 which delegates authority to the City Administrator to accept the bid for the Bonds that result in the lowest true interest cost for the Bonds, provided the terms and conditions provided for in the resolution are met. Wisconsin Public Finance Professionals, LLC is directed to sell the Bonds at public sale in an amount not to exceed \$2,265,000, the purchase price paid to the City is limited to 103% of the Bonds, and the true interest cost shall not exceed 3.25%. The Finance & License Committee recommends approval. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. POSTL TO APPROVE RESOLUTION 2021-14 A RESOLUTION AUTHORIZING THE ISSUANCE AND ESTABLISHING PARAMETERS FOR THE SALE OF NOT TO EXCEED \$2,265,000 WATER SYSTEM REVENUE BONDS, SERIES 2021 OF THE CITY OF PORT WASHINGTON, OZAUKEE COUNTY, WISCONSIN, AND PROVIDING FOR THE PAYMENT OF THE BONDS AND OTHER DETAILS WITH RESPECT TO THE BONDS AS PRESENTED. Motion carried unanimously.

**2. Consideration and Possible Action on Scope of Engagement with Quarles & Brady**

LLP for Proposed Issuance of \$2,265,000 City of Port Washington (the "City") Water System Revenue Bonds, Series 2021 (the "Securities") – City Administrator reviewed the Scope of Engagement with Quarles & Brady LLP for the proposed issuance of \$2,265,000 of Water System Revenue Bonds, which identifies the role of the bond counsel in this transaction. The estimated fee to complete these services is \$13,875. The Finance & License Committee recommends approval. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APPROVE THE SCOPE OF ENGAGEMENT WITH QUARLES & BRADY, LLP REGARDING PROPOSED ISSUANCE OF \$2,265,000 CITY OF PORT WASHINGTON (THE "CITY") WATER SYSTEM REVENUE BONDS, SERIES 2021 (THE "SECURITIES") NOT TO EXCEED \$13,875 AS PRESENTED. Motion carried unanimously.

**3. Resolution 2021-15 A Resolution Authorizing the Issuance and Establishing**

Parameters for the Sale of Not to Exceed \$990,000 Taxable Water System Revenue Bond Anticipation Notes, Series 2021 – City Administrator reviewed Resolution 2021-15, which delegates authority to the City Administrator to accept the bid for the Bond Anticipation Notes (BANs) that result in the lowest true interest cost for the BANs, provided the terms and conditions provided for in the resolution are met. Wisconsin Public Finance Professionals, LLS is directed to sell the BANs at public sale in an amount not to exceed \$990,000, the true interest cost will not exceed 1.75%. The Finance & License Committee recommends approval. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. BENNING TO APPROVE RESOLUTION 2021-15 A RESOLUTION AUTHORIZING THE ISSUANCE AND ESTABLISHING PARAMETERS FOR THE SALE OF NOT TO EXCEED \$990,000 TAXABLE WATER SYSTEM REVENUE BOND ANTICIPATION NOTES, SERIES 2021 AS PRESENTED. Motion carried unanimously.

**4. Consideration and Possible Action on Scope of Engagement with Quarles & Brady**

LLP for Proposed Issuance of \$990,000 City of Port Washington (the "City") Taxable Water System Revenue Bond Anticipation Notes, Series 2021 (the "Securities") – City Administrator reviewed the Scope of Engagement with Quarles & Brady LLP regarding proposed issuance of \$990,000 Taxable Water System Revenue Bond Anticipation Notes, which identifies the role of the bond counsel in this transaction. The estimated fee to complete these services is \$8,500. The Finance & License Committee recommends approval. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE THE SCOPE OF ENGAGEMENT WITH QUARLES & BRADY, LLP REGARDING PROPOSED ISSUANCE OF \$990,000 CITY OF PORT WASHINGTON (THE "CITY") TAXABLE WATER SYSTEM REVENUE BOND ANTICIPATION NOTES, SERIES 2021 (THE "SECURITIES") NOT TO EXCEED \$8,500 AS PRESENTED. Motion carried unanimously.

**5. Consideration and Possible Action on Temporary Class B Retailers License and**

Temporary Operator Licenses for Port Washington Main Street Ladies Night Out and Wine Walk (September 15, 2021 on N. Franklin St, Main St., W Grand Ave.) – The City Clerk reported on the Temporary Class B Retailers License Application from Port Washington Main Street which includes downtown businesses who will be serving wine to patrons during the Ladies Night Out and Wine Walk event on Wednesday September 15<sup>th</sup> between 4:00 – 9:00 p.m. These businesses have also submitted Temporary Operator License Applications as required. During this event, there will be 11 local businesses providing wine to their patrons. There are businesses that do not hold annual alcohol licenses in the city, and this is a one-day event where they can serve wine. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APPROVE THE TEMPORARY CLASS B RETAILERS LICENSE AND TEMPORARY OPERATOR LICENSES FOR PORT WASHINGTON MAIN STREET LADIES NIGHT OUT AND WINE WALK ON SEPTEMBER 15, 2021, AS PRESENTED. Motion carried unanimously.

**6. Consideration and Possible Action on Engaging Northspan for Strategic Planning**

Services – City Administrator reported on the community survey that was completed. Those survey results were taken into consideration when considering a 3.5-year strategic plan. Request for proposals were sent out, 6 were received and 3 firms interviewed. Northspan was recommended for approval at a cost of \$42,339.91. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE ENGAGING NORTHSPAN FOR STRATEGIC PLANNING AT THE COST OF \$42,339.91 AS PRESENTED. Motion carried unanimously.

**8. FROM CITY BOARDS/COMMISSIONS – None**

**9. UNFINISHED BUSINESS – None**

**10. NEW BUSINESS**

**A.** Presentation by the Port Washington Police Department on Body Worn Cameras – Police Chief Hingiss and Captain Czarnecki were present to review and report on the new Axon cameras that were purchased.

**B.** Discussion and Possible Action on Extra-Territorial Review- Referral to Plan Commission of a Proposed 4-lot Certified Survey Map located at 4211 County Highway KW in the Town of Port Washington: Seth Omernick Applicant – City Planner reviewed the request and process. Council is being asked to refer a proposed CSM land division to the Plan Commission for an extraterritorial review. The City has the authority to review plats that fall within the City of its extraterritorial plat approval jurisdiction. However, proposed plats must first be referred to the Plan Commission for its consideration and report. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. SIGWART TO REFER TO PLAN COMMISSION OF A PROPOSED 4-LOT CERTIFIED SURVEY MAY LOCATED AT 4211 COUNTY HIGHWAY KW IN THE TOWN OF PORT WASHINGTON: SETH OMERNICK APPLICANT. Motion carried unanimously.

**C.** Ratification of Action to Execute Mutual Agreement to Terminate Solid Waste and Recyclables Collection and Disposal Contract – City Administrator reviewed previous collection providers and contract held with Waste Management. Staff recommends the Council ratify the executed Mutual Agreement to Terminate Solid Waste and Recyclables Collection and Disposal Contract with Advanced Disposal Services Solid Waste Midwest, LLC. Various companies were reviewed, and Harter’s was identified as the recyclable and disposal service that would best serve the city. This mutual agreement to terminate was executed by the City Administrator and Waste Management. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. SIGWART TO EXECUTE MUTUAL AGREEMENT TO TERMINATE SOLID WASTE AND RECYCLABLES COLLECTION AND DISPOSAL CONTRACT WITH ADVANCED DISPOSAL AS PRESENTED. Motion carried unanimously.

**D.** Consideration and Possible Action on Exclusive Residential Solid Waste and Recyclables Collection and Disposal Contract with Harter’s Fox Valley Disposal, LLC – City Administrator reviewed the proposed contract with Harter’s Fox Valley Disposal, LLC. Staff discussed providing the same solid waste and recycling collection services with Green for Life (GFL), John’s Disposal, and Harter’s Fox Valley Disposal (Harter’s). In this investigation and evaluation process, based on cost and municipal references, it became evident that Harter’s would be a good fit. Staff worked with Harter’s to develop a contract to succeed Advance Disposal, starting on Monday September 18, 2021. This is a five (5) year contract to exclusively provide residential weekly solid waste and every other week recycling collection service to approximately 3,980 household units. Each household unit will receive a new set of 96-gallon carts from Harter’s for collection. The pick-up time is from 7:00 a.m. to 6:00 p.m. Holidays will remain the same. There are several provisions in the contract to set service level expectations for the City and Harter’s. If Harter’s does not collect a household, they have to notify the City within 24 hours. The City can direct Harter’s to collect the household within two (2) business days. The same timeline applies to situations where they City identifies a household that was not picked up and any other verified complaints. If Harter’s suspends collection services due to personnel, equipment, vehicle and/or weather conditions, they must notify the City within two (2) hours of service disruption. A performance bond of \$50,000 is to be maintained for the duration of the contract to ensure Harter’s performs. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE CITY OF PORT WASHINGTON EXCLUSIVE RESIDENTIAL SOLID WASTE AND RECYCLABLES COLLECTION & DISPOSAL CONTRACT WITH HARTER’S FOX VALLEY DISPOSAL, LLC AS PRESENTED. Motion carried unanimously.

**11. FORTHCOMING EVENTS** – Various events were mentioned.

**12. PUBLIC COMMENTS/APPEARANCES** – None.

**13. MOTION TO CONVENE IN CLOSED SESSION PER WIS. STAT. § 19.85(1)(C), FOR THE PURPOSE OF CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNING BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY, TO-WIT: CITY ADMINISTRATOR’S PERFORMANCE REVIEW.** – Mayor Neitzke read the closed session item. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. BENNING TO GO INTO CLOSED AS LISTED ABOVE. ROLL CALL VOTE TAKEN: AYE: POSTL, NEUMYER, GASPER, BENNING, PLEITNER, TEARNEY, AND SIGWART. Motion carried unanimously.

**14. RECONVENE INTO OPEN SESSION TO TAKE ACTION RELATING TO CLOSED SESSION DISCUSSIONS OR DELIBERATIONS, IF ANY.** – MOTION MADE BY ALD. TEARNEY, SECONDED BY ALD. PLEITNER TO RECONVENE INTO OPEN SESSION AT 10:45 P.M. ROLL CALL VOTE TAKEN: AYE: POSTL, NEUMYER, GASPER, BENNING, PLEITNER, TEARNEY, SIGWART. Motion carried unanimously. No action taken.

**15. ADJOURNMENT** - MOTION MADE BY ALD. POSTL, SECONDED BY ALD. BENNING TO ADJOURN THE MEETING AT 10:46 P.M. Motion carried unanimously.

Respectfully submitted,  
Susan L. Westerbeke, City Clerk

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