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OFFICIAL MINUTES OF  
CITY OF KEWAUNEE COMMITTEE OF THE WHOLE (COW)  
Kewaunee Municipal Building, 401 Fifth Street  
MONDAY OCTOBER 28, 2019 - 6:00 P.M.  
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Present: Chairperson Stangel, Mayor Christman, Alderpersons Dworak, Jackson, Jelinek, Schiller, Kuehl, Mills and Zimmerman.

Excused: None

Others: Administrator Schnook, Clerk/Treasurer Decur, Public Works Director Strelow, Building Inspector Davister, Deputy Police Chief Kleiman and CEDPGW Autumn Linsmeier.

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

**APPROVAL OF THE COMMITTEE OF THE WHOLE SEPTEMBER 23, 2019, MINUTES**

*Aldersperson Kuehl moved, seconded by Aldersperson Dworak, to approve the September 23, 2019, Committee of the Whole Meeting Minutes as presented. Motion carried.*

**PUBLIC COMMENT**

Chairperson Stangel opened the floor for public comment.

With no comments, Public Comment was closed.

**OLD BUSINESS**

**Charge Card Fees – Terri Decur/Karen Muchowski**

Chairperson Stangel asked the Committee if there were any question/discussion regarding charging the customers for the transaction fee associated with credit card and check payment through the PSN System. Hearing none, Chairperson Stangel asked for a motion to forward it to Council as presented.

*Aldersperson Kuehl moved, seconded by Aldersperson Mills to forward to the Council the recommendation for approval of charging customers transaction fees associated with credit card and check payments through the PSN System. Motion carried unanimously.*

**Flooding Updates**

Chairperson Stangel turned the floor over the Administrator Schnook to update the Committee on the flooding issues.

Administrator Schnook presented two predictions regarding next year's water levels. The first one is from the Monthly Bulletin of Great Lakes Water Levels, which indicates the possibility of Lake Michigan's water levels rising as much as 16" in the year 2020. The Second one is from Lake Michigan-Huron Monthly Means Water Level, which predicts the same concern.

Administrator Schnook also presented a letter written by Interim Marina Manager Lacey that she would like to send to all boat slip and campsite holders, informing them that Marina contracts will not be going out until next

spring. This would give the slip-holders a heads up regarding the potential possibility that the Marina and Campsite may not be opening due to the projected water levels next year. The Committee reviewed a proposed draft letter to the boaters and campers informing them of the possibility of higher water next season and waiting to send out contracts until early next spring. Unless water levels improve over the winter, Staff recommends closing the boat launch, campground and marina for next year.

Discussion was held on the possible problems this could cause for Businesses, Marina, Boat Launch and Hwy 42, if the water gets to the levels that are predicted. Discussion was also held on trying to receive support from outside agencies like, FEMA, DNR, State and Federal Government. All Lake Shore Communities need to band together to find outside support. It was also discussed whether the City should request the campers be removed from the campsite before winter.

*Aldersperson Schiller moved, seconded by Aldersperson Jelinek, to recommend, Interim Marina Manager Lacey report to the next Council Meeting with her recommendations relative to the campground and the removal of the campers, to give an update of the Marina itself and if we can prepare items now for the future. Motion carried unanimously.*

### **Community Center Update**

Aldersperson Zimmerman stated that the Community Center Committee has been working in collaborative effort with the County to find a location or building for the proposed Community Center. An application for a planning grant is also in the works.

### **Budget Update**

Clerk/Treasurer Decur informed the Committee that the worksheets presented tonight have been updated from the October 17 workshop and reminded the Committee that the second budget workshop will be held next Monday, November 4, at 6:00 pm. The Public Hearing is scheduled for November 25, 2019 at 5:00 prior to the Committee of the Whole Meeting.

### **Marquette School Update**

Administrator Schnook informed the Committee that the City has taken over the administrative side of the Marquette School Project, Building Inspector Davister has taken over the project management and site supervision portion. Administrator Schnook stated that Building Inspector Davister has been working 12-13 hours a day, even Saturday and Sunday to help complete this project.

Building Inspector Davister stated that the Contractor should be done in 2 weeks as long as the weather holds out and we do not receive heavy frost.

Discussion was held on the progress that is being made and the positive comments from City Residents.

### **River Road Update**

Public Works Director Strelow stated that the project was to be done by October 20, but due to the weather and the conditions of the road they are hoping to be done by November 15. The infrastructure is done, curb & gutter should be placed tomorrow with the paving, sidewalks and restoration the following week.

Discussion was held regarding the time frame of the project and possible final restoration regarding grass in early 2020.

**NEW BUSINESS:**

**ORD 608-19 – Chapter 94, Sec, 94-131 – Permitted Structures and uses in required yards**

Amendment to Ordinance reads as follows:

**Old:** Chapter 94, Article V, Division 2, Section 94-131, d.; *Materials.* ~~Barbed wire fences, electrical fences, spike or sharp picket fences, or fences constructed of any other material that shall be deemed to create a nuisance or a hazard are hereby prohibited~~

**Proposed New:** Old: Chapter 94, Article V, Division 2, Section 94-131, d. 1-6: *Materials and Construction.*

1. Walls and fences shall be constructed of high quality materials, such as decorative blocks, brick, stone, treated wood, wrought iron, plastic and vinyl.
2. No fence shall have sharp or pointed pickets dangerous to life or limb.
3. Hedges shall be trimmed and confined to the property on which they are planted.
4. No fence or other structure containing barbed wire or other dangerous material shall be placed on residentially –zoned property or within four feet of any public street, sidewalk or alley.
5. Fences shall be constructed so that the structural supporting elements are located on the side which is visible to the fence owner (inside) so that the structure/supporting elements of the fence are less visible to adjoining properties and public rights-of-way.
6. City Building Inspector to approve all fencing materials

Alderson Mills stated he has a problem with proposed 3.d.6.”City Building Inspector to approve all fencing materials” and would like to see that removed from the proposed Ordinance.

Alderson Schiller stated he would be more comfortable if the City published a list of allowable material that can be used in the construction of fences, as opposed to leaving it as an Ad Hoc decision with each building permit. Alderson Schiller also had a problem with 3.d.3 regarding the use of hedges. He feels there is no other mention of hedges in the ordinance book and it seems odd to add it to permitted yard structures.

Discussion was held on types of material that would be acceptable and materials that would be unacceptable in the construction of a fence.

***Alderson Mills moved, seconded by Alderson Schiller, to forward to Council recommending the approval of amended ORD 608-19 - Chapter 94, Article V, Division 2, Section 94-131, d. 1-6 : Materials and Construction with the deletion of 3. Hedges and 6, City Building Inspector. Motion carried unanimously.***

**ORD 609-19 – Chapter 94, Sec 94-344 – Standards for Driveways**

Administrator Schnook stated that the Planning Commission approved the amendment to Chapter 94, Sec 94-344 – Standards for Driveways with the addition of (4) “A driveway can be no closer than 3 feet from any property line and must be hard surfaced”.

Discussion was held regarding the “must be hard surfaced” of the amendment and how it would create so many non-conforming properties.

Alderson Schiller stated that he would review the amendment and present new wording at the next Committee of the Whole.

***Alderson Schiller moved, seconded by Alderson Mills, to table Ord 609-19, until the next scheduled Committee of the Whole Meeting. Motion carried unanimously.***

**ORD 610- - Chapter 94, Sec. 94-343 – Traffic, Parking and Access**

Administrator Schnook presented an amendment to “*Chapter 94, Zoning, Article VII, Section 94-343, (9) Number of off-street parking stalls required*”. Planning Commission recommended addition to (9) a. Single family dwelling in all residential districts. Two spaces with; “(1) *No parking shall be located in the front yard or between the front façade and the street except on the permitted driveway providing access to parking areas beyond the front yard. (2) The primary entrance shall be located on the façade fronting a public street*”.

Discussion was held on the wording added to Chapter 94, Art. VII, Section 94-343, (9) a. (1) and (2). Committee felt that because in the winter there is a no overnight parking on the streets ordinance this would cause hardship for some residents.

Aldersperson Schiller stated that he would review the amendment and present new wording at the next Committee of the Whole.

*Aldersperson Schiller moved, seconded by Aldersperson Kuehl to table Ord. 94-610, until the next scheduled Committee of the Whole Meeting. Motion carried unanimously.*

**Discussion Kewaunee County ATV/UTV Ordinance**

Kewaunee County Sheriff Matt Joski was present to present the County’s new Chapter 25, “All-Terrain Vehicles and Snowmobiles Ordinance”, of their Code Book.

Sheriff Joski stated that some of the Townships have adopted the ATV/UTV Ordinance, but it will not be in effect place until the roads are posted. The Ordinance states that ATV’s are only allowed on State Highway with a speed limit of 35 M.P.H. or lower.

Aldersperson Kuehl asked that this item be placed on the agenda for discussion.

Discussion was held regarding the allowable routes that could be used to enter the City, once they are in the City they can get almost anywhere. Discussion was also held regarding ATV/UTV’s not being allowed on the Anhapee Trail. This is something that the City needs to look at in the future.

**Kewaunee County Public Safety Facility Study Committee**

Mayor Christman stated that the attachment listing the amended Kewaunee County Public Safety Facility Study Committee is informational only. Mayor Christman also stated that the first meeting she will be attending will be November 20, 2019 to discuss the new proposed Public Safety Building.

Aldersperson Kuehl congratulated Mayor Christman for being placed on the Committee.

Kewaunee County Sheriff Joski updated the Council stating that they have toured Green Lake County’s Public Safety Building and on October 29 they will be touring Door and Oconto County facilities. Phase I, Needs Assessment, has been completed and we are onto Phase II, Spaces, to determine what is required by code, etc.

**Council Retreat Review and Discuss Next Steps**

CEDPGW Linsmeier updated the Committee and presented them with the new draft of the City of Kewaunee Committee Structure with the changes discussed at the retreat. CEDPGW Linsmeier stated that it was discussed to wait until April 2020 to start to implement the new Committee Structure, but felt it will take 6-12 months to complete the updating of Committees.

Discussion was held on the process needed to complete the New Committee Structure and the first step will need to be a new Ordinance drafted to adopt the new Structure. Discussion was also held on starting the Committee reorganization now, but to start with one Committee at a time and also to start having CEDPGW Linsmeier attend any groups, organizations and clubs to get the word out we are looking for volunteers.

**ENTER INTO CLOSED SESSION Pursuant to Wisconsin Statute 19.85(1) (e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: Pierpoint Development Group Proposal**

*Aldersperson Kuehl moved, seconded by Aldersperson Jelinek, to convene into Closed Session at 8:00 pm. Upon a roll call vote, motion carried unanimously.*

**RETURN TO OPEN SESSION, PURSUANT TO WISCONDIN STATUTE 19.85(2)**

*Aldersperson Dworak moved, seconded by Aldersperson Schiller to reconvene into open session, pursuant to Wisconsin Statute 19.85(2). Motion carried unanimously.*

**ANY ACTION FROM CLOSED SESSION**

None

**ANNOUNCEMENTS**

Administrator Schnook reminded everyone about:

- Booz & Bites which was previously named the Taste of the County, tickets are still available.
- Halloween is October 31, 2019, starting at 3:30 pm, until 7:00 pm.
- November 8, 2019 the Rotary will be holding their Spaghetti Feed.
- A Grand Opening was held for the New Annie's Quilt & Lodging located on Ellis Street.

Mayor Christman mentioned that Kewaunee County Economic Director Richard Baker and Mike Borries were on Television.

Aldersperson Schiller stated that the corner of Milwaukee and Harrison Street reconstruction has started. The Restaurant that will be occupying the lower level of the Selner Building will be named "Restaurant & Smoke House" and that they have already ordered all of the kitchen equipment.

**ADJOURNMENT**

*Aldersperson Kuehl moved, seconded by Aldersperson Mills, to adjourn the meeting at 8:43 pm. Motion carried unanimously.*

Submitted by Clerk/Treasurer Decur