

**OFFICIAL MINUTES  
OF THE  
CITY OF KEWAUNEE COMMON COUNCIL  
September 11, 2017**

Present: Mayor Christman, Alderperson Dworak, Schiller, Jelinek, Kickbusch, Kuehl, Griffith, and Zimmerman

Absent: Alderperson Jirtle was excused

Others: Administrator Schnook, Clerk/Treasurer Decur, Public Works Director Murphy, Attorney Wolske, Librarian Petrina and Police Chief Salentine

Mayor Christman called the meeting to order at 7:00 pm and the Pledge of Allegiance was recited followed by prayer and meditation.

**APPROVAL OF SEPTEMBER 11<sup>TH</sup> AND 25<sup>TH</sup>, 2017 COMMON COUNCIL MINUTES**

Changes to the minutes were discussed, changes needed are Alderpersons Dworak and Kuehl were not present but were excused. Mayor Christman also wanted the last sentence change to reflect that she did not agree but said she will make accommodations to bring the Proclamations to the council when possible.

*Alderperson Dworak moved and Alderperson Jirtle seconded the motion to approve the September 11<sup>th</sup> and 25<sup>th</sup>, 2017 Common Council Minutes, noting to change discussed. Motion carried unanimously.*

**PUBLIC COMMENT/COMMUNICATIONS**

**CONSENT AGENDA**

**Boards, Committees & Commission Reports: (Community Center, Library Board, Lighthouse Preservation Committee, Planning Commission)**

Mayor Christman asked that the Planning Commission Minutes reflect that she was also at the Meeting.

*Alderperson Jelinek moved and Schiller seconded to approve the above minutes with the correction of the Mayor being at the Planning Commission Meeting. Motion carried unanimously.*

**Approval of Service Contract for Defibrators for Ambulance Department**

*Alderperson Zimmerman moved and Alderperson Jirtle seconded the motion to approve the 5-year contract with Zoll for the maintenance of the Defibrators in the amount of \$11,192.00. Motion carried unanimously.*

**Approval of Land Lease for American Transmission Company**

***Alderson Griffith moved and Alderson Kickbusch seconded the motion to approve the 5-Month Lease Agreement with American Transmission Company in the amount of \$2,500. Motion carried unanimously.***

**Approval of new Lines for Tug Ludington**

Alderson Griffith request that the poundage be change on the Agenda Bill from 50,000# to 5,000#. Griffith also said he would like to wait until Spring to move the Tug Ludington to allow more time to get the power and water to the site.

***Alderson Griffith moved and Alderson Kickbusch seconded the motion to approve the new lines for the Tug Ludington purchased by Foth. Motion carried unanimously.***

**MAYOR'S REPORT & ANNOUNCEMENTS**

**Proclamation – Dan Vogel**

Mayor Christman wanted the Council to be aware that she has presented Don Vogel a Proclamation for his service to the city by creating and building the display case to house the Lighthouse Fresnel lens. Alderson Schiller we should be giving more Proclamations to volunteers to let them know they are appreciated. Schiller would also like to see it done at a Council Meeting. Mayor Christman stated that she will make accommodation to bring any proclamation but cannot guarantee that everyone will make it in front of Council.

**Appointment to the Historical Preservation Commission**

Mayor Christman shared the qualification and requested the appointment of Michael Kostka to the Historical Preservation Commission.

***Alderson Zimmerman moved and Alderson Jelinek seconded the motion to approve the appointment of Michael Kostka to the Historical Preservation Commission. Motion carried unanimously.***

**DNR Environmental Loan Application**

Mayor Christman informed the Council there is a possibility that the City could obtain a grant for the River Road ITA and PERF. The WDNR funding is a good option for River Road water man and sanitary sewer replacement that will likely be done in 2019 with the County's CTH resurfacing project. The funding is typically in the form of a loan but sometimes includes principal forgiveness, or subsidy. We would submit an ITA and PERF for each the water main and sanitary sewer, Safe Drinking Water Program and Clean Water Fund Program. The highest ranked projects get priority for funding. The City would then decide if they would like to apply for the funding, usually only if the project falls within the funded projects on the priority list. Ayres will submit the ITA and PERFs at no cost to the City, at this point there is no commitment or obligation of follow through with the application.

***Alderson Griffith moved and Alderson Jirtle seconded the motion to move forward with Ayres to submit at no charge a report to the ITA and PERF for a possible DNR Environmental Loan Application. Motion carried unanimously.***

**Marquette School Update:**

- a. Conference call with Ayres' Architect to discuss plans for Marquette property

Mayor Christman stated that Ayes Associates has offered the City an opportunity to video conference call with Bill Bisbee, an architect with Ayres in their Eau Claire office. As you know, having a plan for the Marquette School site will make it a lot easier for the City to “shop” the plan/project to elected/appointed officials and foundations in an effort to find more grant funding. Discussion regarding Developing the Marquette property to residential and the amount of open/vacant residential lots for sale was held. Council Consensus was to pursue the video conference call and bring the findings back to the Committee of the Whole.

**b. EPA/DNR/City Meeting to discuss liability**

Administrator Schnook presented a suggested agenda for the EPA/DNR/Kewaunee call being held on 9/12/2017 at 11:00 am. It is suggested by Attorney Harrington to hold a Public Meeting after Council approves of the demolition Contractor and to discuss the City Plans. The City/EPA/DNR and Contractor would attend to address neighborhood concerns.

**c. Site Assessment Grant**

Administrator Schnook informed the Council that there is a Site Assessment Grant Program. The Wisconsin’s Site Assessment Grant (SAG) Program provides grant funds to approved projects to assist local government with conduction initial environmental assessment and demolition activities on an eligible abandoned, idle or underutilized industrial or commercial site. One of the previous problem with applying for this was that a lack of commercial/industrial history. Lynn Scherbert from Ayres Associates sent an email regarding a follow up discussion with Naletta Burr, WEDC NE Accounts Manager(SAG). In her email Scherbert stated that she explained to Burr that the Marquette site has not been a school for approximately 14 years and that to our knowledge one or more of the recent owners had purchased the structure to strip the profitable materials from within. Burr provided an example of similar type of situation previously awarded a grant where the commercial activity was simply purchasing “selvedge” material and storing them. This could become a \$150,000, 50/50 matching Grant if we apply, the down side is that it will cost us \$7,500 with no guarantee of funding.

***Aldersperson Griffith moved and Aldersperson Schiller seconded the motion to go approve \$7,500 to Ayers Associate to go forward with the Site Assessment Grant Program Application process. Upon a Roll call vote motion carried unanimously.***

**NEW BUSINESS**

**Final Bill on Harbor Wall Project – Michael Raimonde with Foth**

Michael Raimonde, Foth was present to answer any question the Council has on the final bill and Engineering Activities Represented in Addendum #6. Aldersperson Schiller stated that looking at these numbers is hard to digest in such a short time period, wish the Council would have had this back in June.

The Council wanted more time for them and Staff to look over the numbers and place it on the next Committee of the Whole.

**Approval of August 2017 Accounts Payable**

***Aldersperson Kickbusch moved and Aldersperson Jelinek seconded the motion to approve the August 2017 Accounts Payable in the amount of \$151,956.94. Aldersperson Jirtle – aye, Schiller – aye, Jelinek – aye, Kickbusch – Griffith – aye and Zimmerman – aye. Motion carried unanimously.***

**2017 Revenue/Expense**

The August Revenue/Expenditure Report was distributed to the Council.

***Aldersperson Griffith moved and Aldersperson Jelinek seconded the motion to send the Revenue/Expense Report to the next Committee of the Whole so the Council has more time to go over the reports. Motion carried unanimously.***

**Approval of \$250 a month to Community Congregational Church to cover Community Center Costs**

Mayor Christman stated that at the August 24, 2017, Committee of the Whole Meeting the Committee forwarded a recommendation that \$250 a month be paid to the Community Congregational Church, retroactively, not to exceed \$3,000, to reimburse the church for expenses incurred in hosting activities related to providing a meal site for seniors.

Administrator Schnook wanted the Council to know that he received a call from Dennis Shimanek, President of the Church and he wanted to let the Council know that the church did not request this reimbursement; they are happy to have the Community Center & Meals at their site.

***Aldersperson Kickbusch moved and Aldersperson Schiller seconded the motion to approve payment of \$250 a month to the Community Congregational Church, retroactively as of January 1, 2017, not to exceed \$3,000. Motion carried.***

**Reconsider the Decommissioning of the Community Center Elevator**

Mayor Christman stated that at the September 19, 2016, City Council Meeting the Council voted to decommission the Community Center Elevator. At the August 28, 2017, Committee of the Whole Meeting, the Community discussed option for developing a new Community Center location. It was brought up that the elevator had not been decommissioned so no dollars were allocated into the 2017 budget to perform this task. A discussion took place over the costs of the various options for a Community Center and the associated costs of the options. As part of that discussion, motion was passed to have the City Council re-consider the decommissioning of the Elevator. It was recommended by the Administration that the Council rescind its previous motion to decommission the Elevator and direct the Committee of the Whole or another sub-committee of the City to make a final recommendation as to disposition of the Community Center location. Staff has received one quote for repairs to the elevator from Shindler (our current service provider) in the amount of \$66,325. Two quotes are for the decommissioning of the Elevator. One from Shindler in the amount of \$11,589 this includes decommissioning and the electrical work needed. The other one is from Ottis in the amount of \$2,400 for only the decommissioning. The City would have to contract with an electrician to do the electrical work.

Public Works Director stated that the City is currently paying \$1,200 a year for a service contract. Once the service contract is paid Shindler will come and inspect it and it will fail the inspection. If it fails the State steps in and tells you how and when it gets repaired.

***Aldersperson Kickbusch moved and Aldersperson Griffith seconded the motion to send back to the Committee of the Whole. Motion failed.***

***Aldersperson Schiller moved and Aldersperson Jelinek seconded the motion to table the reconsideration of decommissioning the Elevator indefinitely. Motion carried unanimously.***

**Hwy 42 Storm Water, Sanitary Sewer and Water Main Replacement**

Mayor Christman stated that the WDOT will be rehabilitating Highway 42 from Duvall Street South to Miller Street. As part of this work, the City will pay 20% for new sidewalks, relocate fire hydrants, some street lighting and have a chance to fix some below ground infrastructure. Of importance to the City is fixing Storm water issues as this has been a problem at the Miller Street Intersection for some time.

The Committee of the Whole recommended that Council pass a motion to have the City's portion of the work performed by the contractor by the contractors selected by the WDOT on this project. There is also a recommendation from the Committee of the Whole to authorize the expenditure of up to \$5,000 to have the Public Works Director and City Administrator perform televising of the existing infrastructure between Duval Street South to Miller to determine the need and potential cost of replacement.

Public Works Director Murphy stated that he has received cost estimates from Ayres Associates for the Sewer, Water and Storm and Utility Replacement, but it is only an estimate.

***Aldersperson Kickbusch moved and Aldersperson Griffith seconded the motion to place any contractual service need on the State Bid. Motion carried unanimously.***

***Aldersperson Jirtle moved and Aldersperson Schiller seconded the motion to authorize up to \$5,000 to have a study completed for the cost of the proposed project and televised if needed. Motion carried unanimously.***

#### **Ordinance No 582-17-Chapter 78- "Traffic and Vehicles"**

Mayor Christman stated this is the First Reading on Ordinance 582-17, Chapter 78, Traffic and Vehicles, Section 1 78-92 (b) (1) entitled "Parking prohibited" of the Municipal Code. is repealed and recreated as follows:

"(1) First Street:

On the west side of First Street between Miller and Lincoln Streets.

On the east side of First Street between Ellis Street on the north and point 100 feet south of Ellis Street.

On the east side of First Street from Miller Street going south to point 312 feet."

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

This will be placed on the next Council Agenda for a second reading and approval.

#### **Highway 42 Fill Site**

Mayor Christman stated that at the August 28, 2017 Committee of the whole meeting, Committee of the Whole meeting, it was recommended that the City Council have a sign placed at the Highway 42 Fill Site that reads: "Free Fill, You Load and Haul"; have Aldersperson Kickbusch's phone number on the sign as he will supervise the removal of any fill. Finally, that a one-page set of rules be developed on the proper use of the site.

Further discussion was presented with the consensus being that on the City will provide two posts and a chain to limit access to the site, adding a sill fence in necessary, and limiting any removal of fill to a one-acre area. Aldersperson Kickbusch said he would pay for the cost of the sign.

Public Works Director Murphy presented the Council with a draft of rules for the use of the site which were discussed.

Adam Enderby from Ayres Associates was present and informed the Council that there is a permit still in place with the DNR that is good until next spring.

***Aldersperson Griffith moved and Aldersperson Jelinek seconded the motion to approve to go forward with the Highway 42 Site with the site use rules as follows:***

- ***Must have fill site director or staff on site to get fill***
- ***Must place a tracing pad so we do not have mud or dirt on the State Highway***
- ***Placement of temporary Signs (truck entrance)***
- ***No disturbing more than one acre without Council Approval and if needed place silt fence and erosion mat.***
- ***Must take the fill out as it comes will not be able to dig where they want***
- ***Fill site must be locked if there are no trucks being loaded***
- ***Put sign in place with hours of operation and phone number for fill site***
- ***Get contact information and proof of insurance for who's taking fill***

***Motion carried, Aldersperson Kickbusch abstained.***

#### **RFP on Klockner Site**

Mayor Christman informed the Council that the City of Kewaunee and the Kewaunee County Economic Development Corporation are looking to release a Request for Proposal on the 3.2 acres, waterfront site located at 97 Ellis Street (Klockner Site). The goal is to have a private developer or development team to create a diverse waterfront redevelopment that enhances the economic core of the community.

Aldersperson Shiller stated that the RFP should be updated to show updated photos, provide the setbacks and position of the buildings, remediation documents from the DNR and the current environmental study is outdated. Also, it should be noted that contaminated material has been capsulized on site. We can only sell this once let's do it right.

Decision was held on what stipulations if anything can be placed on this site and whether to do a for sale by owner or hire a professional broker.

Consensus is to update the RFP and bring it back to the Committee of the Whole.

#### **Review and Authorization to RFP for the Boat Launch Project**

Mayor Christman stated that at the Aug 28, 2017 Committee of the Whole meeting they recommended that the City Council move the process forward on developing a scope of work for the bidding of the refurbishment of the Boat Launch which will include concurrent engineering on the south side of the boat launch to ensure it doesn't create an erosion problem. The staff recommends moving forward with the bidding process. However, staff will hold on actual awarding of the contract for work until the City receives confirmation of the 2017 Federal Sport Fish Restoration Grant. Administrator informed Council that the City should know mid-November if we receive the grant.

***Aldersperson Griffith moved and Aldersperson Schiller seconded the motion to go forward on the RFP for the Boat Launch, but do not award the contract until mid-November when we hear if we received the grant from the 2017 Federal Sport Fish Restoration Grant. Motion carried unanimously.***

**ADJOURNMENT**

***Aldersperson Zimmerman moved and Aldersperson Jirtle seconded the motion to adjourn the meeting at 8:46 pm. Motion carried unanimously.***

Submitted by Clerk/Treasurer Decur