

**OFFICIAL MINUTES  
OF THE  
CITY OF KEWAUNEE COMMON COUNCIL  
May 13, 2019 – 6:00pm**

Present: Mayor Christman, Alderperson Dworak, Jackson, Schiller, Jelinek, Stangel, Mills and Zimmerman

Excused: David Kuehl

Absent: Student Representative, Remington Schleis

Others Present: Administrator Schnook, Clerk/Treasurer Decur, Public Works Director Strelow, Librarian Petrina, Police Chief Salentine, Building Inspector Angoli and Marina Manager Holzem.

Mayor Christman called the meeting to order at 6:00 pm and the Pledge of Allegiance was recited and followed by a prayer/meditation.

**APPROVAL OF April 8, 2019, & April 16, 2019, COMMON COUNCIL MINUTES.**

Some minor punctuation changes were discussed.

***Alderperson Stangel moved, seconded by Alderperson Zimmerman to approve the April 8, 2019, and April 16, 2019, Common Council Meeting Minutes with the listed changes. Motion carried unanimously.***

**PUBLIC COMMENT/COMMUNICATIONS**

Mayor Christman opened the meeting for any Public Comments.

Hearing none, Mayor Christman Closed Public Comment

**CONSENT AGENDA**

- a. **Boards, Commissions, Committees and Staff Report; (Community Center, Lighthouse, Planning and Staff Reports**
- b. **ORD 603-19 – Change in permitted and conditional uses in the Waterfront Zoning District – Second Reading**
- c. **Operator’s License: Kimberly Carmody – Water Front; Amanda Clafin – Dollar General;**

Alderperson Schiller asked that, b. ORD 603-19 be taken off of the Consent Agenda for further discussion.

***Alderperson Dworak moved, seconded by Alderperson Jelinek to approve the removal of B. ORD 603-19 for further discussion, and approve Consent Agenda item A & C as presented. Motion carried unanimously.***

- b. **ORD 603-19 – Change in permitted and conditional uses in the Waterfront Zoning District – Second Reading**

Alderperson Schiller wanted to discuss Ord 603-19 – Sec. 94-23, b 8, “Restaurants with indoor and outdoor seating”. By allowing Restaurants as a permitted use and Taverns and Cocktail Lounges as a Conditional Use, the City’s Municipal Code does not have an Ordinance defining what the parameters

are for a Restaurant, Tavern, or Cocktail Lounge. If a Tavern or Cocktail Lounge sells food, can they consider themselves as a Restaurant, and forego the Conditional Use process even if they just sell minimal food?

After some discussion it was decided to remove – Sec. 94-23, b 8, “restaurants with indoor and outdoor seating”, revise and add it to Sec. 94-23, d. 10, “restaurants with indoor and/or outdoor seating, taverns and cocktail lounge”.

***Aldersperson Schiller moved, seconded by Aldersperson Mills to approve Ord 603-19 with the change as follows: remove Sec. 94-23, b.8 “restaurants with indoor and outdoor seating” and add it to Sec. 94-23, d.10 to read, “restaurants with indoor and outdoor seating, taverns and cocktail lounges”. Upon a roll call vote, motion carried unanimously.***

Aldersperson Mills questioned the language of Sec. 94-23, d.10, as it reads “restaurants with indoor and outdoor seating”. Aldersperson Mills feels, with the word “and” you are stating that they have to provide both indoor and outdoor seating to be considered a restaurant. Aldersperson Mills feels it should read “indoor and/or outdoor seating”.

***Aldersperson Mills moved, seconded by Aldersperson Schiller approved to the change to Sec. 94-23, D.10 to read as; “restaurants with indoor “and/or “outdoor seating, taverns and cocktail lounges”. Upon a roll call vote, motion carried unanimously.***

## **MAYOR’S REPORT**

### **Appointment of Andy Holzem as Harbor Master**

Mayor Christman reviewed the letter she received from Police Chief and Harbor Master Salentine. As the City has now hired a full-time Marina Manager, it is requested that the Harbor Master duties be placed upon the Marina Manager position, rather than the Police Chief. The Police Department would still be involved in enforcement issues. Mayor Christman also reviewed a letter received from Marina Manager Holzem, explaining the benefits of having the Marina Manager and Harbor Master positions combined.

Mayor Christman would like Council to approve the appointment of Andy Holzem as Harbor Master.

***Aldersperson Schiller moved, seconded by Aldersperson Jelinek to approve the appointment of Marina Manager Holzem as Harbor Master. Motion carried unanimously.***

### **Shopko Store Closing Update**

Mayor Christman noted that the Shopko Store closed on May 12, and she has been in touch with the owner and they have no new leads regarding the sale or rent of the building. Mayor Christman also stated that the Task Force would continue helping find someone for the space.

### **Community Center Update**

Aldersperson Zimmerman updated the Council regarding the Community Center. There have been no new changes. The Community Center is currently investigating the cost of purchasing the land across from City Hall for the development of a Center; investigating property by the Prevea Clinic and the possibility of adding to the Fitness Center.

### **Kewaunee School District Update – Remington Schleis**

None

## **NEW BUSINESS**

### **2018 Annual Financial Audit Report-Amanda Blomberg, Baker-Tilly**

Administrator Schnook introduced, Amanda Blomberg, representative from Baker-Tilly to the Council and asked Ms. Blomberg to explain the 2018 Annual Report.

Baker-Tilly representative, Amanda Blomberg reviewed with the Council the outcome of the 2018 Financial Audit. The City still has a negative General Fund Balance of \$205,184, which is down from \$253,687 for 2017. The city is heading in the right direction to correct the General Fund Deficit. Ms. Blomberg reviewed the debt capacity which is currently at 50%, and suggested that we try and keep that to under 60%. She also reviewed the revenues and expenditures and suggested the City not put in their budget a \$75,000, cash carryover, but instead make a line item for Fund Balance Improvement, to help with the General Fund Balance Deficit. The City needs to build up a positive cash balance.

It was also discussed that the Council should look into creating a Fund Balance Policy and a Debt Issuance Policy, to help aid in the future.

### **Goose Management – Mike Jones, Wildlife Biologist, U.S. Dept. of Agriculture**

Mayor Christman introduced Mike Jones, Wildlife Biologist with U.S. Department of Agriculture, to explain the options available for goose management.

Mr. Jones reviewed with the Council the options for Resident Canada Goose Management, which includes habitat modification, fence barriers, scare devices, repellants and population management. The City is already doing some scare devices along with oiling of the eggs. Another option is a Goose Round Up that would be conducted in mid-June to early July, during the molting process when geese are flightless. Prior to removing geese, the population must be sampled for environmental contaminants. Captured birds are processed and made available to local food pantries for human consumption. If the City does not want the expense of testing the animals, which would also need to be tested for PBC's, the City can forego the testing and the geese would be used for animal food. This would be used for wolves, bears etc. The cost of the round up could cost anywhere from \$2,800 to \$4,500 depending on if the City would choose to have the geese tested. In addition, if the City does choose to go with the Goose Round Up, the geese should not be harassed at least 2 weeks prior to the Round Up.

***Alderson Schiller moved, seconded by Alderson Mills to approve U.S. Dept. of Agriculture to hold a goose round up not to exceed \$3,500 and have the department heads contact surrounding land owner, and ask if they would like to contribute to this program. Upon a roll call vote, motion carried unanimously.***

### **Blight Elimination: CDBG – Close Funds Update and Review Properties Scheduled for Enforcement Measures in 2019**

Administrator Schnook reviewed the CDBG-Close Funds, which the County has approved to give to the City for blight elimination. The City is waiting on State approval. Administrator Schnook has met with Scott Feldt and Paul Kunesh from the County, and they wanted to know if the City would be interested in waiting one-year on expending the CDBG- close funds and instead have the County apply for a CDBG Competitive grant next year. The benefit of doing this is that it could add almost \$1 million dollars to the County's \$1.3 million in CDBG-Close fund dollars, thereby providing the City with an extra \$500,000, to add to the \$750,000 the County has already approved for a blight elimination funds. Mr. Feldt and Mr. Kunesh felt that the County's CDBG-Close fund request would not be jeopardized; that it would provide the City with more time to get things ready, and most importantly, the possibility of additional funds that could be used for the Marquette School Site.

***Aldersperson Mills moved, seconded by Aldersperson Jelinek to approve the County applying for the CDBG Competitive Grant next year and wait on the County's \$750,000 CDBG-Close fund for one year. Upon a roll call vote, motion carried unanimously.***

Building Inspector Angoli went through a list of properties with corresponding pictures showing the buildings that will be pursued in 2019 for property maintenance enforcement. Building Inspector Angoli stated that there are about nine properties that have not been completed in 2018, and we will be sending citations out with the Councils' blessing. Building Inspector Angoli also went through the list he has compiled for 2019 that he will be sending letters out informing the property owners of what they need to perform in terms of building maintenance and how long they have to comply.

**ORD 604-19 – Mobile Food Establishments-First Reading**

Mayor Christman introduced Ordinance 604-19, regarding Mobile Food Establishments. Mayor Christman asked if anyone had questions or changes, hearing none this will advance to the June 10th Common Council Meeting for the second reading and adoption.

**ORD 605-19 – Tourist Rooming Houses – First Reading**

Mayor Christman introduced Ordinance 605-19, regarding Licensing of Tourist Rooming Houses. Mayor Christman asked if anyone had questions or changes. Discussion was held on sec 18-226, Standards for Tourist Rooming Houses; sec. (a)(2) regarding square footage of floor space, suggesting that the last sentence be removed; and in sec. (a)(3) to remove the wording "No on-street parking will be permitted". Mayor Christman stated that these changes will be reflected at the June 10, Common Council Meeting for the second reading and adoption.

**Review: Matt Joski, Address: None: S.W. Corner of Juneau & Miller Street**

Administrator Schnook reviewed the request from Matt Joski regarding the split of his property on the northeast corner of Juneau Street and Miller Street for the purpose of selling. This new lot will be requested to be rezoned at some point in the future.

***Aldersperson Schiller moved, seconded by Aldersperson Zimmerman to approve the proposed land split, contingent on the remainder of the property in question be combined with the adjoining parcel and also be rezoned. Upon a roll call vote, motion carried unanimously.***

**ORD 606-19 – Building Inspection – First Reading**

Administrator Schnook and Attorney Nesbitt reviewed Draft Ordinance 606-19, Construction and Inspection Requirements. The original Ordinance needed to be redrafted to better outline the inspection process, enforcement of commencing construction without a permit and enforcement of an occupancy certificate. These changes allow the Building Inspector to better enforce the construction and inspection requirements and issue citations.

This will be placed on the June 10th, Common Council Meeting for the second reading and adoption.

**RES 1073-19 – Application with Board of Commissioners of Public Lands for \$1 Million Dollars to Fund River Road Rehabilitation Project**

Administrator Schnook introduced Resolution 1073-19 to the Council stating that the Council has previously approved the application to borrow funds from BCPL for a loan used to complete the River Road project, but an actual resolution was not approved.

***Aldersperson Schiller moved, seconded by Aldersperson Dworak to adopt RES 1073-19 – Application with Board of Commissioners of Public Lands for \$1 Million Dollars to fund River Road Rehabilitation Project. Upon a roll call vote, motion carried unanimously.***

#### **Update on Boat Launch Project**

Administrator Schnook and Public Works Director Strelow updated the Council on the Boat Launch Project. The City has \$35,000 dollars of unused funds from the boat launch grants. The money would be best used to extend the concrete at the boat launch three feet to the north. The Council has authorized this previously. After receiving Lunda's bid of \$42,000 Public Works Director contacted Mertens Construction and Concrete and received a bid from them for \$17,280.

It is the recommendation of the Staff to hire Mertens Construction and Concrete LLC to pour the concrete and the Public Works crew can remove the existing asphalt, set the aggregate base and compact the area for a cost of \$2,000. This would bring the total project cost to \$19,280. Mertens is able to complete the project in the beginning of June, whereas Lunda required the deadline be extended to June 21 and they were over the approved amount.

Discussion was held on whether a motion can take place at tonight's meeting. Because this agenda item is just an update, a motion could not be made and a Special Meeting will be scheduled for May 20, after the Committee of the Whole Meeting.

#### **April YTD Revenue/Expenditures**

Mayor Christman asked if anyone had questions regarding the year to date revenues and expenditures. Mayor Christman wanted to know why page 2, Insurance claim recoveries was at 332%. Clerk/Treasurer stated that we collected money for the 2017 light pole damage by Harbor Express. We are currently waiting for the 2018 damage claim on the same pole.

#### **April Cash Report**

Clerk/Treasurer reviewed the Cash Report explaining that with the creation of new restricted funds in the form of individual Certificates of Deposit, the format and formulas needed to be adjusted. Page 1, shows the overall fund cash summary separating the restricted funds in their own column. This coincided with page 3, which reflects the different funds that are restricted. Page two shows the general checking by fund. If you add pages 2 & 3 values, the total will equal page 1 values.

#### **Approval of April 2019 Accounts Payable**

Aldersperson Jackson asked why there are two checks written out to cash for marina startup funds. Clerk/Treasurer stated that the check 73052 was cancelled.

***Aldersperson Zimmerman moved, seconded by Schiller to approve the April 2019 Accounts Payable in the amount of \$520,652.24. Upon a roll call vote, motion carried unanimously.***

**ENTER INTO CLOSED SESSION: pursuant to Wisconsin State Statute 19.85(1)(g):** Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it or is likely to become involved: Marquette School Project.

***Aldersperson Zimmerman moved, seconded by Aldersperson Schiller to go into Closed Session pursuant to Wisconsin State Statute 19.85(1) (g). Upon a roll call vote, motion carried unanimously.***

**RETURN TO OPEN SESSION PURSUANT TO WISCONSIN STATUTE 19.85(2)**

***Alderson Mills moved, seconded by Alderson Dworak to return to Open Session pursuant to Wisconsin Statute 19.85(2). Motion carried unanimously.***

**ANY ACTION ON CLOSED SESSION**

None

**ANNOUNCEMENTS**

Alderson Schiller informed the Council that Waste Management will be merging with Advanced Disposal.

Mayor Christman stated that the KCEDC would be holding their Annual Meeting on May 16, if anyone is interested in attending.

Alderson Jelinek updated the Council with the recent Tug Tour that was held last week for the 6<sup>th</sup> graders. The children came 25 at a time and really enjoyed it. The School received a grant for the admission charges for the tours.

Alderson Jelinek also stated that the D-Day Celebration is on June 8.

Alderson Zimmerman mentioned that the Fire Department Brat Fry Fundraiser was sold out of food by 7:00 p.m.

**ADJOURNMENT**

***Alderson Zimmerman moved, seconded by Alderson Jelinek to adjourn the meeting at 9:19 pm. Motion carried unanimously.***

Submitted by Clerk/Treasurer Decur