

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
Monday, April 4, 2016 - 6:00PM
Council Chambers, City Hall
Regular Meeting**

The meeting was called to order by Council President Brad Yaggie at 6:00 PM.

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

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

Also present were Judy Goodchild, Park & Recreation Director; Jeff Dawson, Library Director; James McDonald, City Engineer/Department of Public Works; Scott Schneider, Fire Chief; Joe Collins, Police Chief; Dave Buss, Finance Director; 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, March 31, 2016.

President Yaggie opened a Public Hearing on an Ordinance rezoning from R 3 Single and Double Family Residence District to B-1 Business District the property at 2110 Jefferson Street, as submitted by James Meverden (owner) and Kwik Trip, Inc. (Contract Purchaser).

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

A motion was made by Councilmember VanGinkel, seconded by Councilmember Gagnon, to waive reading and adopt the ordinance, as recommended by the Plan Commission. Upon a roll call vote,

Ayes (9), Bonnie Shimulunas, Jim Taddy, Dave VanGinkel, Brad Yaggie, Vince Alber, Mark Bittner, Patrick Gagnon, Kay Koach, Jack Powalisz,; Noes (0), None. Motion carried.

President Yaggie opened a Public Hearing on an Ordinance for rezoning from I-1 Industrial District to B-1 Business District the property at 1408 21st Street, as submitted by Kwik Trip, Inc. (owner).

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

A motion was made by Councilmember Alber, seconded by Councilmember Koach, to waive reading and adopt the ordinance, as recommended by the Plan Commission. Upon a roll call vote, Ayes (9), Jim Taddy, Dave VanGinkel, Brad Yaggie, Vince Alber, Mark Bittner, Patrick Gagnon, Kay Koach, Jack Powalisz, Bonnie Shimulunas; Noes (0), None. Motion carried.

President Yaggie opened a Public Hearing on an Application for Conditional Use Permit for gas station, including Convenience Store with Two-Bay Car Wash at 2107 Washington Street, as submitted by Kwik Trip, Inc. (owner). City Manager Buckley noted that Steve Lowe of Kwik Trip real estate department was present for the hearing, to address any questions the City Council may have.

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

A motion was made by Councilmember Koach, seconded by Councilmember Taddy, to approve the conditional use permit, with conditions, as recommended by the Plan Commission. Upon a roll call vote, Ayes (9), Dave VanGinkel, Brad Yaggie, Vince Alber, Mark Bittner,

Patrick Gagnon, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy; Noes (0), None.

Motion carried.

President Yaggie asked for Input from the Public. Steve Craven, 1609 A Monroe Street, addressed the Council regarding his concerns with “fly-by-night” and recommended that the City establish a local license requirement for building contractors. Mr. Buckley noted that Councilmember Bittner had contacted him about this matter, after hearing of Mr. Craven’s concerns; the City Manager added that he was not sure the City could license contractors, who are licensed by the State of Wisconsin.

Council Communications. None.

President Yaggie asked the Council if there were any reports from Boards, Commissions or Committees. None.

City Manager’s Status/Update Reports:

A. Invited Guests

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

Mr. Buckley stated that Lt. Gauthier was unable to attend the meeting; he recommended that the matter be tabled to the April 18, 2016 City Council meeting. A motion was made by Councilmemeber Shimulunas, seconded by Councilmember VanGinkel, to table until next meeting, April 18, 2016. Upon voice vote, motion carried.

2. Resolution of Commendation for Brandon Burke, 2015 Fire Fighter of the Year.

Chief Scott Schneider introduced Firefighter/Paramedic Burke to the City Council. A motion was made by Councilmember Shilumlunas, seconded by Councilmember Powalisz, to read and adopt the resolution. Upon a roll call vote, Ayes (9), Brad Yaggie,

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

3. Introduction & Pinning of Captain's badge for Acting Lt. Kris Klein. Chief Schneider introduced Lt. Klein and his family. The Chief proceeded to present the Captain's badge, which was pinned on Lt. Klein by his wife. Chief Schneider also presented Capt Klein with his Captain's helmet.
4. Introduction and Resolution of Commendation for Carol Blaszczyk, 2015 Senior Center Volunteer of the Year and designating April 10 – 16, 2016 as Volunteer Week. Senior Center Supervisor Tammy Desten introduced Ms. Blaszczyk and discussed the activities associated with Volunteer Week. A motion was made by Councilmember VanGinkel, seconded by Councilmember Gagnon, to read and adopt the resolution. Upon a roll call vote, Ayes (9), Vince Alber, Mark Bittner, Patrick Gagnon, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Dave VanGinkel, Brad Yaggie; Noes (0), None. Motion carried.

B. Status/Update Reports

1. Harbor Park Seawall/Water Main Project. Mr. Buckley stated that Michels Construction has mobilized to finish up the remaining work associated with Harbor Park Phase 1. He stated that he expected curb along East Street to be proud this week.
2. Vets Park Fish Cleaning Station. The City Manager noted that the contractor is on-site, and has begun preparing the site for pouring foundations.
3. Harbor Dredging. Mr. Buckley reported that a pre bid meeting was held on March 29, 2016; bid opening will be April 13. The project involves removal of about 22,000 cubic yards of material.

C. Legislative Update:

1. Mr. Buckley noted that he and Chiefs Collins and Schneider had recently met with the Commander in charge of the US Coast Guard's Lake Michigan Sector. She informed them that the Coast Guard has plans to reallocate personnel and boats among its Lake Michigan stations. As the result, search and rescue operations from eight stations will be "seasonalized" – for Two Rivers, this will mean Friday – Sunday coverage during the boating season; at other times, the response will be out of Station Sheboygan. Two Rivers will retain 10-member Aids to Navigation group on a year-round basis. There are currently 26 Coast Guard personnel assigned to Station Two Rivers. Mr. Buckley stated that he will share press release when received.

The following Consent Agenda items were considered: Minutes of March 21, 2016 regular City Council meeting; Application for Operator's Licenses for Anderson, Josh D., W2262 Block Road, Appleton; Basken, Allie T., 6975 Tannery Road, Two Rivers; Driftmier, Sarah E., 740 S. 25th Street, Apt A, Manitowoc; Farr, Amy L., 426 N. 9th Street, Apt 3, Manitowoc; Landon, Emilee E., 216 E. Park View Lane, Manitowoc; Peterson, Rhonda A., 3410 Wilson, Two Rivers; Application for Temporary Class "B" Retailer's License for Heart-A-Rama at Community House on April 28, 29, 30, 2016 and May 5, 6, 7, 2016 from 5:00 PM to 11:00 PM; Minutes of Meetings for Committee on Aging, March 7, 2016, Business and Industrial Development Committee, March 22, 2016; Department Report for Police, January and February 2016.

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.

President Yaggie presented a recommendation from the City Manager to set a Public Hearing on a zoning Ordinance Amendment relative to updating of the Zoning District map.

A motion was made by Councilmember Taddy, seconded by Councilmember Shimulunas, to set public hearing for Monday, April 18, 2016 at 6:00 PM as recommended by the City Manager, and to refer this matter to the Plan Commission for review and recommendation at its April 11, 2016 meeting.

President Yaggie presented a Resolution adopting Three Year Harbor Development Statements of Intentions, to be submitted to the Harbor Assistance Program of the Wisconsin Department of Transportation. Mr. Buckley noted that the highest priority project is work on the harbor entrance, to reduce surge and shoaling problems.

A motion was made by Councilmember Koach, seconded by Councilmember Gagnon, to waive the reading and adopt the resolution. Upon voice vote, motion carried.

President Yaggie presented a Resolution authorizing the borrowing of \$1,420,000 from the Board of Commissioners of Public Lands State Trust Fund Program, for 2016 Capital Projects (10--Year Borrowing at 3.00 Percent Annual Interest).

A motion was made by Councilmember Gagnon, seconded by Councilmember Taddy, to waive reading and adopt the resolution. Upon a roll call vote, Ayes (9), Patrick Gagnon, Kay Koach, Jack Powalysz, Bonnie Shimulunas, Jim Taddy, Dave VanGinkel, Brad Yaggie, Vince Alber, Mark Bittner; Noes (0), None. Motion carried.

President Yaggie presented a Resolution authorizing the borrowing of \$765,000 from the Board of Commissioners of Public Lands State Trust Fund Program, to refinance existing BCPL loan for interest savings (three-year borrowing, same as remaining term on existing loan, to

reduce interest rate from 3.00 percent to 2.50 percent, saving approximately \$5,300 in interest costs).

A motion was made by Councilmember Gagnon, seconded by Councilmember Powalisz, to waive reading and adopt the resolution. Upon a roll call vote, Ayes (9), Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Dave VanGinkel, Brad Yaggie, Vince Alber, Mark Bittner, Patrick Gagnon; Noes (0), None. Motion carried.

President Yaggie presented a Resolution authorizing the borrowing of \$367,000 from the Board of Commissioners of Public Lands State Trust Fund Program, to refinance existing BCPL loan for interest savings (nine-year borrowing, same as remaining term on existing loan, to reduce interest rate from 3.25 percent to 3.00 percent, saving approximately \$3,315 in interest costs).

A motion was made by Councilmember Alber, seconded by Councilmember Koach, to waive reading and adopt the resolution. Upon a roll call vote, Ayes (9), Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Dave VanGinkel, Brad Yaggie, Vince Alber, Mark Bittner, Patrick Gagnon, Kay Koach; Noes (0), None. Motion carried.

President Yaggie presented a Resolution authorizing the borrowing of \$1,941,374 from the Board of Commissioners of Public Lands State Trust Fund Program, to refinance existing BCPL loan for interest savings (eight-year borrowing, same as remaining term on existing loan, to reduce interest rate from 3.25 percent to 3.00 percent, saving approximately \$14,056 in interest costs).

A motion was made by Councilmember Koach, seconded by Councilmember Gagnon, to waive reading and adopt the resolution. Upon a roll call vote, Ayes (9), Bonnie Shimulunas, Jim

Taddy, Dave VanGinkel, Brad Yaggie, Vince Alber, Mark Bittner, Patrick Gagnon, Kay Koach, Jack Powalisz; Noes (0), None. Motion carried.

President Yaggie presented a discussion of proposed Ordinance Amendment regarding licensing and operation of Pawnbrokers, Secondhand Article and Jewelry Dealers.

Mr. Buckley stated that he was presenting this matter for discussion only, to address any questions or concerns Councilmembers may have regarding proposed ordinance and to allow time for providing notice of the proposed ordinance amendment to businesses that would be impacted; this matter will be presented as an action item at the April 18, 2016 City Council Meeting.

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. Board of Canvassers, City Clerk's office, Wednesday, April 6, 2016, 9:00 AM
- B. Board of Canvassers, City Clerk's office, Monday, April 11, 2016, 8:30 AM
- C. State Representative Andre Jacque Town Hall Meeting, Monday, April 18, 2016, 4:30 – 5:30 PM (in Council Chamber) and visit to City Council Meeting at 6:00 PM.
- D. 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 7:25 PM, a motion was made by Councilmember VanGinkel, seconded by Councilmember Koach, 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

And per Wisc. Stats. 19.85(1)(g), Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

- - Discuss current litigation

Upon a roll call vote, Ayes (9), Jim Taddy, Dave VanGinkel, Brad Yaggie, Vince Alber, Mark Bittner, Patrick Gagnon, Kay Koach, Jack Powalisz, Bonnie Shimulunas; Noes (0), None. Motion carried.

At 8:15 PM, a motion was made by Councilmember VanGinkel, seconded by Councilmember Powalisz, to reconvene in open session. Upon voice vote, motion carried.

At 8:15 PM, a motion was made by Councilmember VanGinkel, seconded by Councilmember Powalisz, to dispense with the reading of the minutes of the meeting and adjourn.

Kim M. Graves
City Clerk