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**OFFICIAL MINUTES OF  
CITY OF KEWAUNEE COMMITTEE OF THE WHOLE (COW)**  
Kewaunee Municipal Building, 401 Fifth Street  
**MONDAY NOVEMBER 23, 2020 - 6:00 P.M. - VIRTUAL**  
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Present: Mayor Jelinek, Alderpersons Dworak, Brewster, Schiller, Vollenweider, Mills and Zimmerman.

Excused: Alderpersons Stangel and Kuehl

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

Mayor Jelinek called the meeting to order at 6:00 p.m.

**APPROVAL OF THE COMMITTEE OF THE WHOLE OCTOBER 26, 2020 MINUTES**

*Alderson Vollenweider moved, seconded by Alderson Dworak, to approve the October 26, 2020 Committee of the Whole Meeting Minutes as presented. Motion carried unanimously.*

**PUBLIC COMMENT**

Mayor Jelinek opened the floor for public comment.

Hearing no comments, Public Comment was closed.

**MAYOR'S REPORT: JASON JELINEK**

**EDA Grant**

Mayor Jelinek stated that the City received word from the EDA regarding the Salmon Harbor Grant with the decision not to extend funds to the City at this time. The reason behind their decision was at this time they felt it did not create enough private sector participation and job creation.

Mayor Jelinek stated that he and Administrator Schnook both had conversations with the EDA and they are still willing to work with us on the construction part of the project if the City takes possession of the marina.

Alderson Vollenweider asked if the Mayor has reached a decision on a Harbor Commission.

Mayor Jelinek stated that he does have the members and he will be sending information about the proposed members to the Council prior to a vote.

**NEW BUSINESS**

**Consider Offer to Purchase City Property**

BI Davister explained that Alyson Smith, the new owner of Lake Effects Bar, has submitted an offer to purchase the alley between Lake Effects and Amy's Coffee Shop for the amount of \$1.00. BI Davister stated that he has just received a call from the new owners of Amy's Coffee Shop, who has a concern regarding the ability to maintain the South side of his building if the alley would be sold.

Attorney Nesbitt stated that the City may want to obtain a Title Search, to make sure there is not a dedicated right-of-way or Easement, to avoid creating any problems. Discussion was held on getting the two property owners together to work out an agreement that benefit both parties, and not to sell the alley at this time. When the parties come to an agreement they can bring the offer back to the City.

*Alderson Vollenweider moved, seconded by Alderson Schiller, not to sell the Alley between Amy's Coffee and Lake Effect Bar. Motion Carried unanimously.*

**ENTER INTO CLOSED SESSION, pursuant to Wisconsin statute 19.85(1)(e): Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a closed session: Presentation and consideration of proposal from Cedar Corporation and Consider Request of the Extension of Exclusivity Agreement for the Hamachek Property.**

*Alderson Mills moved, seconded by Alderson Dworak, to enter into Closed Session Pursuant to Wisconsin Statute 19.85(1)(e).*

Alderson Schiller asked why the proposal by Cedar Corporation and the extension of the Exclusivity Agreement are being held in closed session.

Attorney Nesbitt stated that he had a discussion with Administrator Schnook and suggested that Cedar Corporation be placed in Closed Session, This way the City is protecting itself if other contracts would be pursued from other engineers.

*A roll call vote was taken. Alderson Dworak, Brewster, Schiller, Vollenweider and Zimmerman – nay, Alderson Mills – aye. Motion failed.*

#### **Cedar Corporation Proposal**

Jim Loreti, Client Services, Seth Hudson, E.D.F.P., and Dean Zanon, P.E., from Cedar Corporation reviewed proposed services to be given under Addendum # 4 to the existing Agreement for Professional Services. The services would include Municipal Consultive Services for Economic Development, Grants and Funding Assistance, Infrastructure Engineering, and Planning/Zoning. The Municipal Consultive Services are intended to provide technical and economic information upon which policy decisions and project designs may be based.

Discussion was held on the original Core Agreement the City has with Cedar Corporation. Also discussed was whether the \$25,000 is in the 2021 Proposed Budget, which Administrator Schnook stated that it is.

*Alderson Schiller moved, seconded by Alderson Mills, to forward to Council the recommendation to approve the Addendum #4, Cedar Corporation Proposal for Consultive Services. Upon a roll call vote, Alderson Mills, Dworak, Schiller and Brewster – aye, Alderson Zimmerman and Vollenweider – nay. Motion carried.*

#### **Extension of Exclusivity Agreement for the Hamachek Property**

Mayor Jelinek stated that about a year ago the City signed an Exclusivity Agreement with Kathy Howlett-Despot for the Hamachek Property. This agreement will expire in February and Ms. Howlett-Despot has requested an extension.

Ms. Howlett-Despot stated that the project is in the third trimester. She is near to completing the proforma package to present to potential investors. The COVID, situation has delayed her progress.

Discussion was held questioning if there will be adequate time to complete the City permitting/zoning process. The plan will need to be brought before the Planning Commission and City Council for rezoning, Comprehensive Plan Amendment, and site plan approval. Depending on the plan it may have to go to the Zoning Board of Appeals. Discussion was also held on the length of time for the extension and it was felt by most Alderpersons that 1 year was too long for the extension, and June 30, 2021, would be best. Also there was discussion on not giving an extension and putting a RFP out on the Hamachek and Marquette School properties.

*Alderperson Schiller moved, seconded by Alderperson Dworak, to forward to Council the approval of an extension of the Exclusivity Agreement until June 30, 2021. Alderperson Dworak, Schiller, Brewster, Mills – aye, Alderperson Zimmerman and Vollenweider – nay, motion carried.*

#### **ANNOUNCEMENTS**

Mayor Jelinek congratulated BI Robbie Davister on passing his Electrical Test for residential inspection. Mayor Jelinek informed the Council that Cassie Jelinek will be taking over the Uncorked and, she is hoping to open the restaurant by January.

Alderperson Schiller stated that they have finally topped off the second level at 402 Harrison St, and the restaurant area is almost ready to turn over for the installation of the equipment.

#### **ADJOURNMENT**

*Alderperson Zimmerman moved, seconded by Alderperson Vollenweider, to adjourn the meeting at 7:27 pm. Motion carried unanimously.*

Submitted by Clerk/Treasurer Decur