

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
Monday, April 4, 2011 – 6:00PM
Council Chambers, City Hall
Regular Meeting**

The meeting was called to order by President Mark Matthews at 6:00 PM.

President Matthews led the Council and those present in the Pledge of Allegiance.

Roll Call – Present: Jay Orvis, Jim Taddy, Brad Yaggie, Vince Alber, Lee Brocher, Kay Koach, Mark Matthews, David VanGinkel arrived at 6:08 PM. One vacancy on the Council at this time. Also present were: Dave Buss, Finance/Administrative Services Director; Joe Collins, Police Chief; Judy Goodchild, Parks and Recreation Director; Scott Schneider, Interim Fire Chief; Tom Bushman, Electric Utility Director; Jim McDonald, Public Works Director; Jeff Dawson, Library Director; Dan Pawlitzke, Economic Development Supervisor; Jack Bruce, City Attorney and Gregory Buckley, City Manager.

The Deputy City Clerk reported that notice of the meeting was given to the official newspaper and posted on the bulletin board in City Hall on Friday, March 31, 2011.

President Matthews opened a Public Hearing on an Ordinance to Amend Sections 10-1-26(b)(2) and 10-1-27(b)(2) of the Zoning Ordinance, Entitled Conditional Uses to add Laboratories for Research, Testing and Development in the B-2 and B-3 Business Districts. On the first call, the following person addressed the Council:

- * Andrew Konopacki, 18700 Rocky Court, Denmark, WI, he is the Owner of Aviva Foods who is requesting the Conditional Use.

On the second and third calls, no one addressed the Council. President Matthews closed the hearing.

A motion was made by Councilmember Koach, seconded by Councilmember Taddy, to waive reading and adopt the Ordinance. Upon a roll call vote, Ayes (7) Jim Taddy, Brad Yaggie, Vince Alber,

Lee Brocher, Kay Koach, Mark Matthews, Jay Orvis; Noes (0) None. Councilmember VanGinkel abstained due to being late and not participating in the Public Hearing. Motion carried.

President Matthews asked for Input from the Public. The following person addressed the Council:

- * Derald Zimmer, 5220 CTH VV, Town of Two Rivers, requesting to connect to City Water Service. Mr. Buckley stated he will contact Randy Fredrikson, District Administrator for Two Rivers Public School District who had initially paid for the water main when the High School was built and it would be their decision.

President Matthews asked the Council if there were any Council Reports from Boards, Commission or Committees. Councilmember Orvis reminded citizens of Earth Day and urged citizens to plant a tree or donate a tree to the City for planting; reminder of the park clean up scheduled for Saturday, April 9, at Neshotah Park. Councilmember Brocher asked if the City Manager responded to Mr. Springer's issue, Mr. Buckley will respond to Mr. Springer and might refer to the Utilities Committee. He also asked about the Fleet Service Gas Contract and when that will be up for bids. Mr. Buckley will check and get an answer back to Council.

City Manager's Report.

Mr. Buckley introduced Judy Goodchild, Parks and Recreation Director and Sarah Gallagher, Senior Center Director, to introduce LeRoy Krejcarek..

Mr. Buckley presented the Resolution of Commendation Honoring Mr. Krejcarek as Two Rivers Senior Center Volunteer of the Year.

A motion was made by Councilmember Brocher, seconded by Councilmember Yaggie, to read and adopt the Resolution. Upon a roll call vote, Ayes (8) David VanGinkel, Brad Yaggie, Vince Alber,

Lee Brocher, Kay Koach, Mark Matthews, Jay Orvis, Jim Taddy; Noes (0) None. Motion carried. Mrs. Gallagher read the Resolution aloud and the Council congratulated Mr. Krejcarek.

Mr. Buckley presented the Proclamation Naming April 3-9, 2011 as Volunteer Week.

A motion was made by Councilmember Orvis, seconded by Councilmember Koach, to read and adopt the Proclamation. Upon a roll call vote, Ayes (8) Brad Yaggie, Vince Alber, Lee Brocher, Kay Koach, Mark Matthews, Jay Orvis, Jim Taddy, David VanGinkel; Noes (0) None. Motion carried. Mrs. Goodchild read the Proclamation aloud.

City Manager's Report.

Mr. Buckley gave an update on the Governor's proposed State Budget Repair Bill and distributed a powerpoint presentation that he had given at the Chamber Meets Government luncheon that day, which outlined the implications of that bill for Two Rivers and Manitowoc. He also referred to the Lakeshore Humane Society handout regarding the information about strays and how they are handled and what the costs associated with strays are and who pays those costs. Mr. Buckley noted that he and Mayor Nickels will again try to schedule a meeting with the Lakeshore Humane Society Board, to discuss the fee structure and contract for housing stray animals. Mr. Buckley called upon Interim Fire Chief Scott Schneider to announce a grant award to the Fire Department from the Department of Homeland Security and the Federal Emergency Management Agency. He stated the Fire Department received a grant award in the amount of \$86,355 to be used to purchase firefighter protective gear for the Department and replacement fire hose with adapters and connections. The City match is \$4,545.00 for a grant total of \$90,900.

The following Consent Agenda items were considered: Minutes of March 21, 2011 regular meeting and March 28, 2011 special meeting; Beverage Operator License Applications for Dennis J. Roughen, 10 South First Street, Madison, William R. VanderBloomen, 2140 31st Street; Temporary

Class B License Applications for Two Rivers Lions Club for Smelt Fry, April 5 and Heart-A-Rama, May 5, 6, 7 and 12, 13, 14 at the Community House; Minutes of Meetings of Two Rivers Business & Industrial Development Committee and Community Development Authority, February 28, 2011; Managers Monthly Financial Report for December 2010, General Fund, Library Fund, Debt Service Fund.

A motion was made by Councilmember Taddy, seconded by Councilmember Yaggie, to approve the Consent Agenda with the various actions recommended. Upon a voice vote, motion carried.

Mr. Buckley presented an Insurance Claim from Beth Barfield.

A motion was made by Councilmember Brocher, seconded by Councilmember VanGinkel, to deny and disallow the claim as recommended by the City's Insurance Carrier. Upon a voice vote, motion carried.

Mr. Buckley presented an Insurance Claim from Susan Throndsen.

A motion was made by Councilmember Brocher, seconded by Councilmember Alber, to deny and disallow the claim as recommended by the City's Insurance Carrier. Upon a voice vote, motion carried.

Mr. Buckley presented a Personnel Policy Amendment and Letter of Agreement for full-time, non-union employees, to affirm post-retirement health insurance benefits as currently described in the Personnel Policy Manual. Mr. Buckley pointed out that there were two modifications made since the Council first reviewed this Letter. The first modification was to add that the Employer reserves the right to change health insurance carriers and to modify its health insurance plan structure and/or benefits as it sees fit and the health premium co-payment for such post-retirement coverage for retirees ages 55-65 (currently 90%City/10% employee in

the referenced bargaining agreements) shall be subject to modification by action of the City Council, to be consistent with the post-retirement health premium co-payment required of active, non-union employees. He also noted that this benefit has been eliminated for all non-union employees hired after January 1, 2011.

A motion was made by Councilmember Brocher, seconded by Councilmember Alber, to approve the Personnel Policy Amendment and Letter of Agreement, affirming the availability of post-retirement health insurance benefits for current full-time, non-union employees and to authorize the City Manager and Council President to sign such Letter of Agreement. Upon a roll call vote, Ayes (8) Vince Alber, Lee Brocher, Kay Koach, Mark Matthews, Jay Orvis, Jim Taddy, David VanGinkel, Brad Yaggie; Noes (0) None. Motion carried.

Mr. Buckley presented a Resolution of Intent to Renew Services Agreement with Manitowoc Area Visitor and Convention Bureau and the City of Manitowoc.

A motion was made by Councilmember Koach, seconded by Councilmember VanGinkel, to wave reading and adopt the Resolution. Upon a roll call vote, Ayes (8) Lee Brocher, Kay Koach, Mark Matthews, Jay Orvis, Jim Taddy, David VanGinkel, Brad Yaggie, Vince Alber; Noes (0) None. Motion carried.

Mr. Buckley presented three items pertaining to Harbor Development:

- - Resolution Adopting Three-Year Harbor Development Statement of Intentions to be forwarded to the Wisconsin Department of Transportation, identifying the need for dredging on East Twin River between the 17th and 22nd Street Bridges; - - Notification of a public hearing that is scheduled for Monday, April 18, 2011 at 6:00 PM for consideration of Resolution Adopting Citizen Participation Plan related to Community Development Block Grant Application for Harbor Master Plan; - - Notification of a Resolution Authorizing an Application for Community

Development Block Grant Funds for a Harbor Master Plan, which will also be included on the April 18, 2011 meeting agenda.

A motion was made by Councilmember Yaggie, seconded by Councilmember Alber, to waive reading and adopt the Resolution Adopting Three-Year Harbor Development Statement of Intentions. Upon a roll call vote, Ayes (8) Kay Koach, Mark Matthews, Jay Orvis, Jim Taddy, David VanGinkel, Brad Yaggie, Vince Alber, Lee Brocher; Noes (0) None. Motion carried.

For Information Only:

- A. Reminder of Spring Election Day, Tuesday, April 5, 2011. Polls open at 7:00am-8:00pm
- B. Manitowoc County Earth Day is Saturday, April 16, 2011 from 10:00am – 2pm at Silver Lake College Campus, 2406 South Alverno Rd
- C. National Library Week is April 10-16, 2011. Food for Fines, \$1.00 off of fines for every non-perishable food item brought to the library-does not include lost or damaged material. All items to be donated to TREP.
- D. Annual Two Rivers Parks Cleanup is Saturday, April 9 at 9:00 AM in Neshotah Park
- E. Reminder: City Council Re-organizational meeting, Tuesday, April 19, 2011 at 6:00 PM in the Council Chambers.
- F. Latest City Hall Art Display features the photography of Jeff Dawson
- G. Breakfast with the Easter Bunny, Saturday, April 23, 2011 at Community House and Easter Egg Hunt in Neshotah Park at 11:00 AM
- H. Joe Collins, Judy Goodchild and Greg Buckley were Judges for the Mr. TRHS Contest at the High School, Saturday, April 2, a fun time was had by all
- I. Joe Collins, Judy Goodchild and Greg Buckley were at a H.O.G. Rally meeting on Sunday, April 3, 2011. Approximately 600 registrations are received to date.

At 7:30 PM, a motion was made by Councilmember Taddy, seconded by Councilmember Koach, to enter into Closed Session per Wisc. Stats. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session

- Discuss Possible City Assistance to Economic Development Projects
- Discuss Current Bargaining Activities With City Employee Unions
- Discuss Possible Staffing, Compensation and Organizational Changes Related to Upcoming 2012 Budget

Upon a roll call vote, Ayes (8) Mark Matthews, Jay Orvis, Jim Taddy, David VanGinkel, Brad Yaggie, Vince Alber, Lee Brocher, Kay Koach; Noes (0) None. Motion carried.

At 8:00 PM, a motion was made by Councilmember Taddy, seconded by Councilmember Yaggie, to reconvene in open session. Upon a voice vote, motion carried.

At 8:00 PM, a motion was made by Councilmember Yaggie, seconded by Councilmember Taddy, to dispense with the reading of the minutes of the meeting and adjourn.



Kim M. Graves
Deputy City Clerk

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
Monday, April 18, 2011 – 6:00PM
Council Chambers, City Hall
Regular Meeting**

The meeting was called to order by President Mark Matthews at 6:00 PM.

President Matthews led the Council and those present in the Pledge of Allegiance.

Roll Call – Present: Jay Orvis, Jim Taddy, David VanGinkel, Vince Alber, Lee Brocher, Kay Koach, Mark Matthews, Brad Yaggie (arrived at 6:02 PM). One vacancy on the Council at this time. Also present were: Dave Buss, Finance/Administrative Services Director; Joe Collins, Police Chief; Judy Goodchild, Parks and Recreation Director; Scott Schneider, Interim Fire Chief; Tom Bushman, Electric Utility Director; Jim McDonald, Public Works Director; Jack Bruce, City Attorney and Gregory Buckley, City Manager.

The Deputy City Clerk reported that notice of the meeting was given to the official newspaper and posted on the bulletin board in City Hall on Thursday, April 14, 2011.

President Matthews opened a Public Hearing on a Resolution Adopting Citizen Participation Plan Related to Community Development Block Grant application for Harbor Master Plan. After calling three times and seeing no one wishing to address the Council, President Matthews closed the hearing.

A motion was made by Councilmember Orvis, seconded by Councilmember Alber, to waive reading and adopt the Resolution. Upon a roll call vote, Ayes (8) Jim Taddy, David VanGinkel, Brad Yaggie, Vince Alber, Lee Brocher, Kay Koach, Mark Matthews, Jay Orvis; Noes (0) None.

President Matthews asked for Input from the Public. Mr. Buckley stated that as a condition of the Grant Application for Harbor Master Plan, the Council needs to provide an opportunity for Public Input regarding the Proposed Development Block Grant Application. President Matthews asked if there was anyone interested in speaking about this matter. No one addressed the Council.

President Matthews asked for Input from the Public regarding the Annual Report on Activities Undertaken Pursuant to Municipal Separate Storm Sewer System (MS4) General Permit. No one addressed the Council.

President Matthews asked for Input from the Public on any other issues. No one addressed the Council.

President Matthews asked the Council if there were any Council Reports from Boards, Commission or Committees.

City Manager's Report.

Mr. Buckley gave an update on the following items:

1. Governor's proposed State Budget Repair Bill
2. 2012-2013 State Budget
3. Recycling Grants. The City will see a \$43,162 cut in recycling grant funding in 2011.
4. Lakeshore Humane Society Meeting for housing stray animals. City of Manitowoc and Two Rivers are still attempting to negotiate a new contract, to replace the one that took effect January 1, 2011.
5. Manitowoc Area Visitors and Convention Bureau Board at its April 14, 2011 meeting that it agrees with the terms proposed by the City of Two Rivers for a five-year extension of the Tourism Joint Services Agreement and is not interested in merging with other agencies for tourism efforts. Councilmember Brocher thanked Mr. Buckley and Councilmember Koach for their efforts in obtaining this agreement.

The following Consent Agenda items were considered: Minutes of April 4, 2011 regular meeting; Beverage Operator License Applications for Danielle M. Bergene, Felicia A. Farr, Sharon M. Kozak, Kathryn J. Lodl, Marla A. Pankow, Kristin A. Schwake; Temporary Class B License Application

for St. John's Lutheran Picnic Committee, July 17, 2011 from 11:15AM – 5:00PM, Neshotah Park Jaycee Shelter; Minutes of Meetings for City Council Personnel and Finance Committee, March 15, 2011, City Council Personnel and Finance Committee, March 21, 2011, Two Rivers Business & Industrial Development Committee and Community Development Authority, March 22, 2011, Board of Canvassers, April 6, 2011, City Council Personnel and Finance Committee, April 6, 2011, Plan Commission, April 11, 2011, Advisory Recreation Board, April 12, 2011; Department Reports for Economic Development for January and February, 2011, Electric, Fire, Inspections, Library, Police, Safety for March, 2011 and Public Works, February and March, 2011; Summary of Verified Bills for month of March, 2011 in the amount of \$2,785,131.22; Proclamation Naming April 12, 2011 through April 9, 2015 as a period of Manitowoc County Civil War Remembrance.

A motion was made by Councilmember VanGinkel, seconded by Councilmember Yaggie, to approve the Consent Agenda with the various actions recommended. Upon a voice vote, motion carried.

Mr. Buckley presented two Recommendations from the Plan Commission Meeting.

1. Schedule a Public Hearing for 6:00 PM, Monday, May 2, 2011 for conditional Use Permit to Establish a Laboratory for Research, Development and Test of Food Products in the N-2 Business District at 3120 Memorial Drive, submitted by Andy Konopacki (buyer and business owner).

A motion was made by Councilmember Koach, seconded by Councilmember Orvis, to set the Public Hearing for 6:00 PM, Monday, May 2, 2011. Upon a voice vote, motion carried.

2. Schedule a Public Hearing for 6:00 PM, Monday, June 6, 2011 for Zoning Code Amendment to the Floodplain Ordinance and Adopt New Floodplain Maps as required by State and Federal Law.

A motion was made by Councilmember Alber, seconded by Councilmember Yaggie, to set the Public Hearing for 6:00 PM, Monday, June 6, 2011. Upon a voice vote, motion carried.

Mr. Buckley presented a Resolution Authorizing an Application for Community Development Block Grant Funds for a Harbor Master Plan.

A motion was made by Councilmember Orvis, seconded by Councilmember Alber, to waive reading and adopt the Resolution. Upon a roll call vote, Ayes (8) David VanGinkel, Brad Yaggie, Vince Alber, Lee Brocher, Kay Koach, Mark Matthews, Jay Orvis, Jim Taddy; Noes (0) None. Motion carried.

Mr. Buckley presented the Annual Storm Water Report for 2010.

A motion was made by Councilmember Brocher, seconded by Councilmember Yaggie, to receive and file this report, with further direction to place this report on the City's Website, make copies available at the City Engineer's Office and direct the City Engineer to receive any public comments, refer or report such comments to appropriate staff or committees, and report on any such comments in the 2011 Report. Upon a voice vote, motion carried.

Mr. Buckley stated the next item on the Agenda was the appointment to fill City Council vacancy for a term ending April 17, 2012. President Matthews asked the Council how they wanted to proceed.

A motion was made by Councilmember Brocher, seconded by Councilmember Taddy, to allow a two minute commentary from each applicant on why they should be appointed to this seat. Upon a voice vote, motion carried. At this time, Councilmember Orvis stated he wish to withdrew his application from the list of candidates.

President Matthews called upon Jeanette Greenwood, Marcia Krueger, Eric Pangburn. Charles Hagen was not in attendance at this meeting, but submitted his application. After the commentary, the Council voted:

Kay Koach - Marcia Krueger

Jay Orvis - Marcia Krueger

Dave VanGinkel - Marcia Krueger

Vince Alber - Marcia Krueger

Mark Matthews – Marcia Krueger

Jim Taddy – Marcia Krueger

Lee Brocher – Marcia Krueger

Brad Yaggie – Marcia Krueger

President Matthews declared Marcia Krueger as Councilmember to fill the vacancy for a term ending April 17, 2012. The Council congratulated Ms. Krueger and Deputy City Clerk Graves, gave the oath of office to Ms. Krueger. Ms. Krueger took her seat.

For Information Only:

- A. Reminder: City Council Re-organizational meeting, Tuesday, April 19, 2011 at 6:00 PM
- B. Reminder: City Council monthly work session is Monday, April 25, 2011 at 6:00 PM.
Topics of interest would include City Council City e-mail accounts, policy for Council Members' participation in meetings via telephone or other electronic means, discuss City Web site
- C. Report on Electric Utility Mutual Aid assistance to Menasha Utilities
- D. Breakfast with the Easter Bunny, Saturday, April 23, 2011 at Community House and Easter Egg Hunt in Neshotah Park at 11:00 AM

At 7:16 PM, a motion was made by Councilmember Yaggie, seconded by Councilmember Koach, to enter into Closed Session per Wisc. Stats. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session

-- Discuss Possible City Assistance to Economic Development Projects

-- Discuss Current Negotiations With AFSCME Bargaining Units

Upon a roll call vote, Ayes (9) Brad Yaggie, Vince Alber, Lee Brocher, Kay Koach, Marcia Krueger, Mark Matthews, Jay Orvis, Jim Taddy, David VanGinkel; Noes (0) None. Motion carried.

At 7:55 PM, a motion was made by Councilmember VanGinkel, seconded by Councilmember Krueger, to reconvene in open session. Upon a voice vote, motion carried.

At 7:55 PM, a motion was made by Councilmember VanGinkel, seconded by Councilmember Yaggie, to dispense with the reading of the minutes of the meeting and adjourn.



Kim M. Graves
Deputy City Clerk