

**OFFICIAL MINUTES
OF THE
CITY OF KEWAUNEE COMMON COUNCIL
AUGUST 13, 2018 – 6:00pm**

Present: Mayor Christman, Alderperson Dworak, Jackson, Schiller, Kuehl, Griffith, Zimmerman Jelinek and Stangel at 6:00pm.

Excused: None

Others: Administrator Schnook, Clerk/Treasurer Decur, Public Works Director Murphy, Building Inspector Angoli, Ambulance Director Steiner and Librarian Petrina.

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

APPROVAL OF July 9th, 2018, COMMON COUNCIL MINUTES

Alderperson Kuehl moved, seconded by Alderperson Zimmerman to approve the July 9th, 2018 as presented. 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, Committee and Staff Reports: (Library Board, Lighthouse Preservation, Park & Rec., Clock, Tug, Plan Commission and Staff Reports)**
- b. **Operator’s License: Andrew J Richard-----Harbor Express**
- c. **Operator’s License: Dawn Getzloff-----Waterfront Bar & Grill**
- d. **Lease extension for Blue Water Services**
- e. **Lease extension for Maynard Kuehl**
- f. **Resolution 1068-18 for Hwy 42/Miller Street Utility Project**

Alderperson Kuehl moved, seconded by Alderperson Jelinek to approve the Consent Agenda as presented. Motion carried unanimously.

Mayor Christman stated that she would be moving up agenda item 8.a so as to not make the Kleiman’s wait.

Appeal Decision to Connect to City Services-Tom & Linda Kleiman

Mayor Christman asked Administrator to review the appeal request from Tom & Linda Kleiman. Administrator Schnook explained that the Kleiman’s received a letter from the Zoning Administrator on May 10, 2018, and again on June 8, 2018, that required them to hook up to the sewer and water pursuant to Ordinance Sec. 82.1, and they needed to have it completed by September 30, 2018. The Kleiman’s are appealing this required time frame.

Building Inspector Angoli reviewed the requirements of the DNR and the City Ordinance regarding hooking up to water and sewer when it runs past a house.

Linda Kleiman stated that permits were issued to them by the County and City to allow their current well and septic system usage until 2021, and feels they should not have to hook up to the Water and Sewer until the permits expire or they sell the property. Tom Kleiman stated that former Mayor Zelton told him that would be required to hook-up.

Aldersperson Jelinek asked the Kleiman's what their time frame was to sell. Linda Kleiman stated that they are working on getting the property ready but, land in Kewaunee is not easy to sell because of the bad publicity on the quality of water.

Mayor Christman asked the City Attorney his opinion on our Ordinance. Attorney Nesbitt explained that the Ordinance in question is very common language and is accordance to State Statutes. The City is not responsible for a verbal promise from an official. Sometimes there are allowances for not collecting due to the length or if it would need a lift station. The City Ordinance does not address these issues.

Tom Kleiman Sr. stated that they would need a lift station and the distance is about 690 feet.

Aldersperson Schiller moved, seconded by Aldersperson Jelinek to deny the appeal of Tom & Linda Kleiman regarding the mandatory sewer and water connection order. The motion also directs staff to stay enforcement of the sewer and water connection order to June 30, 2021,. Upon a roll call, vote motion carried unanimously.

MAYOR'S REPORT

Retail Market Analysis

Kristen Fish presented the 2017 Market Study that was created for the City of Kewaunee and gave a brief overview. The 2017 Market Study may be viewed at City Hall.

Appointment of Assistant Ambulance Director-Deb Pribek

Mayor Christman review the process of creating the position of Assistant Ambulance Director and the interview process and with the recommendation to appoint Deb Pribek as the Assistant Ambulance Director.

Aldersperson Zimmerman moved, seconded by Aldersperson Griffith to approve the appointment of Deb Pribek as the Assistant Ambulance Director. Upon a roll call vote, motion carried.

Appointment of Lighthouse Committee Member – Tom Skubal

Mayor Christman explained that Tom Skubal was currently a member of the Lighthouse Committee but because of his work schedule, he had to resign. Tom's schedule has changed and he now feels he can give the Lighthouse Committee his attention. Mayor recommends appointment.

Aldersperson Griffith moved, seconded by Aldersperson Jelinek to approve the appointment of Tom Skubal to the Lighthouse Committee. Motion carried unanimously.

Appointment to Fire & Police Commission

Mayor Christman informed the Council that Delbert Charles has resigned from the Fire & Police Commission and would like to appoint Dan Kruse to fill the position.

Aldersperson Zimmerman moved, seconded by Aldersperson Kuehl to approve the appointment of Dan Kruse to the Fire & Police Commission. Motion carried unanimously.

Kewaunee School District Update

Remington Schleis, representative of the Kewaunee School Districts, informed everyone that the Kewaunee School District Web Pages is up and running. Athletics will be started up and the first Football Game will be this Friday, August 17 and the Cross Country Meet on August 23. There are 10 new teacher starting on August 21 and School starts September 4, 2018.

OLD BUSINESS:

Resolution 1065-18 – Fire Protection Service Agreement

Administrator Schnook explained to the Council that the Fire Protection Service has been a yearly agreement in the past and will continue. The only change to the contract is the City will be collecting funds to replace Trucks. With the 2019 Agreement, the City, Towns of Casco, Pierce and West Kewaunee will be putting \$50,000 in a replacement fund for future Truck purchases. This resolution commits the City to its portion of the \$50,000 which is approximately one half or \$25,000 annually.

Aldersperson Griffith moved, seconded by Aldersperson Dworak to approve the adoption of Resolution 1065-18 – Fire Protection Service. Upon a roll call vote, motion carried unanimously.

Resolution 1066-18 – Ambulance Service Agreement

Administrator Schnook stated the Ambulance Service Agreement is a yearly contract and is currently sharing the cost of \$33,000 which is being placed in a separate replacement fund. Starting in 2019, the agreement will be to split \$40,000, between Towns of Carlton, Casco, Pierce and West Kewaunee. This resolution commits the City to its portion of the \$40,000 which is approximately one half or \$20,000 annually.

Aldersperson Jelinek moved, seconded by Aldersperson Kuehl to approve the adoption of Resolution 1066-18 – Ambulance Service Agreement. Upon a roll call vote, motion carried unanimously.

Approval of a Loan for \$500,000 for Marquette School Demolition

Mayor Christman stated that at the July 23 Committee of the Whole Meeting, Aldersperson Griffith moved, seconded by Aldersperson Jelinek to recommend to the Council to give Administrator Schnook the authority to borrow \$500,000 from either a local bank or the Board of Commissions of Public Lands to be used for the Marquette School demolition project and to also see if this loan can be combined with Hwy 42 and Miller Street Project Loan.

Administrator Schnook stated that he has received loan options:

Bank of Luxemburg-----2.97% for 12 months
-----4.27% for 120 months (10 yrs.)

Nicolet Bank-----4.05% for 1 yrs.
_____4.56% for 10 yrs.

Board of Commission of Public Lands
-----4.0% for 2 yrs.
-----4.0% for 3 to 5 yrs.
-----4.25% for 6 to 10 yrs.
-----4.5% for 11 to 20 yrs.

Administrator Schnook informed that Council that in the next couple of years the City will have to go out for bonding and would recommend going with a 10 yr. loan instead of a 1 yr. loan in case we don't go for bonding for 2-3 yrs. This will be appropriated from the general revenue tax levy.

Discussion was held on upcoming projects that would cause us to go for bonding, length of the loan, interest rates and keeping the funds in the community.

Aldersperson Dworak moved, seconded by Aldersperson Schiller to proceed with the loan application from the Bank of Luxemburg for a ten year term. Upon a roll call vote, motion carried unanimously.

Marina Manager and Park & Recreation

Mayor Christman stated that the July 23, Committee of the Whole meeting, Aldersperson Schiller moved, seconded by Aldersperson Kuehl to recommend to the Council to direct the Administrator to look at the 2019 Budget for a Marina Manager whether it is be seasonal or full time position and also if a position opens up in the Public Works Department the Administrator look for someone that can oversee the Park & Rec along with being #2 to the Public Works Director.

Administrator Schnook stated that with the concerns raised by Councilors at the COW meeting, and the urgent need to fill this position to provide the Public Works Director some relief, the job description has been changed to be salaried for the Marina Manager Function and Hourly to reflect the lack of supervisory duties in the winter. Also, the job description has been re-written to be more specific on the winter-time duties to include organizing and digitizing cemetery records and updating the City's web site.

Mayor Christman explained that she has been in contact with Mark Dax from the School District and there could be a possibility of hiring a co-op student, which they can receive credits to work this could be a great opportunity to educate and get younger people involved in government.

Discussion was held on whether you can separate an employee to receive salary and hourly.

Aldersperson Jelinek felt that the job description presented tonight would be better fit for 2 individuals not combined. Aldersperson Schiller stated that the Cemetery and Web page is not a seasonal position, especially the web page needs someone year round updating it. The description really covers 2 positions and in the process we should also look at what else can be done in the office to relieve some of their work load.

Aldersperson Griffith felt that the Marina is an attraction to bring people to the City and felt this could be a full time position. Discussion was held on what the manager position would do in the winter months beside upcoming contracts. One of the ideas would be marketing, contacting surrounding Marinas, etc.

Aldersperson Schiller moved, seconded by Aldersperson Griffith, approved to include in the 2019 Budget a full-time Marina Manager at a competitive wage. Upon roll call vote, motion carried unanimously.

Fire Hydrant Replacement

Mayor Christman reviewed the Fire Hydrant replacement. At the July 23, 2018, Committee of the Whole meeting Aldersperson Schiller moved, seconded by Aldersperson Jelinek to place this on the August or September Council meeting agenda with the discretion of the Administrator and Public Works Director and to look for grant money to help with the cost.

At the direction of the Mayor, city staff researched grants for fire hydrants available through the Clow Valve Company. It was found that the company only gives grants to the communities where the McWayne Company (Clow's parent company) has plants or employees. Therefore, the City of Kewaunee would not be eligible for a grant through this foundation.

Staff recommends that the Council approve the expenditure of funds for five new fire hydrants due to the potential liability of having inoperable units during a fire event.

Administrator Schnook was asked if there was money in the water fund to cover the cost of the hydrants. Schnook explained that the water, sewer and marina funds do have monies in them but, because of the timing of the receipt of our tax revenues and shared revenues, the general fund needs to dip into these funds to make payroll along with the accounts payable. A revenue and expenditure chart was presented to the Council to give them an idea of the low revenue months for general fund.

It was a consensus of the Council that the hydrants need to be replaced.

Aldersperson Dworak moved, seconded by Aldersperson Zimmerman to approve the replacement of the five hydrants and to take the monies out of the Water Utility Fund. Upon roll call, motion carried unanimously.

NEW BUSINESS:

Clean Vessel Grant Update

Administrator Schnook updated the Council on the Clean Vessel Grant from the DNR, stating that Chris Halbur is still working on the grant reimbursement.

ORD. 594-18-Comprehensive Plan/ORD. 593-18 Zoning Changes

Mayor Christman reviewed the purpose of Ord. 594-18 Comprehensive Plan by explaining that a hearing has been held by the Planning Commission regarding the rezoning of 420, 418, and 416, 408 Harrison Street, 409 Dodge Street and Parcel 31 241 OTP, from B-2 Community Business District to R-3 Multi-Family. Also 323, 321, and 405 Ellis Street from B-2 Community Business District to R-2 Two Family District.

Building Inspector Angoli reviewed the current usage of the properties and the properties surrounding the request changes. Angoli stated that by changing the zoning of all the properties at one time would make the block more uniform and in alignment with the present use.

Aldersperson Schiller stated that he will be objecting to the zoning and Comprehensive Plan Change and feels we need to let property owners and potential buyers some room for creativity.

Discussion was held on changing the Ordinance to reflect a possibility to give owners/buyers the opportunity to be creative. Administrator Schnook asked if Aldersperson Schiller could present some language to that affect for the Ordinance. Aldersperson Schiller stated that he will come up with Ordinance Change language and present it to the Planning Commission.

As this is the first reading, no motion is required at this time, but it may be denied and replaced next month.

Offer to Purchase City Property – Daniel Helwig

Building Inspector Angoli stated that the City owns .2 acres of land located on Beardsley St and south of the State Trail. Mr. Helwig recently had a survey done and found that the northern portion of their building is actually on the described City owned land. Mr. Helwig is interested in purchasing said .2 acres for \$2,000.00 from the City. Public Works Director Murphy stated that the City has no plans for this area.

Discussion was held on combining the two parcels into one.

Aldersperson Schiller moved, seconded by Aldersperson Griffith to approve the sale of .2 acres along Beardsley and the State Trail, with the condition the two parcels be combined into one with a Certified Survey Map, to Daniel Helwig in the amount of \$2,000.00. Upon a roll call vote, motion carried unanimously.

Discussion and Possible Action on Sale of Karsten Hotel

Administrator reviewed the sale of the Karsten Hotel stating that, Mr. Watters owes back property taxes in the amount of \$6,700 to be split between the City, County and School District which the Federal Government will make good on. However, Mr. Watters in arrears to the City for \$2,510 personal property tax and an estimated Room Tax going back to 2016 for \$6,400. The room and personal property tax the City will not be able to collect.

Discussion was held on a possible lean on the property, how the City could close the Hotel doors now, whether the City should require an occupancy permit, should the City purchase it so, it does not end up with another Marquette School situation.

Attorney Nesbitt explained to Council that the City cannot place a lean on the property for personal property tax or room tax, the City would have to go to court and ask for a Judgement on the property, this takes time and it will be sold by then. Nesbitt explained that if the Fire Inspector were to find safety violation they could shut the Hotel down. Nesbitt also informed the Council to be careful of the occupancy permit. Discussion was held on getting the State Health & Safety and the Fire Inspector involved.

July Cash Report

The Council reviewed the July Cash Report, no questions.

July Revenue and Expenditure Report

The Council reviewed the July YTD Budget Revenue and Expenditures.

Approval of May 2018 Accounts Payable

Aldersperson Jackson noticed that there are some duplicated but they shows them being charged to the account and then credit with a zero balance, but they also show just charged in a different area of the report. Clerk/Treasurer believes it is showing a batch that was reversed and then re-entered, but will look into it and get back to everyone.

Aldersperson Schiller moved, seconded by Aldersperson Kuehl to approve the July 2018 Accounts Payable and Payroll not to exceed \$458,692.83. Upon a roll call vote, motion carried unanimously.

ANNOUNCEMENTS

Mayor Christman reminded everyone to vote and if everyone could help place the chairs in the hall way before they leave so it does not have to be done in the morning

Mayor Christman updated the Council on the progress of the Marquette School Demolition. Dakota is currently at a standstill, as Waste Management agreed to allow Dakota to dump at their dump site in Manitowoc. Last Week Waste Management informed Dakota that they would not be allowed to dump at their site. So, Dakota is looking for a new landfill.

ADJOURNMENT

***Aldersperson Zimmerman moved, seconded by Aldersperson Dworak to adjourn the meeting at 9:25 pm.
Motion carried unanimously.***

Submitted by Clerk/Treasurer Decur