

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
Monday, April 18, 2016 - 6:00PM
Council Chambers, City Hall
Regular Meeting**

The meeting was called to order by Council Vice President David VanGinkel at 6:00 PM.

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

Roll Call – Present: Mark Bittner, Patrick Gagnon, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, David VanGinkel,. Absent: Vince Alber and Brad Yaggie.

Also present were Judy Goodchild, Park & Recreation Director; James McDonald, City Engineer/Department of Public Works; Scott Schneider, Fire Chief; Joe Collins, Police Chief; Dave Buss, Finance Director; Tom Bushman, Electric Department Director; Sergeant Pete McGinty, Police Department Detective; Lt Ben Meinnert, Police Department; Jack Bruce, City Attorney and, Greg Buckley, City Manager.

Consideration of any Councilmember request to participate in this meeting from a remote location. None.

The 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, 2016.

Vice President VanGinkel opened a Public Hearing to Consider Zoning Code Text Amendment to Repeal and Recreate Section 10-1-3, entitled “Zoning District Map” to provide for updating the Zoning District Map in January of each year by Resolution reflecting changes to those boundaries resulting from ordinances adopted by the City Council in the preceding year. Mr. Buckley stated that this change would eliminate the need for a Zoning Ordinance amendment and related public hearing each time the map is updated, noting that each individual zoning change is itself the subject of a public hearing.

After calling three times and seeing no one wishing to address the Council, Vice President VanGinkel closed the hearing.

A motion was made by Councilmember Koach, seconded by Councilmember Gagnon, to waive reading and adopt the amendment, as recommended by the Plan Commission. Upon a roll call vote, Ayes (7), Patrick Gagnon, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Dave VanGinkel, Mark Bittner, Noes (0), None. Motion carried.

Vice President VanGinkel asked for Input from the Public.

Julie Hart, 3404 Memorial Drive, urged the City Council to provide the Police Department with the resources to go after drug dealers – She thanked the police officers for their service.

Perry Holzman, 2116 30th Street, stated that he would like to become involved in the community, and would like to learn more about opportunities to serve.

Council Communications. None

President Yaggie asked the Council if there were any reports from Boards, Commissions or Committees.

Councilmember Powalisz – reported on the recent Advisory Recreation Board meeting. He noted the recent donation and installation of a “Born Learning Trail” Kit to be installed by United Way at Washington Park, at no charge to the City. The installation will occur on August 6, 2016, when United Way volunteers will also provide a day of work at Picnic Hill. He also reported that two weddings are currently booked for the Rotary Pavilion at Neshotah Beach.

City Manager’s Status/Update Reports:

A. Invited Guests

1. Resolution commemorating the 100th Anniversary of the Salvation Army in Manitowoc County with representatives, Lt. Terri Olsen and Kyle Bryntesen.

A motion was made by Councilmember Gagnon, seconded by Councilmember Bittner, to read and adopt the resolution. Upon a roll call vote, Ayes (7), Patrick Gagnon, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Dave VanGinkel, Mark Bittner, Noes (0), None. Motion carried. Mr. Buckley read the resolution aloud.

2. Resolution/Introduction for Officer of the Year, Lt. Aaron Gauthier.

A motion was made by Councilmember Powalisz, seconded by Councilmember Gagnon, to read and adopt the resolution. Upon a roll call vote, Ayes (7), Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Dave VanGinkel, Mark Bittner, Patrick Gagnon; Noes (0), None. Motion carried. Chief Collins read the resolution aloud.

3. State Representative Andre Jacque, Wisconsin 2nd Assembly District, reported on some actions taken in the recent Legislative session that are of interest to local governments. City Manager Buckley addressed a list of issues important to the City, including State funding for Shared Revenues and transportation infrastructure, TIF law changes, and the need to respect local control.

B. Status/Update Reports

1. Harbor Park Seawall/Water Main Project. The City Manager reported that Michels' Construction is in the final stages of Phase 1 most concrete is poured; street paving work is to be completed by mid-May. He noted that the lower tier of rub rail on the seawall cannot be affixed because of high water.

2. Vets Park Fish Cleaning Station. The City Manager reported that construction of the facility is well underway, with the goal of being completed by Memorial Day weekend opening.

3. Harbor Dredging. The City Manager reported that bids were opened on Wednesday, April 13, 2016; Roen Salvage is the apparent low bidder, at a unit price 7% lower than project budget. Mr. Buckley added that the project involves dredging 22,500 cubic yards of material from the outer harbor and transporting it to a site near the Woodland Industrial Park. Contract will be presented for award at one of the May Council meetings.

C. Legislative Update: None.

The following Consent Agenda items were considered: Minutes of March 28, 2016 special City Council meeting and the April 4, 2016 regular City Council meeting; Application for Temporary Class "B" Retailer's License for Shooter Malone's Softball Team for a Softball Tournament at Vietnam Veteran's Park, Two Rivers, July 8, 9, 10, 2016 from 8:00 AM to 8:00 PM; Minutes of Meetings for Public Utilities, March 1, 2016, Public Works, March 2, 2016, Lester Library, March 8, 2016, Public Utilities, April 5, 2016, Public Works, April 6, 2016, Board of Canvassers, April 6, 2016, Plan Commission, April 11, 2016; Department Reports for Electric, March 2016, Fire, March 2016, Inspections, March 2016, MS 4 Report for Storm Water, April 2016, Parks & Recreation, March 2016, Public Works, March 2016, Safety, March 2016, Water, March 2016; Summary of Verified Bills for the Month of March 2016 in the amount of \$3,919,481.70.

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

Councilmember Shimulunas moved to suspend rules at that point, seconded by Councilmember Gagnon. Upon voice vote, motion carried.

Vice President VanGinkel presented an Ordinance amending Section 6-10-2 of City Ordinance regarding licensing and operation of Pawnbrokers, Secondhand Article and Jewelry Dealers.

Virginia Craven, Ginny's Blue Parrot, 1609 Monroe Street, asked whether the record keeping requirements would be effective are articles acquired after the effective date of the ordinance. City Attorney Bruce acknowledged that it would be impractical to impose these requirements retroactively.

Steven Craven, 1609 Monroe Street, noted that his inventory includes leather coats.

Kevin Schmitz, 937 Laduron Drive, owner of All Things Manitowoc on Memorial Drive, stated that he agreed with most of the Ordinance, except that he would like to see a dollar threshold for the types of articles that need to be reported. He further stated that he thought the definition of "article" as "anything of value" was too vague.

Darla LeClair, 1103 35th Street, stated that she felt impacted businesses had received short notice; she requested that the Council table the ordinance for two weeks so businesses can have a better handle on what's going on.

Perry Holzman, 2116 30th, stated concerns. He stated that he operates a multi-level marketing business, and occasionally barter for items when people don't have cash. He questioned whether the ordinance would apply to such transactions. He added that he had no argument with the need to track stolen items, but believes there is a need to educate the public and businesses invite to participate in this process.

Steve Craven commented that as a new business, he had not been approached to join the Two Rivers Business Association.

A motion was made by Councilmember Powalisz to table the ordinance for 2 weeks. Upon voice vote, motion carried. Item will be added to the Council agenda on Monday, May 2, 2016.

Vice President VanGinkel presented an Ordinance amending Section 9-3-4 of City Ordinances, titled "Destruction of Noxious Weeds and Regulation of Height of Lawns and Weeds", to repeal and recreate Section 9-3-4(c), adding a requirement that grass clippings be removed when a property is the subject of a written mowing notice from the City to cut tall vegetation.

A motion was made by Councilmember Gagnon, seconded by Councilmember Taddy, to waive the reading and adopt the ordinance. Upon roll call vote, Ayes (7), Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Dave VanGinkel, Mark Bittner, Patrick Gagnon, Kay Koach: Noes (0), None. Motion carried. motion carried.

Vice President VanGinkel presented a Proclamation of Arbor Day, April 29, 2016.

A motion was made by Councilmember Shimulunas, seconded by Councilmember Powalisz, to read and adopt the proclamation. Upon a roll call vote, Ayes (7), Bonnie Shimulunas, Jim Taddy, Dave VanGinkel, Mark Bittner, Patrick Gagnon, Kay Koach, Jack Powalisz,; Noes (0), None. Motion carried.

Vice President VanGinkel presented a review request to allow a 2' x 24' (48 sq ft) on-premises wall sign to be located on the west façade of the building at 3303 Lincoln Avenue, submitted by Jones Sign on behalf of Krajnik Chevrolet, Inc. (owner) - - additional signage permitted per section 10-3-18(e) of the sign ordinance.

A motion was made by Councilmember Gagnon, seconded by Councilmember Shimulunas, to approve the request, as recommended by the Plan Commission. Upon roll call

vote, Ayes (7), Dave VanGinkel, Mark Bittner, Patrick Gagnon, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy; Noes (0), None. Motion carried.

City Council Unfinished Business.

Councilmember VanGinkel asked why the League of Women Voters candidate forum was not rebroadcast nor made available on YouTube, as had been planned. Mr. Buckley stated that a meeting had been recorded over the LWV forum, in error, so rebroadcasting was not possible.

For Information Only: The City Manager addressed by following:

- A. City Council Reorganization Meeting, Tuesday, April 19, 2016, Council Chambers, 6:00 PM.
- E. Dash at the Dunes 5K Trail Run/Walk, Woodland Dunes, Saturday, April 23, 2016, 10:00 AM.
- F. Amazing Science & Earth Day, Point Beach Energy Center, Sunday, April 24, 2016, 11:00 AM – 4:00 PM.

Closed Executive Session. At 7:50 PM, a motion was made by Councilmember Koach, seconded by Councilmember Shimulunas, to enter into Closed Sessions, per Wisc. Stats. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investment 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 Possible Property Acquisition
- Discuss matters pertaining to negotiation of intergovernmental agreement to which the City is a party

Upon a roll call vote, Ayes (7), Dave VanGinkel, Mark Bittner, Patrick Gagnon, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy; Noes (0), None. Motion carried.

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

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

Kim M. Graves
City Clerk