



CITY OF PORT WASHINGTON, OZAUKEE COUNTY, WI  
**COMMON COUNCIL MEETING**  
**TUESDAY, SEPTEMBER 21, 2021 AT 7:45 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, and John Sigwart. Alderman Pat Tearney was absent and excused. 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

B. Approve August Financials

MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. BENNING TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion carried unanimously.

4. **MAYOR'S BUSINESS**

A. Mayor's Updates – Mayor Neitzke gave a lighthouse update – complete refurbish of lighthouse will cost an estimated \$1.7 million. Funding options will be reviewed, and federal funding support is being reviewed. Post Office renaming was on September 18<sup>th</sup>; local, county, and state representatives were present.

B. Proclamation Hispanic Heritage Month – Mayor Neitzke introduced Angel Tello and family. Angel Tello read the Proclamation for Hispanic Heritage Month.

C. Commendation Police Officer Anthony Becker – Mayor Neitzke thanked Anthony Becker, police officers, and Chief Hingiss for their service. Mayor Neitzke read the Commendation for Police Officer Anthony Becker and Ald. Neumyer presented Officer Becker with his Commendation. Chief Hingiss introduced Officer Taylor Russel and Officer Gary Belzer. Officer Erickson was not present. And thanked them for their service on September 11<sup>th</sup> and 12<sup>th</sup>, over that busy weekend, along with the Fire Department, EMS, Ozaukee County Sheriff, Saukville Police Department, Port Washington Police Reserves, and State Patrol.

D. New Start Time for Common Council Meetings Begins on October 5<sup>th</sup> at 6:30 P.M. – Mayor Neitzke mentioned the new start time for Common Council.

E. New Start Time for Finance and License Committee Meetings Begins on October 5<sup>th</sup> at 5:30 P.M. – Mayor Neitzke mentioned the new start time for Finance and License Committee.

5. **OFFICERS'/STAFF REPORT**

A. City Engineer reported on the Breakwater project nearing completion. The Ribbon Cutting Ceremony will be held on October 1<sup>st</sup> at 2:00 p.m. The sidewalk project will be completed this week. Spinnaker Pond project continues to proceed toward completion. Heart of the Harbor project will be completed this week. The sun screen is being shipped on October 8<sup>th</sup>.

B. City Planner reported that the land use and comprehensive plan update is on the website. At the November 2<sup>nd</sup> Common Council meeting there will be a public hearing and review. The RFPs for the downtown plan are due one week from today.

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.*

Officer Chief Hingiss thanked Angel Tello for his support of the community. Angel has also helped the police department with donating funds to fallen service members and meals.

Rick Nelson, chairman of Police and Fire Commission thanked Officer Anthony Becker for his heroic efforts and that of the entire department along with the fire department.

**7. FROM STANDING COUNCIL COMMITTEES**

**A. TRAFFIC SAFETY COMMITTEE**

**1. Consideration of Ordinance 2021-11 Providing For Installation of Stop Signs (Misty Ridge Lane at New Port Vista Drive and New Port Vista Drive at Windrush Drive) 1<sup>st</sup> Reading**

– City Engineer reported that the recent completion of the High Bluff Town Homes necessitated the installation of stop signs at the intersection of Misty Ridge Lane at Newport Vista Drive and on Newport Vista Drive at Windrush Drive. The approximated cost is \$300. A second reading will be held at the next meeting.

**2. Consideration of Ordinance 2021-12 Prohibiting Parking on a Portion of Sunset Road- 1<sup>st</sup> Reading**

– City Engineer reported that the crossing of the Interurban Bike Trail on Sunset Road was modified to create a 90-degree crossing to shorten the crossing by 20 feet and improve bicyclists' ability to watch for crossing traffic. With this approval, the Traffic and Safety Committee recommended a parking restriction near the bike trail so bikers and pedestrians would be more visible. Forty feet of "no parking" was recommended. On-street parking in a 3-way intersection is prohibited by State Statute. The recommendation is that parking be prohibited on Sunset Road from the west side of the intersection on Sunset Road and Westport Drive to a point 40 feet east of the Interurban Bike Trail Crossing. The estimated cost is approximately \$300. A second reading will be held at the next meeting.

**8. FROM CITY BOARDS/COMMISSIONS**

**A. BOARD OF PUBLIC WORKS**

**1. Consideration and Possible Action on Additional Costs to Repair Sanitary Sewer in City Parking Lot East of Duluth Trading Company**

– The City Engineer reported that shortly after work began in January 2021 by Michels Corp to grout and lay clay 8-inch sanitary sewer main and manholes through the City Parking Lot located just east of Duluth Trading, there was a complete pipe failure during the grout operations. The cost to repair the failure which was located under the roofline of the breezeway between the lift station and the restrooms required round the clock pumping and other extraordinary methods to keep the sewer operational. The estimated cost is \$119,300.66. The Board of Public Works recommended approval. MOTION MADE BY ALD. NEUMYER, SECONDED BY ALD. GASPER TO APPROVE PAYMENT OF THE OVERRUN CHARGE TO MICHELS CORP AS PRESENTED. VOTE TAKEN: AYE: 5, NO: 1 (BENNING). Motion carried.

**2. Consideration and Possible Action on Change Order for Lake Street Design**

– City Engineer reported that after the original design agreement with Gremmer was executed for the 2021 street improvements, an amendment was written to add the design of Lake St improvements between the marina parking lot and Jackson Street, and to re-design approximately 160 feet of Lake Street adjacent to Veteran's Park per the Stantec recommendations to control flooding. Additional work was added when it was determined that the work on Jackson Street should continue through Harborview Lane to incorporate the Townhome development, additional alternatives were developed and analyzed to control flooding north of Jackson Street when the Stantec recommendation was determined to be undesirable, the Lake/Jackson intersection was redesigned with additional alignments, force main on Lake Street was added to the scope, and the NOI (DNR stormwater permit) was completed but not submitted. Board of Public Works recommended approval. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE CHANGE ORDER FOR LAKE STREET RE-DESIGN AMENDMENT 2 WITH GREMMER AND ASSOCIATES AS PRESENTED. Motion carried unanimously.

**3. Consideration and Possible Action on Gremmer Proposal for 2022 Street Design**

– The City Engineer stated that at their August meeting, the Board of Public Works selected the improvements to be scheduled for 2022. The proposal includes lump sum payments for the design of streets to be reconstructed and resurfaced. MOTION MADE BY ALD. SIGWART, SECONDED BY ALD. PLEITNER TO APPROVE THE CONTRACT WITH GREMMER AND ASSOCIATES FOR 2022 STREET, WATER, AND SEWER IMPROVEMENTS AS PRESENTED. Motion carried unanimously.

**B. PLAN COMMISSION**

**1. 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 reported that pursuant to Wis. Stat. § 236.10(1)(b), the City has the authority to review plats that fall within the City or its extraterritorial plat approval jurisdiction. Proposed plats must first go through the Plan Commission. The purpose of this CSM is to divide four lots from the existing 52-acre parcel for the purpose of creating additional residential lots. This CSM has acquired approvals from the Ozaukee County Natural Resources Committee and the Town of Port Washington. The City Planner stated that this consideration is coming from the Plan Commission which unanimously recommended approval. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE THE PROPOSED 4-LOT CERTIFIED SURVEY MAP LOCATED AT 4211 COUNTY HWY KW, IN THE TOWN OF PORT WASHINGTON AS PRESENTED. Motion carried unanimously.

**9. UNFINISHED BUSINESS** – The City Administrator asked Council if they would agree to have staff reports submitted by memo and if there are questions staff will respond to them. No verbal reports would be given at future meetings. The consensus was to have future reports given by memo.

**10. NEW BUSINESS**

**A. Consideration and Possible Action on Establishments One-Day Extension of Alcohol License for Port Washington Main Street Fall Street Festival**

– The City Clerk reported on the request from Port

Washington Main Street for downtown establishments to obtain a one-day only license premise extension of their Class B Alcohol License to allow the sales, serving and consumption of beer or wine in plastic cups only in designated area for Fall Street Festival being held on Sunday October 9, 2021, between the hours of 11:00 a.m. and 4:00 p.m. There can be no hard liquor sold, carried out or consumed during this event. The required documents were submitted and approved by the City Clerk. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE THE ONE-DAY EXTENSION OF ALCOHOL PREMISES FOR THE ALCOHOL LICENSED ESTABLISHMENTS LISTED ON OCTOBER 9, 2021, AS PRESENTED. Motion carried unanimously.

**B. Consideration and Possible Action on Resolution 2021-16 Opposing Proposed Abandonment of Town of Port Washington Road (Groeschel Road)** – The City Attorney discussed the “*Groeschel Road Discontinuance Petition*” submitted by certain Town landowners, which is pending before the Town Board of the Town of Port Washington. The Petition is the subject of a public hearing and action before the Town Board on October 4, 2021. If granted, the Petition may result in the vacation of that portion of Groeschel Road in the Town which connects to a large parcel of vacant land to the north, in the City. The vacant land is currently being developed as a 65-acre, 69-lot subdivision known as Whitetail Hills Subdivision. The City Attorney presented and reviewed proposed Resolution No. 2021-16, which sets forth various public policy reasons and legal grounds for the City’s opposition to the proposed Town road discontinuance. If approved, the Resolution would make the Common Council’s opposition of record, so the Town Board may consider it prior to the October 4, 2021 Town Board meeting. The City Attorney will attend that meeting to represent the City’s legal interests. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO APPROVE AND ADOPT RESOLUTION NO. 2021-16 OPPOSING PETITION TO DISCONTINUE A PORTION OF GROESCHEL ROAD, A TOWN LINE HIGHWAY IN THE TOWN OF PORT WASHINGTON AS PRESENTED. Motion carried unanimously.

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

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

**13. ADJOURNMENT** – MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMYER TO ADJOURN THE MEETING AT 9:07 P.M. Motion carried unanimously.

Respectfully submitted,  
Susan L. Westerbeke, City Clerk

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