

**OFFICIAL MINUTES
OF THE
CITY OF KEWAUNEE COMMON COUNCIL
AUGUST 9, 2021 – 6:00pm**

Present: Mayor Jason Jelinek, Alderpersons Wendy Shelton, Jim Brewster, John Blaha, Jeff Vollenweider, Dan Stangel, Rich Taylor (zoom), Robin Nelson and Janita Zimmerman.

Excused: None

Others Present: Administrator Fred Schnook, Clerk/Treasurer Terri Decur, Attorney Randy Nesbitt, Librarian Carol Petrina and Ambulance Director Joe Steiner.

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 JULY 12, COMMON COUNCIL MINUTES.

Alderson Shelton moved, seconded by Alderson Stangel, to approve the July 12, 2021, as presented. Motion carried unanimously.

PRESENTATION BY GIRL SCOUT TROOP # 4160 ON THEIR BRONZE AWARD PROJECT AT SELNER PARK

Members of Girl Scout Troop #4160, updated the Council on the work they completed at Selner Park for their Bronze Award. The Bronze Award is the 3rd highest award in Girl Scouts. To receive the award each girl who earns this award has to work a minimum of 20 hours toward the project. The girls decided what they wanted to fix at Selner Park, created a cost estimate and raised the money by selling cookies. They scraped and sanded the swing set, benches and picnic table. The group painted and stained 4 benches, 10 picnic tables the railing on the west staircase, swing set and replaced the treads on the west staircase.

PUBLIC COMMENT/COMMUNICATIONS

Mayor Jelinek opened public comment.

Kirt Johnson, 803 Milwaukee Street, stated that the 140 year old church on the corner of Miller St. and Dodge St. is structurally sound, both the building and roof, and is not a hazard to the public. He felt the Building Inspector was not qualified to make an inspection as he is not a Structural Engineer and does not have a Commercial License. The owner has letters from 2018 stating the building is structurally sound. Mr. Johnson feels the City is making it difficult for the owner to make improvements. The owner loves the Church, works on improving it and pays his property taxes. Mr. Johnson also mentioned the signed petitions that have been received.

Ambulance Director Joe Steiner stated that there is currently a Shortage of EMT's, in both volunteer or paid Departments, not only here but throughout the State and the Nation. At a meeting that was held this past weekend it was stated that the State Statute allowed someone that is in an RN to practice as an EMT. This option would save the Department/City money in the long run. There would be no training of an RN, which is \$3,000 per EMT and takes about 1-2 years to be fully qualified. It has been posted on Face Booking asking if there are any RN's that are interested in making extra money to feel free to apply. There would be a \$1,000 sign on bonus and \$1,000 retention bonus if they stay on the Department for two years, saving \$1,000 in training cost.

CONSENT AGENDA

- a. **Boards, Commissions, Committee and Staff Reports (Community Center, Plan Commission and Staff Report).**
- b. **Refill the Public Works Director Position**
- c. **Refill the Grant Facilitator & Community & Economic Development Planner Position**
- d. **Contracting for Budget and Finance Training**
- e. **Consider Adding Prior Years Minutes (COW and Council) on city Website**

Alderspersion Shelton moved, seconded by Alderspersion Nelson, to remove items b. Refill the Public Works Director Position; c. Refill the Grant Facilitator & Community Economic Development Planner Position; and d. Contracting for Budget and Finance Training, and approve the remaining items, a. and e. on the Consent Agenda. Motion carried unanimously.

Refill the Public Works Director Position

Discussion was held on the Job Description and the removal of the line regarding the duties of the Marina and Campground Manager prior to the position being posted. Discussion was also held on Removing the Marina and campground Manager Position from the job description. It was stated that the job description is approved by Council and what was posted was an earlier approved job description for the previous Council. Also discussed was the large expense that would be incurred by reposting the position with a different job description.

Alderspersion Zimmerman moved to leave the current posting as it was published and when the Ad expires in two weeks, if needed, repost without the Marina and Campground Position.

Discussion was held on the Hiring Committee's roll in the hiring process and why it had changed from the Committee being involved in the interviewing process to only the Mayor, Administrator and Clerk doing the interviews and hiring.

Alderspersion Zimmerman rescinded her previous motion, and moved that the personnel committee would be involved in the process, and once the posting expires in two weeks, we should change the job description and repost it if we have no candidates.

Further discussion was held on understanding the hiring process in regards to the Hiring Committee. Alderspersion Stangel stated that he understood that took it as the Committee would be a part of the process but not the hiring. Mayor Jelinek's main concern is that the Council does not have the final say in the hiring of the positions. The Committee would be involved in the process to pick the top candidates, at which point you have to realize who the person will be answering to and who is their boss.

Alderspersion Zimmerman moved, seconded by Alderspersion Shelton, to continue talking about this so this issue can be clarified and that we are all on the same page.

It was stated that there has been a previous motion on the floor.

Alderspersion Zimmerman rescinded both her motions.

Alderspersion Nelson stated, to clarify the process of the Hiring Committee that the Committee would discuss and clarify the job descriptions, be part of the interviewing process, but not the actual hiring. Mayor Jelinek did not think it was a good idea to have the Committee involved with the interviews. Administrator Schnook stated that previously he did the hiring along with the Mayor, Staff and at times a Councilperson. The reason it was done this way is if the Council does the hiring the Administrator cannot be accountable for that persons actions. Just like the Administrator does not hire staff, he lets the Department Heads do their hiring, unless they ask for guidance.

Alderspersion Nelson moved, seconded by Alderspersion Zimmerman, to take a 5 minute recess. Motion carried.

After reconvening into open session:

Aldersperson Zimmerman moved, seconded by Aldersperson Nelson, that since the Public Work Director's Position is already in publication, we will finish out the two weeks as posted. Motion carried unanimously.

Refill the Economic Development Planner & Grant Facilitator Position

Discussion was held on the Hiring Committee reviewing the EDPGF position prior to posting. Discussion was also held on the grant process regarding the role of the EDPGF with Department Heads and that the wages are listed in the General Fund, but will be transferred from the Grant Funds for Administration Fees.

Aldersperson Zimmerman moved, seconded by Aldersperson Nelson, to continue the EDPGF hiring process as advertised. Motion carried unanimously.

Contracting for Budget and Finance Training

Aldersperson Shelton stated that she did not see any language in the contract with Baird regarding the Budget and Finance Training being specific to Kewaunee.

Administrator Schnook stated that language could be placed into the contract if the Council wishes.

Aldersperson Shelton moved, seconded by Aldersperson Nelson, to approve the Contract with Baird for the purpose of Budgeting and Financing Training, with the language added that the training is specific to Kewaunee. Motion carried unanimously.

MAYOR'S REPORT

Mayor Jelinek stated that he has received an e-mail regarding the EDA Grant Application for the Business Park. The City is still being considered for the Grant, but they are asking for additional information to make their final decision.

Aldersperson Zimmerman asked if everyone could get a copy of the Grant Calendar.

NEW BUSINESS

ORD. No. 627-2021 – All Terrain Vehicles and Utility Terrain Vehicles (first reading)

Mayor Jelinek reviewed Ordinance No. 627-2021, regarding the use of ATV/UTV within the City.

July YTD Revenue and Expense Reports

Mayor Jelinek asked if anyone had any questions regarding the July YTD Reports. Hearing none, he moved to the next item.

July 2021 Cash Report

Mayor Jelinek asked if anyone has any questions regarding the July Cash Report hearing none he moved to the next item.

Approval of June 2021 Accounts Payable & Payroll

Aldersperson Blaha moved, seconded by Aldersperson Stangel, to approve the July 2021, Accounts Payable and Payroll, in the amount of \$726,661.93. Upon a roll call vote, motion carried unanimously.

ENTER INTO CLOSED SESSION, pursuant to Wisconsin Statute 19.85(1) (g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: Steve Sagrillo Trust.

Alderson Shelton asked why Council would need to go into closed session. Attorney Nesbitt stated that it is a litigation matter and anything that comes out of this Council Meeting could be used in litigation. The reason it is being brought to the Council is due to a settlement offer put forth by Mr. Sagrillo and his Attorney.

Alderson Stangel moved, seconded by Alderson Brewster to go into closed session, pursuant to Wisconsin Statute 19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: Steve Sagrillo Trust. Upon a roll call vote, Aldersons Zimmerman, Nelson, Taylor, Vollenweider, Blaha and Shelton – nay, Aldersons Stangel and Brewster aye. Motion failed.

Attorney Adam Marshall, with Town Council, Law & Litigation, stated he has been appointed as representative and Legal Counsel for the City in the lawsuit filed against the City from Mr. Sagrillo. Attorney Marshall is defending the City in the pending litigation and reviewed with the Council the process that has taken place to this point and the process that is to follow. Attorney Marshall stated that with going into closed session everything that is discussed is under Attorney-Client privilege. Having the conversation in open session means you are waiving your Attorney-Client privilege and what has been discussed can be used in litigation.

Alderson Brewster moved, seconded by Alderson Blaha, to move into closed session, pursuant to Wisconsin Statute 19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: Steve Sagrillo Trust. Upon a roll call vote, motion carried unanimously.

RETURN TO OPEN SESSION, PURSUANT TO WISCONSIN STATUTE 19.85(c)

Alderson Vollenweider moved, seconded by Alderson Brewster, to reconvene into open session. Motion carried unanimously.

ANY ACTION FROM CLOSED SESSION

Alderson Vollenweider moved, seconded by Alderson Brewster, to approve the Counter Offer Terms discussed in Closed Session. Upon a roll call vote, Aldersons Zimmerman, Nelson, Taylor, Stangel, Vollenweider, Blaha and Brewster – aye, Alderson Shelton – nay. Motion carried.

ANNOUNCEMENTS

Alderson Nelson stated that the US Lighthouse Society ran a special trip which included touring 22 lighthouses, Kewaunee lighthouse being one of them. The cost was over \$3,000 per person running from June 12th through the 19th. Thirty eight people attended from 19 states.

Alderson Zimmerman stated that she received a call from Marina Manager Kinjerski, who had two couples that needed to get to Green Bay to rent a car for a family emergency, so she drove them to Green Bay and they were very thankful. They will be calling her when they need to get back to Kewaunee.

ADJOURNMENT

Alderson Zimmerman moved, seconded by Alderson Stangel, to adjourn the meeting at 7:43 pm. Motion carried unanimously.

Respectfully submitted by Clerk/Treasurer Terri Decur