

~~~~~  
OFFICIAL MINUTES OF  
CITY OF KEWAUNEE COMMITTEE OF THE WHOLE (COW)  
Kewaunee Municipal Building, 401 Fifth Street  
MONDAY DECEMBER 16, 2019 - 6:00 P.M.  
~~~~~

Present: Chairperson Dworak, Mayor Christman, Alderpersons, Jackson, Schiller, Jelinek, Stangel (arrived 6:22 p.m.), 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 Dworak called the meeting to order at 6:00 p.m.

**APPROVAL OF THE COMMITTEE OF THE WHOLE NOVEMBER 25, 2019, MINUTES**

*Alderman Kuehl moved, seconded by Alderman Mills, to approve the November 25, 2019, Committee of the Whole Meeting Minutes as presented. Motion carried.*

**PUBLIC COMMENT**

Chairperson Dworak opened the floor for public comment.

With no comments, Public Comment was closed.

**OLD BUSINESS**

**Flooding Updates**

Mayor Christman stated the only new information she has received regarding the water levels is an e-mail from Bob Stasek, Army Copt Area Engineer. Mr. Stasek stated that the Kewaunee Office of the Army Corp of Engineers have received the Super Sack, they are looking at the best way to fill the Sack. The Army Corp of Engineers will be in contact with the City and City Staff, when they find the right solution, for observation.

**Community Center Update**

Alderman Zimmerman stated that there has been nothing new to report on Community Center Committee search.

Alderman Schiller stated the Community Center Committee did tour the building at 203 Ellis Street. The Committee will now meet and discuss the options. Alderman Schiller stated it would not be a permanent solution but it could work 4 to 5 years

Discussion was held on the lower and upper levels of the Building at 203 Ellis Street.

**Marquette School Update**

Administrator Schnook provided the Council with a full accounting of the Marquette School demolition project and reviewed the cost of same. The costs were a little higher than planned back in May of 2018. This is due to the additional Legal Costs and Staff Cost because of the issues with Dakota Intertek that took place.

Administrator Schnook stated that he felt the Engineering was higher than expected. However, when one removes the staff costs associated with the project and the attorney fees, the cost is slightly below budget. Overall, the City has learned some valuable knowledge regarding working with Contractors and Engineers.

### **River Road Update**

Public Works Director Strelow stated that a meeting is being scheduled with Kewaunee County and Ayres, to discuss the Special Assessment costs. The final layer of pavement will be completed in spring of 2020, along with any additional topsoil and seeding.

Discussion was held regarding the residents being pleased with the outcome along with the placement of one driveway apron.

Administrator Schnook asked Alderperson Jelinek and Public Works Director meet and look at that particular driveway in question.

### **Lighthouse Committee Report – National Historic Register & Liability Waiver-Robin Nelson**

Robin Nelson, presented the Committee with a proposed Release of Liability and Assumption of Risk Agreement that has been drawn up to protect the City of Kewaunee and Friends of the Kewaunee Pierhead Lighthouse against liability claims. This Agreement would need to be signed prior to touring the Lighthouse.

Discussion was held to have the City Attorney review the Waiver prior to approval.

*Alderperson Kuehl moved, seconded by Alderperson Zimmerman, to send the proposed Release of Liability and Assumption of Risk form to Attorney Nesbitt for review. Motion carried unanimously.*

Robin Nelson stated that the Coast Guard has submitted, in year 2000 and 2009 to have the Kewaunee Pierhead Lighthouse placed on the National Historical Registry and has been deemed eligible, but never followed through. Robin Nelson stated that the Friends of the Kewaunee Pierhead Lighthouse are working with Peter Rott, Historic Architect with ISTHMUS Architecture. For \$2,500 dollars, Mr. Rott will help draft the Architectural Description, co-draft the Statement of Significance, provide USGS map and coordinates, sketch plans, proof final copy and monitor agency's review progress. There are items that can be used from the previous submittals. Robin Nelson would like to know if the City would be in agreement with the presentation of submitting to the National Historical Registry.

Discussion was held on the regulations, restriction and the effect the remodeling to keep the Lighthouse on the National Registry.

*Alderperson Zimmerman moved, seconded by Alderperson Mills to forward to Council the recommendation to approve the submittal of the Lighthouse to the National Historical Registry. Motion carried unanimously.*

### **NEW BUSINESS:**

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

Building Inspector Davister thanked Alderperson Schiller for his work on proposed Ordinance 609-19 and 610-19. Building Inspector Davister reviewed proposed Ordinance No. 609-19 and explained he would like to see Section 94-344, Standards for Driveways, (4) the last part of the sentence to read; “*except for lots with Front Yard width of sixty feet or less where such distance shall be not less than two (2) feet*”, instead of: “*except for lots with Front Yard width of sixty feet or less where such distance shall be not less than three (3) feet*”. The reason for the change is to be comparable to the two (2) foot Fence setback.

*Alderson Schiller moved, seconded by Alderson Kuehl, to forward to the Council the recommendation to adopt Ordinance 609-19 Chapter 94, Sec. 94-344 – Standards for Driveways, with the change of three (3) foot setback be changes to two (2) setback. Motion carried unanimously.*

**ORD 610-19 - Chapter 94, Sec. 94-343 – Traffic, Parking and Access**

Building Inspector Davister stated that this is another Ordinance that Alderson Schiller worked on. Building Inspector Davister would like to see in Sec. 94-343, Parking Requirements, (4) Concealed from View, removed from the Ordinance. This makes it look like the City is condoning the concealment of vehicles, which is not allowed under the Junk Ordinance.

Administrator Schnook also stated that there is a concern regarding Sec. 94-343, Parking Requirements, (12) Landscaping, (a) Parking Prohibited, (4) in the rear yard of any residence provided that any such Vehicle shall be concealed from view. Staff recommends the removal in Section 94-343, (4) and (12) (a) (4).

Discussion was held regarding the issue of concealing property verses the Junk Ordinance.

*Alderson Mills moved, seconded by Alderson Jelinek, to forward to Council with the recommendation to adopt Ordinance 610-19 – Chapter 94, Section 94-34, Traffic, Parking and Access. Motion carried unanimously.*

**ORD 612-20 – Chapter 2, Section 2-111 – Commissions, and Committees – Update on Committee Structure**

CEDPGW Autumn Linsmeier reviewed the invitation to Grant Writing 101 Training, which will be held on Thursday, March 19, 2020 from 5pm to 8pm. CEDPGW Autumn Linsmeier also reviewed the Committee Implementation Schedule, Committee Training Plan and Calendar. CEDPGW Autumn Linsmeier asked if anyone had any questions regarding the Ordinance that was created to add the new Committee Structure.

*Alderson Schiller moved, seconded by Alderson Kuehl, to instruct Staff to place the proposed Ordinance into our Ordinance Format and forward to the Council the recommendation to adopt Ordinance 612-20. Motion carried unanimously.*

**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: The Gathering at Pierpoint Development Proposal.**

*Alderson Zimmerman moved, seconded by Alderson Mills, to convene into Closed Session at 6:54 p.m. Upon a roll call vote, motion carried unanimously.*

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

*Alderson Mills moved, seconded by Alderson Schiller, to reconvene into open session, pursuant to Wisconsin Statute 19.85(2) at 9:00 pm. Motion carried unanimously.*

**ANY ACTION FROM CLOSED SESSION**

None

**ANNOUNCEMENTS**

Mayor Christman announced that she would not be seeking re-election in 2020.

## **ADJOURNMENT**

*Alderson Jelinek moved, seconded by Alderson Mills, to adjourn the meeting at 7:53 pm. Motion carried unanimously.*

Submitted by Clerk/Treasurer Decur