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**OFFICIAL MINUTES OF  
CITY OF KEWAUNEE COMMITTEE OF THE WHOLE (COW)**  
Kewaunee Municipal Building, 401 Fifth Street  
**MONDAY JULY 27, 2020 - 6:00 P.M. - VIRTUAL**  
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Present: Chairperson Vollenweider, Mayor Jelinek, Alderpersons Dworak, Brewster, Schiller, Stangel, Kuehl, Mills and Zimmerman.

Excused: None

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

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

APPROVAL OF THE COMMITTEE OF THE WHOLE JUNE 22, 2020 MINUTES

Alderson Schiller moved, seconded by Alderson Kuehl, to approve the June 22, 2020 Committee of the Whole Meeting Minutes as presented. Motion carried unanimously.

PUBLIC COMMENT

Chairperson Vollenweider opened the floor for public comment.

Kirt Johnson, 803 Milwaukee Street, expressed his concerns regarding the proposed purchase of Salmon Harbor. Mr. Johnson felt the City should not be purchasing things that can be run by the private sector. Mr. Johnson questioned if the purchase of Salmon Harbor was for the Boat Launch only, taking the proposed property off the tax roll and where the matching funds would come from.

Kevin Wagner, from Ruekert-Mielke introduced himself to the Committee of the Whole members stating he would be helping PW Strelow demonstrate the GIS System.

Hearing no further comments, Public Comment was closed.

MAYOR'S REPORT: JASON JELINEK

Community Center Update

Mayor Jelinek stated that he has been in contact with Cindy Tang of the Community Center Committee. The Community Center Committee is still interested in pursuing the construction of a new Community Center, but are holding off for now until the COVID-19 issue is done, to allow for better communication.

Native American Statue Update

Mayor Jelinek stated that Dr. Faller has donated a bronze statue, which represents the Menominee Indian Tribe. Mayor Jelinek also stated that he has been in contact with the Menominee Tribal Council President Joan Delebreaux and has received their blessing regarding the placement of the Statue. A ceremony with the City and the Tribe will be held within the next couple of weeks.

Economic Development Update

Mayor Jelinek stated that BI Davister has come up with some small subdivision plans and feels this is something that needs to be looked at. Although the water front is the key piece of Kewaunee, we need to continue to look at ways to increase the tax base and affordable housing is one way to do that. Mayor Jelinek also stated that the purchase of Salmon Harbor has always been a part of the Harbor Master Plan and is also in the 2020 Capital Improvement Plan which were both adopted by the City Council. The City needs to protect this key piece of the Community and make sure it belongs to the people of the City as long as possible.

OLD BUSINESS

Update: Put Garbage/Recycling Contract out for Bids

Administrator Schnook stated that at the June 22 Committee of the Whole Meeting it was decided to recommend to the Council placing the upcoming Contract for Garbage/Recycling pickup for bids. It was not placed on the July Council Meeting like it should have and would it be okay to start the request for bid prior to the August 10 Council Meeting. Staff would like to get the process started as soon as possible.

Aldersperson Stangel asked when the Contract with Advanced Disposal expires.

Administrator Schnook stated December 31, 2020.

After discussion regarding the process of requesting bids it was the consensus of the Committee to move forward with requesting bids for the upcoming Garbage/Recycling Bids, and place it on the August 10th meeting for Council approval.

Update on City Hall Roof/Authorization to go into debt for \$110,000 to fix the roof and authorization to sue LaPlant Roofing

Administrator Schnook stated that at the June 8, 2020, City Council Meeting the Council was presented with two bids to fix the roof on City Hall, along with pictures, Engineer report, and recommendation from Attorney Nesbitt. It was recommended by the Committee of the Whole to move forward on the City Hall Roof Repair according to the steps set forth by Attorney Nesbitt.

Attorney Nesbitt stated that he sent LaPlant a letter on June 6, 2020, which we have receipt that it was received. We also sent a copy of the other Contractor's bids. Mr. Craig LaPlant was given 14 days from receipt of the letter to confirm whether he will repair or replace the roof and provide a schedule of work to be performed and completed. As of today, July 27, 2020, nothing has been received from Mr. LaPlant.

Discussion was held on the need to replace the roof on City Hall and legal actions regarding breach of contract, breach of warranty, and failure to fulfill warranty obligation.

Aldersperson Kuehl moved, seconded by Aldersperson Mills, to recommend to Council to authorize the spending/borrowing of \$110,000, to repair the City Hall Roof and to proceed with legal action against LaPlant Roofing. Motion carried unanimously.

Use of \$500,000 in Reserve Account – USDA surplus funds

Administrator Schnook stated that in 2003 bonds were issued by USDA to assist with the finances associated with the City of Kewaunee Water Department. As part of the bonding process there was a requirement by USDA that the City create and maintain a reserve account. Since then, money has been put in the account yearly for 17 years for a total of \$501,303. This money is currently in a Certificate of Deposit earning 2.82% interest and matures on 3/29/23. In 2020 with the refinancing of the USDA Grant the surplus funds were no longer required. After talking to Clerk/Treasurer Decur, Attorney Nesbitt,

Baker Tilly and the PSC it was determined the money could only be used for water related projects or water debt reduction.

PWD Strelow stated that an inspection is scheduled this year for the Water Tower. This is a drain down inspection that needs to be done every five years. With this inspection we will find out if the Tower is going to need any repairs and/or painted. Staff would like to be able to use these funds for that purpose if needed. That request will come before the Council when more information becomes available on costs.

No action by the Council is required at this time Tower. For right now, the funds can remain where they are as they are safe and secure. However, City staff wanted to provide the Council this information as no formal action has been taken on the possible use of these funds by the Common Council and just to insure the Council is aware and staff are being transparent.

NEW BUSINESS

Resolution 1096-20 – Approval of Poll Workers

Clerk/Treasurer Decur stated that she has received calls from 3 residents that are interested in becoming an Election Inspector and needs the Councils approval by Resolution in order to utilize the 3 new workers at the upcoming elections.

Alderson Mills moved, seconded by Alderson Kuehl, to recommend to the Council the approval of Resolution 1096-20, appointing election officials for the 2020-2021 election cycle. Motion carried unanimously.

Replacement of Trees that have been Removed – Dave Kuehl

Alderson Kuehl stated that he has received some calls asking if the City still split the cost of replacing a tree in the tree lawn.

PWD Strelow stated that he has been receiving a few call asking the same question. Because of no money in the budget for tree replacement, PWD Strelow has been telling residents that if they would like to replace the trees at this time they can but they need to follow the guideline and get approval to do so. PWD Strelow also stated that he is looking into a grant that can be used to do an inventory of City trees and maintenance schedule and requirements.

Discussion was held on if the City currently has a Tree Ordinance. Alderson Schiller stated that Chapter 86 of the Municipal Code is what is in place at this time. Discussion was also held regarding who can trim trees within the tree lawn.

Approval of Fireworks Display Permit Process and Fees-Jim Kleiman

Police Chief Kleiman stated that prior to July 4, 2020, he did some research on regulating fireworks and what other Cities have in place. Police Chief Kleiman felt that the permit process that the City of Algoma uses was what he was looking for. It has a Permit Fee of \$50.00, a Site Inspection Fee of \$25.00 with an additional Cleanup Deposit of \$500.00. This permit includes the Permit Application and the Wisconsin Fireworks Law 2020. It also includes the Fire Department Requirements and Regulations along with Public Fireworks Display Checklist.

Discussion was held on the site inspections, other areas within the City that fireworks would be allowed to be released, the standard amount of Liability Insurance, and the time frame for clean-up. Discussion was also held on the deadline for the application and keeping it consistent.

Alderson Dworak moved, seconded by Alderson Zimmerman, to recommend to the Council the approval of the Fireworks Display Permit Process, with the modification discussed tonight. Motion carried unanimously.

G.I.S. Demonstration-Brandon Strelow

PWD Strelow and Kevin Wagner from Ruekert-Mielke gave a brief demonstration of the G.I.S System that Staff is using to document all aspects of the sewer and water infrastructure. This included mapping of the mains, repairs, hydrants and manhole to name of few examples of the documentation that can be stored for further use.

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 specific public business whenever competitive or bargaining reasons require a closed session : EDA Grant Update/Purchase of Salmon Harbor Contingent Upon Grant Receipt.

Alderson Mills moved, seconded by Alderson Stangel, to go into Closed Session at 7:25 p.m. Upon a roll call vote, Aldersons Dworak, Schiller, Brewster, Mills, Stangel and Kuehl – aye, Aldersons Vollenweider and Zimmerman – nay, motion carried.

RETURN TO OPEN SESSION, pursuant to Wisconsin Statute 19.85 (2)

Alderson Mills moved, seconded by Alderson Schiller, to reconvene into open session at 8:14 p.m. Motion carried.

ANY ACTION FROM CLOSED SESSION

Alderson Schiller moved, seconded by Alderson Mills, to recommend to Council to move forward with the July 2, 2020, Offer to Purchase, between the City of Kewaunee and K.I.H.M Inc., contingent on receiving the EDA Grant, in the amount of \$1,800,000 dollars, and prorated income and expenses of real and personal properties. Counter offers 1 and 2 are off the table. Upon a roll call vote, Aldersons Schiller, Mills, Dworak, Stangel and Brewster – aye, Aldersons Vollenweider, Zimmerman and Kuehl – nay, motion carried.

ANNOUNCEMENTS

Administrator Schnook informed the Committee that there will be a Grand Opening for the Marquette School property on August 12, 2020, at 1:00 p.m., thanking everyone who was involved with the project.

Alderson Zimmerman stated that the winning fish for the KD Tournament came from Kewaunee this year.

ADJOURNMENT

Alderson Zimmerman moved, seconded by Alderson Mills, to adjourn the meeting at 8:37 pm. Motion carried unanimously.

Submitted by Clerk/Treasurer Decur