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OFFICIAL MINUTES OF  
CITY OF KEWAUNEE COMMITTEE OF THE WHOLE (COW)  
Kewaunee Municipal Building, 401 Fifth Street  
MONDAY AUGUST 27, 2018 - 6:00 P.M.  
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Present: Chairperson Dworak, Mayor Christman, Alderpersons Jackson, Jelinek, Stangel, Schiller, Kuehl, Griffith and Zimmerman

Excused: None

Others: Administrator Schnook, Clerk/Treasurer Decur, Public Works Director Murphy, Police Chief Salentine, Librarian Petrina, Building Inspector Angoli and Assessor Muelver.

Chairperson Dworak called the meeting to order at 6:00 p.m.

APPROVAL OF THE COMMITTEE OF THE WHOLE JULY 23, 2018 MINUTES

Aldersperson Kuehl moved, seconded by Aldersperson Schiller to approve the July 23, 2018, COW Meeting Minutes. Motion carried unanimously.

PUBLIC COMMENT

Chairperson Dworak opened the floor for Public Comment.

Hearing none, Chairperson Dworak closed Public Comment.

ASSESSOR REPORT

Assessor Muelver presented and reviewed the City of Kewaunee's 2018 Annual Assessment Report to the Committee.

BOARDS, COMMISSION AND ADHOCK COMMITTEE COUNCIL LIAISON REPORTS

None

NEW BUSINESS

Integrated Planning Document Presentation-Elizabeth Runge

Elizabeth Runge presented the Committee with a draft copy of the Integrated Plan – 2018. Elizabeth Runge explained that the City received a Coastal Management Grant to allow the City to coordinate updates and combine existing plans. This project took the 2007 Comprehensive Plan, 2009 Waterfront plan and the 2012 Outdoor Recreation Plan and combined them into a single report, updated the plans and updated the maps. Elizabeth Runge asked the Committee to review the document and if there is changes that need to be made, please contact her. The next step is to present a final to the Planning Commission and with their approval have the City Council adopt the plan.

Marquette School Update – Ben Peotter – Ayres & Associates

Ben Peotter from Ayres & Associates updated the Committee regarding the hold on the Marquette Project due to Landfill issues. Ben Peotter stated that Dakota Construction is working with the Hilbert Landfill and the

Outagamie Landfill to see if they will be allowed to dump the debris at their facilities. Hilbert Landfill has already said that they can dump at their facility. Dakota is waiting to see what Outagamie will allow.

Discussion was held by the Committee regarding the allotted time frame of the project and extra expense for the City. It was also brought up why they are not demolishing the building at this time and placing it into piles so when they get the okay from the landfill, it can be loaded and hauled. The Committee asked Ben Peotter to have an answer from Dakota by Friday, August 31.

Consider Change Order & Initial Payment on HWY 42 & Miller Street

Pete Kolaszewski, from Ayres & Associates informed the Committee that Wood Construction requested a change order due to the unexpected material found under HWY 42 & Miller along with their payment for work completed to date. The materials found, that required additional time, were old concrete bridge embankments, logs and unknown pipes, because of this they are looking at addition compensation.

Discussion was held regarding the fact that the City was only contacted and informed of one of the five items cited for additional compensation. It was felt that the change order procedure was not followed; the Committee also felt that there were lack of supervision and managerial issues on the project that added to the time. Specifically, Public Works Director Murphy stated that an unknown 12” pipe was found. He called his crew in to flush the line to determine if it was active or abandoned. The pipe was determined to be abandoned. Administrator Schnook stated that if it wasn’t for the public works staff coming in on overtime hours, that specific issue would have cost a lot more. The City staff had the equipment and felt it would expedite the issue. Murphy stated that his crew put about 40 hours of work and he had about 150 hours total on the project.

Administrator Schnook stated that the billing presented by Ayres along with the change orders amounts to \$26,700 dollars. The project budget had a built-in contingency of 20% or \$24,611.70. If the Council approves this change order, that puts the City at \$2,088.30 over-budget and the project is not yet completed. Schnook is concerned about the cost-overruns and the inability to properly budget for the project.

Alderman Schiller moved, seconded by Alderman Kuehl to recommend to the Council the approval of line item 3-timber pilings on HWY 42, while excavating towards 216 Miller Street in the amount of \$2,400., and item 5-the unknown pipe encountered while crossing HWY 42 in the amount of \$800 of the Change Order. Motion carried unanimously.

Alderman Schiller moved, seconded by Alderman Kuehl to recommend to the Council to approve the Application for payment to Wood Construction for the Hwy 42 and Miller Street Utility Project. Motion carried unanimously.

Help with the Homeless Sex Offenders – Alderman Jelinek

Discussion was held on a recent issue that came forward regarding a registered sex offender, who lost his residence due to the owner selling, this left him nowhere to go. Police Chief Salentine stated that the individual has found a place and is moved in. This is something the Council needs to be aware of.

Alderman Griffith moved, seconded by Alderman Schiller to table and bring back at the September Committee of the Whole for further discussion. Motion carried unanimously.

Proposed Zoning Changes for Downtown-Alderman Schiller

Alderman Schiller stated that the combined map that Elizabeth Runge presented shows an area in the downtown that should be some type of dual zoning. If the property is residential and commercial, the owner of

the property could decide on either zoning and would allow more options in the downtown area. Alderperson Schiller will come back to the next Council Meeting with language to discuss.

Discussion was held regarding the property owner that is waiting for an answer on the rezoning request, so he can proceed with his project.

High School Cooperative Educational Position Description – Mayor Christman

Mayor Christman stated that staff has put together a job description based on needs in the Office to help alleviate some of the work load. Mayor Christman also said that she has been in contact with the Mark Dax regarding their co-op program, which the student can receive credits for their work. This would be a year round paid position with a few hours a day.

Discussion was held on splitting time in the summer with the Office and Marina, and whether the district has a protocol the Council could review prior to hiring a student. This will be looked at during the budget time.

Consider Hiring a Community & Economic Development Planner & Grant Writer Position

Administrator Schnook stated that at the July 23 Committee of the Whole meeting, a motion was made to bring the CED Planner and Grant Writer back to the Committee in August with a refined job description and salary. Administrator presented them with a refined proposed description with salary scale, with the proposed position to range \$45,000 to \$65,000 with midpoint of \$55,000. Cost of \$74,000 assuming 39% for fringe. Appropriation of funds from Coastal Management Grant and General Fund Dollars.

Discussion was held on the need for a CED Planner and Grant writer with all of the plans that the City has adopted recently. The City needs to start getting proactive in the development of Kewaunee and with a grant it helps alleviate most of the burden for the first year, by then the position should be able to pay for itself with grants and development.

Alderperson Griffith moved, seconded by Alderperson Schiller to recommend to Council the approval of hiring a CED Planner and Grant Writer and start developing the plans put in place. Motion carried.

Storm Water Utility Discussion/Special Assessment for Miller Street

Chairperson Dworak stated that the Administrator Schnook is looking for direction for future storm water project, whether it be special assessment or creating a Storm Water Utility. It was felt that it is too late to do anything for the Miller Street Project.

Discussion was held on whether the Council/Committee wants to adopt an ordinance to special assess residents in the future for storm water. The majority of the Committee was not in favor of special assessing, Mayor Christman stated that the Committee needs to look at the benefit of the options that available and the downfalls.

Alderperson Jelinek moved, seconded by Alderperson Griffith to recommend to the Council to direct Administrator Schnook to take the properties in the City get a rough idea of an average cost per property and what we need for a projected revenue to take care of future improvements. Motion carried.

Water and Sewer Rate Increase Approval

Chairperson Dworak stated that when Baker Tilly was here they recommend that the City increase their water and sewer rates with a 3% yearly increase.

Alderperson Kuehl moved, seconded by Alderperson Zimmerman to recommend to Council the approval of a 3% increase for the Water and Sewer Utilities. Motion carried unanimously.

Consider Approving a Water & Sewer Rate Studies

At the April 9, 2018, Common Council meeting, the Council approved performing a water rate study. Cost: \$8,000. That work has yet to commence.

A discussion of the need to perform a sewer rate study in conjunction with the water rate study took place. It is felt that both utilities should be examined simultaneously. However, due to the studies being a non-budgeted item, it was recommended to delay both studies until next year.

A motion was made by Councilperson Griffith and seconded by Councilperson Schiller to forward to the Common Council a recommendation to delay the implementation of a water rate study until 2019, so that both a water and sewer rate study can be performed. Also recommended that staff be directed to budget for both studies as part of the 2019 budget development process. Motion carried unanimously.

Update on Lease for Maynard Kuehl/Drainage Ditch and Request to Bid-out

Administrator Schnook informed the Committee that he has been in contact with Maynard Kuehl regarding an updated lease and drainage ditch damage. Mr. Kuehl does not feel the drainage ditch is his problem and will not pay the 3% increase per year which would increase his lease from \$100.00 an acre to \$103.00 an acre.

Discussion was held on the responsibility Mr. Kuehl has to repair the drainage ditch, what the City would like to see in that area for the future. Discussion was also held on having Alderperson Stangel and Administrator Schnook set up a meeting with Mr. Kuehl and see if something can be worked out regarding the ditch. The Committee also talked about what other surrounding properties are leasing for.

Alderperson Griffith moved, seconded by Alderperson Jackson to recommend to the Council to direct Administrator Schnook to talk to Mr. Kuehl again and let him know he will be responsible to repair the drainage ditch and if he wants to lease the land it will be at \$103.00 an acre and if he does not want to pay the extra \$3.00 an acre the lease will be done at the end of this crop season. This would be a one year lease.

Alderperson Kuehl stated that Administrator Schnook should contact the City Attorney to determine liabilities and rights the City may have.

Alderperson Stangel felt that this issue should be tabled and would like the opportunity to meet with Mr. Kuehl and Administrator Schnook to see if something can be worked out. If you go to him with the above motion the City will not get the ditch fixed.

Motion failed seven no and one yes.

Alderperson Stangel moved, seconded by Zimmerman to table the lease agreement, until such time as Administrator Schnook, Alderperson Stangel and Mr. Kuehl to resolved the problem with the drainage ditch and discuss the lease further. Motion carried six yes, one no, Alderperson Schiller abstained.

Boat Launch Bid Review and Approval

Pete Kolaszewski, from Ayres & Associates reviewed the bids received on August 24, 2018 at 9:00 am. The City received five bids with the low bidder being Lunda Construction Co. out of Black River Falls in the amount of \$323,915.51. Lunda is currently working the HWY 42 Project.

Administrator Schnook stated that we do have an approved grant for \$400,000, maybe some of this could be used to do to address Alderperson Schiller's concern regarding the parking lot.

Aldersperson Kuehl moved, seconded by Aldersperson Jelinek to recommend to the Council the approval to award the Boat Launch Project to Lunda Construction Co. in the amount of \$323,915.51. Motion carried.

ENTER INTO CLOSED SESSION pursuant to Wisconsin Statute 19.85(1) (c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility

Aldersperson Kuehl moved, seconded by Aldersperson Zimmerman to go into Closed Session at 8:40 pm. Motion carried unanimously.

Aldersperson Griffith moved, seconded by Aldersperson Jelinek to return to Open Session at 8:56pm. Motion carried unanimously.

Action on Closed Session

No action taken.

ANNOUNCEMENTS

Chairperson Dworak stated that he will not be at the September Council Meeting.

Aldersperson Zimmerman stated she will not be at the September Committee of the Whole.

Aldersperson Zimmerman moved, seconded by Aldersperson Griffith to adjourn the meeting at 9:00 pm. Motion carried unanimously.

Submitted by Clerk/Treasurer Decur