



City of Kewaunee
401 Fifth Street
Kewaunee, WI 54216
T: 920-388-5000
F: 920-388-5025

MEMORANDUM

TO: Plan Commission
FROM: Heath Eddy, AICP, City Administrator
RE: Plan Commission meeting of October 27, 2022
DATE: October 14, 2022

All Code Sections in this memo refer to the Kewaunee Municipal Code Chapter 94 version dated January 13, 2022, unless as specifically denoted below.

1. Call to Order/Roll Call.
2. Approve of Minutes.
 - a. Approval of regular meeting of September 22, 2022
3. Public Comment.
4. Public Hearing Business Matters
 - a. Daniel and Tara Morse, 700 block of Lakeshore Drive; Rezoning Application. The applicants filed two applications for public hearing. The first is a Rezoning Application to rezone a 4.29-acre property located on Lakeshore Drive approximately 400 feet north of Duvall Street (Parcel No. 241-00350-0340) from R-1 Single-Family Residential to R-3 Multiple-Family Residential. The applicants propose to develop the existing undeveloped property to eventually have 3 detached residential dwellings on a single parcel. These dwellings would include the principal residence, a guest house, and a carriage house, which because of the services provided in each unit would constitute separate residential quarters under the Wisconsin Uniform Dwelling Code. Typically these would include full bathroom facilities and full kitchen facilities.

The property is designated as “Residential” by the *City of Kewaunee 20-Year Comprehensive Plan*, which is “to maintain the City’s orderly development patterns along with the City’s character by offering a variety of housing options for existing and future residents.” The category is intended primarily to maintain existing areas and promote compatibility of residential areas. However, the local area is primarily undeveloped, and those properties that are developed east of Lakeshore Drive (facing Lake Michigan) are primarily estate-level development. The subject property would have a general density less than 1 units/1.4 acres, and the overall intent of the applicants is to

“create a family Lake House that can be a destination place for our immediate family as well as extended family to spend vacations and holidays together...to create a place where they can all gather and enjoy themselves together.”

The applicants are anticipating a phased construction including

- (1) Phase one, construct the driveway, install utilities, and build the carriage house, starting spring 2023;
- (2) Phase two, extend utilities and construct the main residence, anticipated for spring 2024; and
- (3) Phase three, install new lateral, utilities, and build guest house, anticipate for spring 2025.

As provided on the submitted Site Plan, the carriage house (labeled “garage with guest quarters above”) is proposed at 1,200 square feet, the main residence at 2,600 square feet, and the guest house is 2,275 square feet. The net effect is that while this is “multi-family” in character, it doesn’t technically meet the definition of “dwelling, multiple-family” in Section 94-6.

The only requirement for Zoning Map amendments is consistency between zoning and the comprehensive plan, as per Wis. Stats. Ch. 66.

Staff notes that this application becomes essential in order to create three separate units on the existing lot, as the applicants propose. Alternative options within the existing R-1 Single-Family Residential District depend on the standards of the R-1 District, which include the following critical dimensional requirements:

- Minimum lot area – 10,000 sq.ft.
- Minimum lot width – 80 feet
- Minimum floor area – 1,000 sq.ft.
- Minimum setbacks:
 - Front – 25 feet
 - Rear – 25 feet
 - Side – 10 feet each side

Please note: the parcel in question is 150 feet wide at the front lot line. To maintain the R-1 District on this lot would require the applicants to divide the lot into at least 3 lots, and based on the current lot configuration would require (1) multiple variances to the R-1 minimum lot width standard, and (2) a public or private street. Variances to minimum lot setbacks would likely also be required depending on the configuration of the necessary lots, because the three residences are at the minimum rear yard setback and are too close to meet the minimum front yard standards for frontage along a necessary street. In addition, each lot would be required to have frontage along a public or private street right-of-way, which would require a right-of-way interior to the site. Given the current configuration of the site, that would be extremely challenging to design.

A Public Hearing is required for this item. Staff does not have a specific recommendation on this application; the decision should turn on (1) is the applicants’ proposed development of the site considered a valuable improvement for the City, and (2) is the proposed method to implement this development consistent with the City’s adopted policies? Staff initially told the applicants that this was the only clear path for their development to be implemented, based on existing provisions of Municipal Code. If the Plan Commission desires an alternative to recommending approval or denial, now is the time to make that known, and staff will do our best to return with an alternative option in a timely fashion.

- b. **Daniel and Tara Morse, 700 block of Lakeshore Drive, Conditional Use Permit Application.** The second public hearing is for a Conditional Use Permit Application. As noted in a. above, this application is necessary in the proposed R-3 Multiple-Family Residential District since the applicants are not specifically proposed attached residential units as is permitted by-right in the R-3 District.

Sections 94-72 and 94-73 provide the criteria for the application and review of the Conditional Use Permit request. Section 94-72 identified the following application requirements:

- (1) Names and addresses of the applicant, owner of the site, architect, professional engineer, contractor and all opposite and abutting property owners of record. [Provided]
- (2) Description of the subject site by lot, block, and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site lies. [Provided]
- (3) Plat of survey prepared by a registered land surveyor showing all of the information required under Section 94-223 of this Chapter for a permit and, in addition, the following: Mean and historic high-water lines on or within 40 feet of the subject premises, and existing and proposed landscaping. [Provided]
- (4) Additional information as may be required by the city plan commission, city engineer, or zoning, building, plumbing or health inspectors.

Section 94-73.(a) states that the plan commission “shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewage and water systems, and the proposed operation.” The other subsections of this Section indicate that the review is largely a design review rather than a review of the land use itself.

It should be noted, however, that Wis. Stats. Ch. 62.23(7)(de)2. states that

“a. If an applicant for a conditional use permit *meets or agrees to meet all of the requirements* and conditions specified in the city ordinance or those imposed by the city zoning board, *the city shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.*”
[Emphasis mine]

And

“b. The requirements and conditions described under subd. 2. a. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. *The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The city's decision to approve or deny the permit must be supported by substantial evidence.*”
[Emphasis mine]

The same section of Wisconsin Statutes (62.23(7)(de)) defines “Substantial evidence” as “facts and information, other than merely personal preferences or speculations, directly pertaining to the requirements and conditions an applicant must meet” in order to receive the conditional use permit. What this means is that in addition to site compliance and suitability, the applicant demonstrates that the requested conditional use will be in compliance with the limitations imposed by the City through its Municipal Code or in addition to that provided through County, State, or federal law.

In this case, the applicant is specifically requesting multiple “single-family dwellings” on a single lot” (Sec. 94-12(d)(6)). The proposed development is a variation of the standard single dwelling on a single lot, because the R-3 District permits multifamily dwellings, and this development is not specifically that use. It's a blend of two definitions:

“Dwelling, single-family, means a detached building designed for or occupied exclusively by one family. Manufactured homes within this ordinance shall be considered single-family dwellings.”

“Dwelling, multiple-family, means a residential building designed for or occupied by three or more families, with the number of families in residence not to exceed the number of dwelling units provided.”

The applicants' requested use turns on how the above definitions are referenced. The applicants clear intention is that this is not for rental or lease purposes. However, future ownership of the property could choose to do something different with the development. At present, the key issue is allowing essentially for three single-family dwellings on the same lot of record. Staff's discussion in a. above demonstrated that this is the cleaner path to permit this activity to occur. Whether or not the applicants should be permitted to use the property as such is the clear decision point.

A Public Hearing is required for this item. Should the applicant meet the standards for a conditional use, staff recommends the following additional conditions:

1. That this Conditional Use is approved for up to three single-family detached dwellings on the subject property.
2. That the applicants agree to comply with all other requirements of State and Local codes.

Staff notes that these applications were advertised per the requirements of Wis. Stats. Chapter 985 and the requirements of Section 94-281.(1) of a Class 2 Notice. Public Notice was published in the October 13 and 20, 2022 editions of the *Green Bay Press-Gazette*, and mailed notices were sent to adjacent property owners pursuant to Section 94-281.(2) by the required deadline of October 11, 2022; an affidavit of mailing is included in the Case File for these applications.

5. Business Matters.

- a. **Discussion of 2023 Work Program.** Staff wants to discuss the work program for the Plan Commission for next year, in particular the larger priorities for the City's code standards for new development. Staff will discuss the Zoning Ordinance (Chapter 94), the Subdivision and Platting Ordinance (Chapter 66), design and construction standards, stormwater regulations, erosion control standards. Staff will provide a brief outline of discussion points prior to the meeting.

6. Adjournment.

ATTACHMENT

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OFFICIAL MINUTES OF THE
CITY OF KEWAUNEE
PLANNING COMMISSION

Kewaunee Municipal Building, 401 Fifth Street

Thursday, September 22, 2022 – 6:30 p.m.

Present: Laura Gerold, Jeff Welhouse, John Blaha, Chris Holterman and Cindy Tang

Excused: Claude Stangel and John Mastalir

Others: Interim Administrator Heath Eddy, Public Work Director Nathan Seiler and Administrative Assistant Karen Muchowski

1. Call Meeting to Order/Roll Call:

Chairperson Gerold called the Planning Commission Meeting to order at 6:30 p.m.

2. Approve Minutes from the July 28, 2022 Planning Commission Meeting:

Requested Changes: correction of date in item # 10. Change from 8/25.2022 to 8/22/2022.

Blaha moved and Tang seconded the motion to approve the July 28, 2022 Planning Commission Meeting minutes with corrections. Motion carried unanimously.

3. Public Comment

None

4. Public Hearing Business Matters:

a. Troy and Brett Webb: Rezoning Application by Troy and Brett Web to change the zoning of a proposed 3.239-acre lot (in a proposed CSM) from I-3 Business Park to B-1 Local Business, property located at 109 Duvall Street, Parcel No. 241-00350-0220

Public hearing called to order at 6:34 p.m.

There were no public comments.

Public hearing closed at 6:35

b. TROY AND BRETT WEBB. Conditional Use Application by Troy and Brett Webb to operate a live/work use involving living on the property and production of artwork and sales of art, signs, and clocks online (residential dwelling units as an accessory use

require a Conditional Use permit in the B-1 Local Business District), property located at 109 Duvall Street, currently zoned I-3 Business Park; Parcel No. 241-00350-0220.

Public Hearing called to order at 6:36 p.m.

Susan Demarchi, 707 Lakeshore Dr., addressed the group and wanted to know the reasoning behind changing the Zoning and the conditional use permits. Chairperson Gerold explained to her that the reasoning behind the conditional use permit was to allow the Webb's to run a business and live on the property at the same time.

Public hearing closed at 6:48 p.m.

4.a. After discussion, Blaha moved and Holterman seconded to change the zoning from I-3 Business Park to B-1 Local Business at 109 Duvall Street. Motion passed unanimously.

4.b. After discussion, Blaha moved and Holterman seconded to allow the live/work environment at 109 Duvall Street and move to council for approval. Motion carried unanimously.

5. Discussion/Action:

- a. TROY AND BRETT WEBB, CERTIFIED SURVEY MAP.** Certified Survey Map request by Troy and Brett Webb, to create a 2-lot CSM for property also subject to approval of a Rezoning Application and Conditional Use Permit. Property currently zoned I-3 Business Park, located at 109 Duvall Street, Parcel No. 241-00350-0220.

Holterman motioned and Tang moved to send the certified survey map to council for approval. Motion carried unanimously.

- b. MIKE SMILEY ET AL, SURVEY MAP AND ALLEYS.** General discussion and direction for the updating of property lines in the Borgman and Bruen subdivision area along River Road, zoned R-1 Single-Family Residential, located generally between 701 and 1009 River Road (CTH E).

Discussion was had and it was determined that the best way to handle is for the city to draft a quick claim deed for the alley and the home owners would then work with the surveyor to determine lot lines.

Blaha moved and Holterman seconded to have the city draft a quick claim deed for the alley between lots 5 & 6 and move to council for approval. Motion carried unanimously.

- c. PETE INGOLD, REQUEST FOR RAMP ACCESS.** General discussion regarding a request for an ADA-compliant ramp access to the residential entrance on the Main Street side of a commercial building located at 202 Ellis Street, Parcel No. 241-00010-3240, zoned B-2 Community Business.

Discussion was had and it was determined that we need more information. Is the building safe, does the fire department need to do an inspection, what do they mean by removable ramp, are there other option that the landlord can propose to the Plan Commission? No action was taken.

6. Other Business:

Next meeting scheduled for 10/27/2022.

7. Adjourn:

Holterman moved and Tang seconded the motion to adjourn the meeting at 7:30 p.m. Motion carried unanimously.

ATTACHMENT

4.a.

REZONING APPLICATION

Date Filed 9/27/2022
Fee Paid 285.00

Directions: Please complete the following application and provide all required information. Incomplete applications will not be considered. More information should be provided if it will benefit the decision making process.

PART I:

Tax Parcel # of Property to be Rezoned: 31 241 00350-0340
Address of Property to be Rezoned: Lakeshore Dr

Name of Owner (s) : Daniel T Morse Tara C Morse

Mailing Address of Owner (s) : W74 N522 Webster Ave cedarburg WI, 53012

PART II:

Description of Property: Vacant land on the lake shore.

Reasons for Request to Rezone: Rezone from R1 to R3 to allow the home owner to have 1 primary structure with 2 seprate guest quarters.

Specify the Proposed Use: single family residence with 2 Guest quarters structures.

Describe the Compatibility of the Proposed Use With the Existing Uses Within the Surrounding Area: the property will be use as a single family residence.
The use will be the same as the adjoining properties.
Conforming to the neighborhood.

Attach the Following to the Application Form:

- Plot Plan drawn to a scale of 1" equals 100' showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within 200' of the area proposed to be rezoned.
- Owners Names and Addresses of all properties lying within 100' of the area proposed to be rezoned.

SIGNATURE OF APPLICANT 

DATE OF APPLICATION 09/27/2022

ORDINANCE NO. ____-2022

AN ORDINANCE TO AMEND SECTION 94-8. OF THE CITY OF KEWAUNEE MUNICIPAL CODE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT (PARCEL NO. 241-00350-0340) (APPROXIMATELY 4.24 ACRES) (DANIEL AND TARA MORSE, APPLICANTS)

WHEREAS, Daniel and Tara Morse having petitioned for the rezoning of approximately 4.24 acres of land, from R-1 Single-Family Residential District to R-3 Multiple-Family Residential District, such land specifically identified as Parcel No. 241-00350-0340; and

WHEREAS, a public hearing was held before the City of Kewaunee Plan Commission on the 27th day of October, 2022, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission and having determined that the proposed rezoning is consistent with the *City of Kewaunee 20-Year Comprehensive Plan* and would promote the health, safety and welfare of the Community.

NOW THEREFORE, the Common Council of the City of Kewaunee, Wisconsin, do ordain as follows:

SECTION 1: Sec. 94-8. (Zoning Map) of the City of Kewaunee Municipal Code is hereby amended to provided that the zoning district designation for land specifically located on Parcel No. 241-00350-0340, as described below, be changed from R-1 Single-Family Residential District to R-3 Multiple-Family Residential District:

All of Lot 2 of Volume 2, Certified Survey Maps, Page 198, Map Number 403, Document Number 341206, Kewaunee County Records, located in Government Lot Number 4, Section 8, Township 23 North, Range 25 East, City of Kewaunee County, Kewaunee County, Wisconsin.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Kewaunee this ___ day of _____, 2022, by Alderperson Nelson.

Passed and adopted at a regular meeting of the Common Council of the City of Kewaunee this ___ day of _____, 2022.

APPROVED:

Jeffrey Vollenweider Sr., Mayor

ATTEST:

Jo Ann Lesser, CMC, WCMC
City Clerk/Treasurer

AYES _____ NOES _____ ABSENT _____

The vision of this project is to create a family Lake House that can be a destination place for our immediate family as well as extended family to spend vacations and holidays together. The owners have large extended families and want to create a place where they can all gather and enjoy themselves together. The purpose of the house, guest house, and carriage house is to make sure they have enough room to accommodate their parents, brothers and sisters, and nieces and nephews. They envision this as a family vacation home that will be passed down from generation to generation.

The anticipated construction timeline is as follows:

Phase one, construct the driveway, install the utilities, and build the carriage house. Construction is to start approximately spring of 2023.

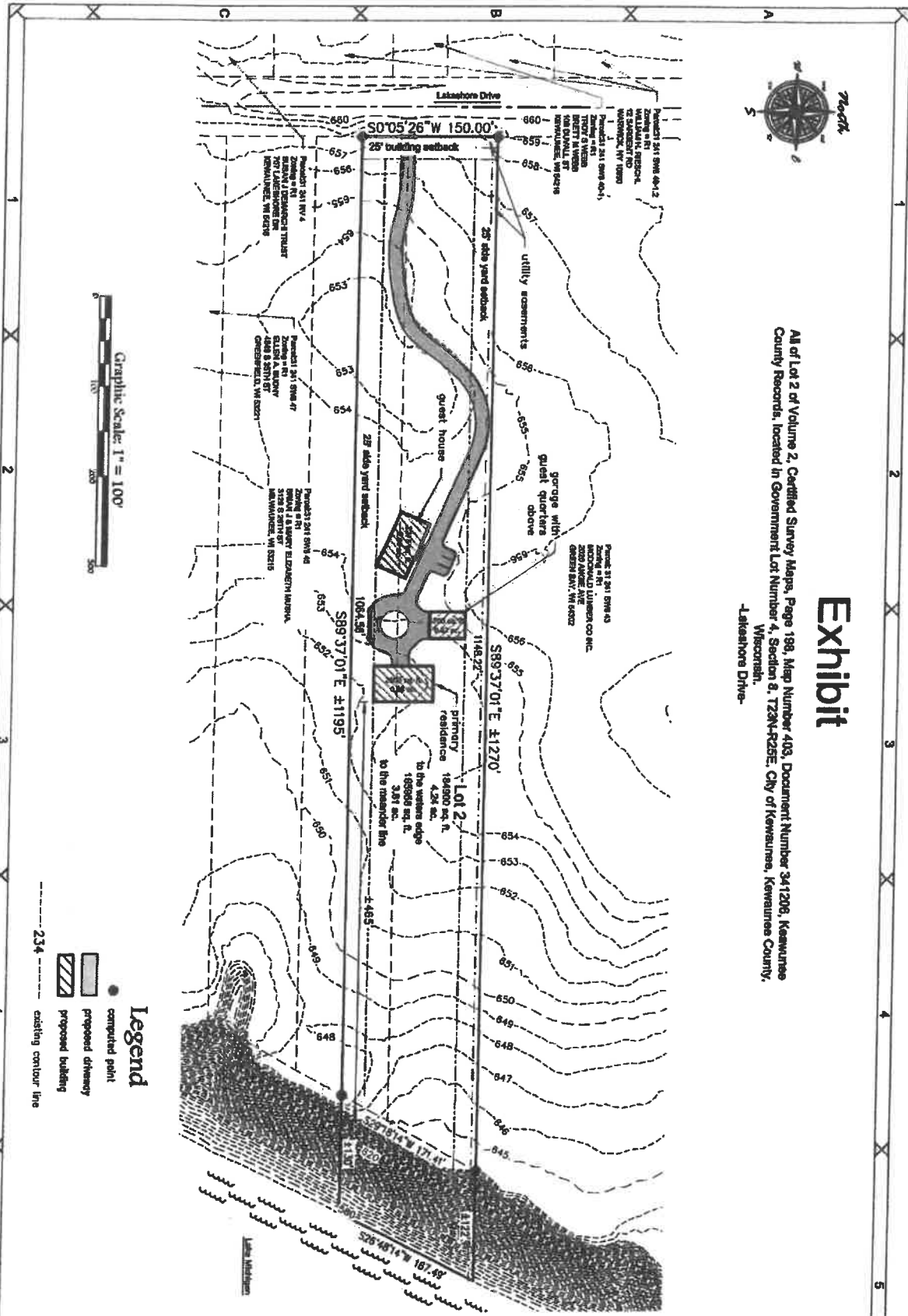
Phase two, extend utilities and construct the main residence. Construction is to start approximately spring of 2024.

Phase three, install a new lateral, utilities, and build a guest house. Construction is to start approximately spring of 2025.



Exhibit

All of Lot 2 of Volume 2, Certified Survey Maps, Page 189, Map Number 408, Document Number 341208, Kewaunee County Records, located in Government Lot Number 4, Section 8, T23N-R25E, City of Kewaunee, Kewaunee County, Wisconsin.
 - Lakeshore Drive -



- Legend**
- computed point
 - ▭ proposed driveway
 - ▨ proposed building
 - - - - - 234 - - - - - existing contour line

Client: Ty & Tara Morse
 Tax Parcel: 241-00350-0340
 Drafted By: JRW
 File: G-12722Site Plan 82422CC.dwg
 Data File: G-12722.TXT

Mau & Associates, LLP
 LAND SURVEYING & PLANNING
 CIVIL & WATER RESOURCE ENGINEERING
 Phone: 820-434-6670 Website: www.mau-associates.com
 400 Security Blvd Ste 1, Green Bay, WI 54313-8712

Sheet One of One
 Project No.: G-12722
 Drawing No.: X-1352



Kewaunee County GIS



SCALE: 1" = 133'



Kewaunee County
 Land Information Office
 810 Lincoln St
 Kewaunee, WI 54216
 920-398-7160
 Print Date: 8/19/2022

DISCLAIMER: Kewaunee County does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.

ATTACHMENT

4.b.

CONDITIONAL USE PERMIT APPLICATION

OWNER(S) OF PROPERTY (MUST BE APPLICANT) Daniel T Morse Tara C Morse

MAIN MAILING ADDRESS OF OWNER W74 N522 Webster Ave cedarburg WI 53012

TELEPHONE _____

ADDRESS OF PROPERTY Lakeshore Drive

TAX PARCEL NUMBER 31-241-00350-0340

4 DIMENSIONAL LOT SIZE _____

PRESENT USE vacant land

PRESENT ZONING R1

PRESENT IMPROVEMENTS ON LAND vacant land

SPECIFIC REQUESTED USE OF PROPERTY R3, single family with 2 separate guest structures .

The use will be the same as the adjoining properties.

Conforming to the neighborhood.

USE ADDITIONAL SHEET IF NECESSARY

ATTACH THE FOLLOWING:

1. List of all abutting and opposite property owners within 100' of the property.
2. To scale Plot Plan showing the area involved, its location, current and future improvements on the parcel involved in the request for conditional use permit and the location of adjacent structures within 100' of the area.

[Signature]
SIGNATURE OF OWNER (S)

DATE: 09 / 27 / 2022

NOTEFuture improvements must be in place within one year of the granting of a Conditional Use Permit. Should improvements not be substantially completed (over 1/2 and work continuing) within one year the applicant must reapply.

RESOLUTION NO. ____-2022

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL
OF A CONDITIONAL USE TO PERMIT THREE DETACHED RESIDENTIAL DWELLINGS
IN LIEU OF ATTACHED RESIDENTIAL DWELLINGS
(BY DANIEL AND TARA MORSE, APPLICANTS AND PROPERTY OWNERS)

WHEREAS, Daniel and Tara Morse, having petitioned the City of Kewaunee for the approval of a Conditional Use in the R-3 Multiple-Family Residential District, to permit construction of three detached residential dwellings in lieu of attached dwellings, upon property located in the 700 block of Lakeshore Drive. The property which is the subject of the application bears Parcel No. 241-00350-0340, and is more particularly described as follows:

All of Lot 2 of Volume 2, Certified Survey Maps, Page 198, Map Number 403, Document Number 341206, Kewaunee County Records, located in Government Lot Number 4, Section 8, Township 23 North, Range 25 East, City of Kewaunee County, Kewaunee County, Wisconsin.

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Kewaunee for a public hearing, pursuant to the requirements of Sec. 94-71 et. sec., and the public hearing provisions in Sec. 94-281 of the City of Kewaunee Municipal Code, and a public hearing having been held before the Plan Commission on the 27th day of October, 2022, and the Plan commission thereafter having determined to recommend that the proposed Conditional Use be approved, subject to certain conditions; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Conditional Use, subject to conditions, meets the standards set forth under Chapter 94 of the City of Kewaunee Municipal Code.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Kewaunee, Wisconsin, that the petition of Daniel and Tara Morse, for the approval of a Conditional Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Conditional Use is approved only for the use of the subject property by Daniel and Tara Morse, successors and assigns, for construction of three detached residential dwellings on a single lot, pursuant to the application materials City dated September 27, 2022, and annexed hereto and incorporated herein as Exhibit A.
2. The approval granted hereunder is conditional upon the residential use as an accessory use: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses, and the like, required for and applicable to the project to be developed and as presented for this approval.
3. The applicants shall obtain all necessary permits through the Building Inspector or the City of Kewaunee.

BE IT FURTHER RESOLVED, that in the event Daniel and Tara Morse, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions

DANIEL AND TARA MORSE – CONDITIONAL USE
RESOLUTION NO. _____-2022

Page 2

and restrictions of this Conditional Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Conditional Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the City of Kewaunee Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Conditional Use Permit as is contemplated by Sec. 94-73 of the City of Kewaunee Municipal Code.

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Kewaunee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Kewaunee this ____ day of _____, 2022.

Passed and adopted at a regular meeting of the Common Council of the City of Kewaunee this ____ day of _____, 2022.

APPROVED:

Jeffrey L. Vollenweider Sr., Mayor

ATTEST:

Jo Ann Lesser, CMC, WCMC
City Clerk/Treasurer

AYES _____ NOES _____ ABSENT _____