

**AMENDED
OFFICIAL MINUTES
OF THE
CITY OF KEWAUNEE COMMON COUNCIL
MAY 10, 2021 – 6:00pm**

Present: Mayor Jelinek, Alderpersons Shelton, Brewster, Blaha, Vollenweider, Stangel, Taylor, Nelson and Zimmerman.

Excused: None

Others Present: Administrator Schnook, Clerk/Treasurer Decur, Attorney Nesbitt, PWD Strelow, BI Davister, Librarian Petrina, Police Chief Kleiman, Marina Manager Kinjerski and EDPGF Monrroy.

Mayor Jelinek 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 12, 20 & 21, COMMON COUNCIL MINUTES.

Aldersperson Shelton questioned if there was a motion in the April 12, 2021, minutes regarding Res. No. 1098-2021, Matching Funds for Business Park/EDA Grant.

Clerk/Treasurer Decur stated that she thought there was a motion and would review her notes and correct the minutes.

Aldersperson Zimmerman requested the addition of “Mayor Jelinek asked Aldersperson Zimmerman and Vollenweider if they would like to explain why they voted no.” to the April 12, 2021 minutes under Agenda Item Approval of Updated 10-year CIP.

Aldersperson Stangel moved, seconded by Aldersperson Brewster, to approve the April 12 minutes, with discussed changes and April 20 & 21, 2021 minutes as presented. Motion carried unanimously.

PUBLIC COMMENT/COMMUNICATIONS

Mayor Jelinek opened public comment.

Janet Karlovit, 1225 Dodge Street, stated that she opposes the proposed bike lanes and removal of trees to widen Dodge Street that is in the proposed plan. In addition, she opposes taking the parking away as she has have a divided driveway and the only parking she has is on the street. She feels this would make the value of her home go down.

Mayor Jelinek stated if anyone else is here to speak regarding the Dodge Street project, the cart is way in front of the horse. The City is only in the beginning stage of working on Dodge Street, which will not be constructed until maybe 2022 or 2023, and there will be many conversations throughout the process to come up with a scope for the project.

Kirt Johnson, 803 Milwaukee Street, stated that he agrees that widening the street and the bike paths are unnecessary and not needed in a small City on the back roads. Mr. Johnson also felt that the Plan Commission appointments was a troubling list, and would hope the Mayor works with the Council to find good candidates. The final issue Mr. Johnson wanted to touch on is a notice sent out by the Mayor regarding an informational meeting to discuss a proposed development in the Marquette School District. Mr. Johnson wanted to know if the Mayor consulted with the Council, the Historical Preservation Commission or the Marquette Historic District on this informational Meeting.

Mayor Jelinek began to speak about Mr. Johnson’s comments but due to questions by alderpersons and the exit of three Alderspersons, the discussion was closed. Aldersperson Taylor requested to be excused from the meeting at 6:15 pm. Alderspersons Blaha and Vollenweider also left the meeting at 6:15pm.

At the June 14, 2014, Council Meeting, Alderperson Nelson as to have the following to be reflected in May 10, 2021 Common Council Minutes;

“Mayor Jelinek ended public comment at which time Alderperson Nelson asked Attorney Nesbitt if the Mayor was able to do this. Attorney Nesbitt responded he is the Mayor conducting the meeting and he may do what he chooses. After the three Aldermen left the meeting, Mayor Jelinek was advised by the City Administrator Schnook there was a quorum, Alderperson Zimmerman and City Clerk Decur were advised by the City Attorney Nesbitt there was a quorum. The meeting proceeded.”

After reviewing the recording:

“Alderperson Nelson asked Attorney Nesbitt if he would comment on this, Attorney Nesbitt stated the Chair is running the meeting he has opened it up for Public Comment and he has a right to make a public comment, on a comment, because he is running the meeting. After some heated discussion, Mayor Jelinek asked Administrator Schnook if there was a quorum. Administrator Schnook stated that we have five, which is a quorum. Alderperson Zimmerman asked the question if we had a quorum and Clerk Treasurer Decur looked in the direction of Attorney Nesbitt, Mayor Jelinek and Attorney Nesbitt stated that we did have a quorum.”

CONSENT AGENDA

- a. **Boards, Commissions, Committee and Staff Reports (Board of Zoning Appeals, Community Center, Plan Commission, Pierhead Lighthouse, Police & Fire Commission and Staff Report).**
- b. **Dodge Street Reconstruction Approval**
- c. **Plan to Address Non-conforming Features Identified in Sanitary Survey**
- d. **Liquor License Class “A” Beer – Kewaunee County Sluggers-Kewaunee Babe Ruth-Memorial Field**

Alderperson Shelton asked to have Dodge Street Reconstruction Approval removed from the Consent Agenda for further discussion.

Alderperson Shelton questioned, the mention of the Letter of Intent from Jeff Welhouse that Administrator Schnook stated in his Staff Report. After some discussion regarding the withdrawn status of the Letter of Intent, it was explained that Mr. Welhouse asked to have it withdrawn from the April 26, 2021, Committee of the Whole Meeting due to health issues, but would present it hopefully at the next Meeting.

Motion was made to approve the Consent Agenda but due to not having a two-thirds quorum for the vote, no motion was recorded.

At the June 14, 2021 Common Council Meeting Alderperson Zimmerman requested that the motion be added to the May 10, 2021 Common Council Minutes in full as follows:

“Alderperson Nelson moved, seconded by Alderperson Shelton, to pull item 5. b. Dodge Street Reconstruction Approval for further discussion and to approve the remainder of the Consent Agenda as presented. Motion carried unanimously.” – “It was later determined that no quorum existed at this time so action was not valid.”

b. Dodge Street Reconstruction Approval

Discussion was held on the Dodge Street Reconstruction Approval. Council approved resolution No. 1098-20 on April 26, 2021, approving staff time and funds for reconstructing water, sewer, storm sewer, sidewalk, curb, gutter and asphalt on Dodge Street from Baumeister Drive to Kilbourn Street. Cedar Corp has provided two estimates to use in the process of locating available grants to help fund this project. One of the estimates includes an option for bike lane, which may help with additional grant funding.

Discussion was held on the bike lanes, widening of the road and removal of trees. The reason for the approval request is to start the design process that would allow discussion and decisions on what the design should be.

A motion was made to table the Dodge Street Reconstruction Approval, but due to not having a two-thirds quorum for the vote, no motion was recorded.

At the June 14, 2021 Common Council Meeting Alderperson Zimmerman requested that the motion be added to the May 10, 2021 Common Council Minutes as follows:

“Alderperson Nelson moved, seconded by Alderperson Shelton, to table the Dodge Street Reconstruction Approval. Motion carried unanimously.” – “It was later determined that no quorum existed at this time so action was not valid.”

MAYOR’S REPORT

a. Appointment and Re-appointment for All Committees-Jason Jelinek

Mayor Jelinek stated he would like to appoint Molly Apple, Steve Dax and Jeff Koehnle to a three-year term on the Board of Harbor Commissioners, appoint Larry Sipe and Joe Mills to a three-year term on the Plan Commission and Re-appoint Laura Gerold, Dan Stangel and Claude Stangel to a three-year term on the Plan Commission.

A motion was made to table the Appointments and Re-appointments, but due to not having a two-thirds quorum for the vote, no motion was recorded.

At the June 14, 2021 Common Council Meeting Alderperson Zimmerman requested that the motion be added to the May 10, 2021 Common Council Minutes in full as follows:

“Alderperson Zimmerman moved, seconded by Alderperson Nelson, to table the Appointment and Re-appointment. Alderpersons Shelton, Brewster, Nelson and Zimmerman – aye, Alderperson Stangel – nay, motion carried.”- “It was later determined that no quorum existed at this time so action was not valid.”

NEW BUSINESS

a. Ordinance No. 624-2021 – Chapter 94-23(d) – Second Reading

The amended Ordinance No. 624-2021 – Chapter 94-23(d) is to add Commercial Boat Storage and Repair to Sec. 94-23 WFD, Waterfront District, under (d) Conditional uses.

A motion was made to adopt Amended Ordinance No. 624-23-(d), but due to not having a two-thirds quorum for the vote, no motion was recorded.

At the June 14, 2021 Common Council Meeting Alderperson Zimmerman requested that the motion be added to the May 10, 2021 Common Council Minutes in full as follows:

“Alderperson Nelson moved, seconded by Alderperson Stangel, to approve Ordinance NO. 624-2021 – Chapter 94-23(d). Upon a roll call vote motion carried unanimously.” – “It was later determined that no quorum existed at this time so action was not valid.”

b. Ordinance No. 625-2021 – Sidewalk Cafes – Second Reading.

Administrator Schnook stated that the Sidewalk Cafes Ordinance was previously passed, but the numbering differed from that, which listed it the Campground Ordinance. The wording has not changed from the original Ordinance, only the number to create its own section in the Ordinance.

A motion to approve the Ordinance was made, but due to not having a two-thirds quorum for the vote, no motion was recorded.

At the June 14, 2021 Common Council Meeting Alderperson Zimmerman requested that the motion be added to the May 10, 2021 Common Council Minutes in full as follows:

“Alderperson Nelson moved, seconded by Alderperson Brewster, to approve the Ordinance No. 625-2021, Sidewalk Café. Upon a roll call vote motion carried unanimously.” – “It was later determined that no quorum existed at this time so action was not valid.”

c. Resolution No. 2001-2021 - Adopting Three Year Statement of Intentions for HAP Funding – Abigail Monrroy.

EDPGF Monrroy stated that the Wisconsin Department of Transportation requires a Statement of Intentions (SOI) from local units of government who intend to apply for federal and/or state aid for harbor related work of any type. The Wisconsin Department of Transportation for planning purposes uses this three-year harbor development statement of intentions. Staff recommends approving the Harbor Development Statement of Intentions for the Piling Replacement, and Sea Wall/Walkway Extension.

A motion to adopt Resolution No. 2001-2021, was made, but due to not having a two-thirds quorum for the vote, no vote was recorded.

At the June 14, 2021, Common Council Meeting Alderperson Zimmerman requested that the motion be added to the May 10, 2021 Common Council Minutes in full as follows:

“Alderperson Brewster moved, seconded by Alderperson Nelson to approve Resolution No. 2001-2021, Adopting Three Year Statement of Intentions for HAP Funding. Upon a roll call vote, motion carried unanimously.” – “It was later determined that no quorum existed at this time so action was not valid.”

d. April 2021 Cash Report

Mayor Jelinek asked if there were any question on the March 2021 Cash Report.

No questions were brought forward.

e. Approval of April 2021 Accounts Payable

Mayor Jelinek asked if there were any question on the March 2021 Accounts Payable and Payroll Reports.

Alderperson Shelton questioned what the Legal Fees of \$5,630, consisted of. Attorney Nesbitt stated that the cost included attending meetings, Ordinance reviews, the DNR Environmental Application for Fisherman’s Point, phone calls, e-mails, etc.

A motion to approve the April 2021 Accounts Payable was made, but due to not having a two-thirds quorum for the vote, no vote was recorded.

At the June 14, 2021 Common Council Meeting Alderperson Zimmerman requested that the motion be added to the May 10, 2021 Common Council Minutes in full as follows:

“Alderperson Brewster moved, seconded to Alderperson Nelson, to approve the April 2021 Accounts payable in the amount of \$296,047.54. Upon a roll call vote, motion carried unanimously.” – “It was later determined that no quorum existed at this time so action was not valid.”

ANNOUNCEMENTS

Alderperson Nelson stated that on May 11, 2021 at 6:30 pm there will be a presentation at the History Center regarding the Tug and Lighthouse by Jim Schaller and Robin Nelson. In addition, on the weekends of June 11-13, 2021 and October 1-3, 2021, there will be a Trifecta of Fun in Kewaunee with the Tug, History Center and Tours of the Lighthouse, from 12:00-5:00 pm. A Car Show is set for Saturday July 10, 2021, from 11:00 am -3:00 pm and Alumni Fest will be held on July 17, 2021 11:00 am-3:00 pm.

Police Chief Kleiman stated that on May 14, 2021, the Kewaunee Fire Department Auxiliary will be holding their annual Brat Fry from 11:00 am to 10:00 pm.

Aldersperson Zimmerman stated that the Kewaunee Garden Club will be holding their plant sale on May 29, 2021, 9:00 am-12:00 pm, with a Garden Show to be held at Lakehaven from 9:00 am -3:00 pm.

ADJOURNMENT

At the June 14, 2021 Common Council Meeting Aldersperson Zimmerman requested that the motion be added to the May 10, 2021 Common Council Minutes in full as follows:

“Aldersperson Nelson moved, seconded by Aldersperson Shelton to adjourn the meeting at 7:02 pm. Motion carried unanimously.” – “It was later determined that no quorum existed at this time so action was not valid.”

Meeting adjourned at 7:02 pm.

Submitted by Clerk/Treasurer Terri Decur