

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
Monday, August 21, 2017 - 6:00PM
Council Chambers, City Hall
Regular Meeting**

The meeting was called to order by Council President Kay Koach at 6:00 PM.

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

Roll Call – Present: John Casavant, David England, Patrick Gagnon, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Mark Bittner. Absent and Excused: Erin Gonnerman, Darla LeClair.

Also present were Ken Kozak, Electric Utility Director; Jeff Dawson, Lester Library Director; Scott Schneider, Fire Chief; Joe Collins, Police Chief; Dave Buss, Finance Director; Judy Goodchild, Parks and Recreation Director; Ross Blaha, Water Utility 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, August 17, 2017.

Input from the Public. No one addressed the Council:

Council Communications: Councilmember England stated he received a phone call from a citizen regarding any ordinance provisions applicable to the accumulation of garbage on decks. Councilmember England added that he had discussed this matter with the City Manager and will inform the citizen of the language in Ordinance Section 5-6-23. Councilmember Bittner stated he received a phone call expressing displeasure about dogs not being allowed at festivals. Councilmember Gagnon stated he received a citizen complaint about the seagull presence at the Hamilton property and the street sweeping patterns with some streets never being cleaned all year.

Council Reports from Boards/Commissions/Committees. Councilmember Shimulunas stated that she would welcome the public to attend the Public Utilities Committee meeting on Tuesday, October 3, 2017 at 5:00 PM. On the Public Utilities agenda there will be discussion on water rates and water plant issues. She added that there was discussion at last month's Public Works Committee meeting about a complaint about water ponding in back yards in the area between Monroe and Adams Streets, between 31st and 32nd Streets.

Councilmember Bittner stated that the last Public Works Committee meeting also addressed the use of red lights when school buses stop to board or drop off children. While school buses in Two Rivers currently follow State law and use yellow flashers, the City can adopt its own ordinance, requiring red flashers. He added that the Two Rivers Buses are in favor of the use of red lights; one concern is that Two Rivers and Manitowoc enforce the same requirements to avoid confusion by the public..

City Manager's Report:

Invited Guests:

1. Tom Karman and Brian Grunewald from Schenck & Associates presented the 2016 Annual Audit Report and Management Letter. Mr. Karman noted that the City's finances are generally stable to improving, but that a large cash deficit in the Water Utility continues to be a challenge. Mr. Buckley noted that Mr. Karman will be retiring at year-end; Council members thanked Mr. Karman for his service as the City's auditor for many years.

Status/Update Reports:

1. Mr. Buckley stated Lincoln Avenue project is progressing well.
2. Mr. Buckley stated that the Memorial Drive Wayside property acquisition is going to the WisDOT's NE Regional Surplus Properties Committee meeting the first week in September.

3. Mr. Buckley stated there is nothing new to report and that the City continues to work on an offer to present to Canadian National Railroad, to acquire the railroad right-of-way from Madison Street to Woodland Drive.
4. Mr. Buckley stated there will be a hearing Thursday, September 8, 2017 at 9:00 AM before the Manitowoc County Condemnation Commissioners on the eminent domain action to acquire the property at 1326 East River Street (former Blue Goose Tavern).
5. Mr. Buckley stated that Parks & Recreation Department is working on the bids for replacing the lighting system at Vietnam Vets Park.
6. Mr. Buckley stated that the proposed waterfront property acquisition from Thermo Fisher Scientific will be discussed in closed session. He added that ERM, Thermo's environmental consultant, recently filed a plan with WDNR for extensive testing on that portion of the Thermo Fisher property north of 17th Street.
7. Mr. Buckley stated that President Trump has issued an Executive Order that all new National Marine Sanctuary designations be reviewed. Local official along the Lakeshore have confirmed their support. Manitowoc County Republican Party is hosting a Save Our Shoreline Forum at the Holiday Inn on Tuesday, August 29; he encouraged Council members to attend.
8. Mr. Buckley presented a staff report regarding water rate case filing and water supply options.. He noted that operating costs are not driving the rate increase. Declining water sale volumes is a major factor, plus the Water Utility fund has a deficit that must be eliminated in the near future.
9. Mr. Buckley reported on the status of the property at 2338 Roosevelt Avenue. He stated that three days after the last Council meeting, the Police Department conducted a follow-up visit to the residence, and provided the property owner with a new notice of violations, as the property owner denied having received the prior mailed notice.

He added that the property does meet the criteria to be cited as a chronic nuisance, as there have not been three or more citations issued within the past 12 months. He will provide another update at the September 5 Council meeting.

Legislative/Intergovernmental Update

State Budget. The City Manager provided a brief update on this subject. Nearly two months into the new fiscal year, the State of Wisconsin is still without a budget.

The following Consent Agenda items were considered: Minutes from the August 7, 2017 regular meeting. Application for Beverage Operator License – Recommended for approval from; - Chasity L. Alexander, 1009 South 14th Street, Manitowoc; Christopher G. Angeli, 2385C Cedar Ridge, Green Bay; Carolyn M. Bauch, 6434 Stone Road, Manitowoc; Nicholas L. Becka, 2403 Woodridge Drive, Manitowoc; Leanne M. Boers, 911 Columbus Street, Manitowoc; Brittney D. Breitzman, 409 Vollrath Boulevard, Sheboygan; Trevor J. Havel, 1109 33rd Street, Two Rivers; Kee Her, 2001 13th Street, Two Rivers; Colleen A. Kelly, 7214 County Road O, Two Rivers; Dayna M. Kennedy, 2023 Hwy 310, Two Rivers; Joel P. Michaels, 4604 Forest Hills Drive, Two Rivers; Rebecca L. Owens, 1615 Emmet Street, Two Rivers; Kari L. Pries, 3115 41st Street, Two Rivers; Cheyne N. Statezny, 1712 28th Street, Two Rivers; Lynne A. Wiese, 2346 38th Street, Two Rivers. Application for Temporary Class B License – Recommended for Approval Hamilton Wood Type & Printing Museum, November 3-5, 2017, for Hamilton Wayzgoose Conference at 1816 10th Street. Application for Taxi License and Driver's License – Recommended for Approval for Our Town Taxi Service LLC; Owner, Joey B. Potter; William S. Schwark, 924 South 41st Street, Manitowoc; Joshua D. Carmody, 808 Buffalo Street Apt A, Manitowoc; David J. Osten, 1617 Dewey Street Apt A, Manitowoc; Andrew T. Duellman, 1619 Dewey Street Apt A, Manitowoc. Minutes of Meetings Advisory Recreation Board, August 8, 2017, Lester Public Library Board of Trustees, July 11, 2017, Plan Commission, August 14, 2017, Public Utilities, August 8, 2017, Public Works, August 7, 2017,

July Department Reports for Electric, Fire, Inspections, Lester Public Library, Parks and Recreation, Public Works and Wastewater, Safety Program and Water and the May Department Report for Parks and Recreation; Summary of Verified Bills for the month of July, 2017 in the amount of \$1,452,851.60.

Councilmembers Gagnon and Bittner stated that they would abstain from voting with regard to the Special Class B license for the Two Rivers Historical Society, as they are both affiliated with that organization.

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

President Koach presented the Award of Bid for Sanitary Sewer Lining Project.

A motion was made by Councilmember Gagnon, seconded by Councilmember Powalisz, to award bid to Visu-Sewer, Inc. in its low bid amount of \$380,062.00 as recommended by the City Engineer/ Public Works Director. Upon a roll call vote, Ayes (7) Kay Koach, Jack Powalisz, Bonnie Shimulunas, Mark Bittner, John Casavant, David England, Patrick Gagnon; Noes (0) None. Motion carried.

President Koach presented an Ordinance to Repeal and Recreate Section 6-5-9 of the Municipal Code, to Prohibit Animals at Certain Downtown Special Events.

A motion was made by Councilmember Powalisz, seconded by Councilmember Gagnon, to waive reading and adopt the Ordinance. Upon a roll call vote, Ayes (7) Jack Powalisz, Bonnie Shimulunas, Mark Bittner, John Casavant, David England, Patrick Gagnon, Kay Koach; Noes (0) None. Motion carried.

President Koach presented an Ordinance to Repeal and Re-create Section 7-1-2 of the Municipal Code, to Prohibit Animals in Parks Used for Certain Downtown Special Events.

Motion was made by Councilmember Gagnon, seconded by Councilmember England, to waive reading and adopt the Ordinance. Upon a roll call vote, Ayes (7) Bonnie Shimulunas, Mark Bittner, John Casavant, David England, Patrick Gagnon, Kay Koach, Jack Powalisz; Noes (0) None. Motion carried.

President Koach presented an Economic Development Assistance Agreement, Lease with Option to Purchase City Property at 2608 Wilson Street for Development as Employee Parking Lot by Riverside Foods.

A motion was made by Councilmember Powalisz, seconded by Councilmember England, to approve the Agreement and to authorize the City Manager and City Clerk to sign on behalf of the City. Upon a roll call vote, Ayes (7) Jack Powalisz, Bonnie Shimulunas, Mark Bittner, John Casavant, David England, Patrick Gagnon, Kay Koach; Noes (0) None. Motion carried.

For Information Only:

- A. Mr. Buckley reported on recent special events: Rogers Street Days, and Lakeshore Knights Car Classic Car Show. He thanked all the sponsors and volunteers who made these events successful.
- B. Senior Center Fish Boil, Friday, August 25, 2017, Noon, JE Hamilton Community House Gymnasium
- C. Public Information Meeting/Open House on East Side Bike/Pedestrian Trail Project, Tuesday, August 29, 2017, 4:30 PM to 6:00 PM, Council Chambers, City Hall
- D. Kites Over Lake Michigan, September 2-3, 2017, Neshotah Beach
- E. Recycling Event, September 12, 2017, 7:30 AM to 5:00 PM TR Water & Light, 1415 Lake Street
- F. Central Park Concert Series featuring Out of Time, Saturday, August 9, 4:00 – 7:00 PM at the Rotary Pavilion at Neshotah Beach

At 7:30 PM, a motion was made by Councilmember Powalisz, seconded by Councilmember Shimulunas, to enter into Closed Sessions, per Wisc. Stats. 19.85(1)(e) to discuss possible City Assistance to Economic Development Projects; to discuss possible property acquisition and discuss results of recent environmental testing activity on and near City-owned property and property owned by others; discuss possible regulatory agency actions and negotiations related thereto and Per Wisc. Stats 19.85(1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: Confer with legal counsel regarding property acquisition matters likely to be the subject of litigation.

Upon Roll Call vote; Ayes (7) Jack Powalisz, Bonnie Shimulunas, Mark Bittner, John Casavant, David England, Patrick Gagnon, Kay Koach, Noes (0), None. Motion carried.

At 8:00 PM, a motion was made by Councilmember Gagnon, seconded by Councilmember Powalisz, to reconvene in Open Session. Voice vote, motion carried.

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

Kim M. Graves
City Clerk