**CITY OF TWO RIVERS**
**COUNCIL PROCEEDINGS**
**Monday, December 5, 2016 - 6:00PM**
**Council Chambers, City Hall**
**Regular Meeting**

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The meeting was called to order by Council President Patrick Gagnon at 6:00 PM.

Roll Call – Present: Mark Bittner, John Casavant, Patrick Gagnon, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie. Absent: None.

Also present were Jeff Dawson, Lester Library Director; Ross Blaha, Water Utility Director; Joe Collins, Police Chief; Dave Buss, Finance Director; Jim McDonald, Public Works Director; Ken Kozak, Electric Utility Director; Scott Schneider, Fire Chief; 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, December 1, 2016.

President Gagnon convened a Public Hearing for an Ordinance to amend Zoning Code to include "Art Studio" as a Conditional Use in the R-3 Single and Double Family Residence District.

After three calls, there were no public comments. President Gagnon declared the hearing closed.

A motion was made by Councilmember Shimulunas, seconded by Councilmember Yaggie, to waive reading and adopt the ordinance, as recommended by the Plan Commission. Upon Roll Call vote; Ayes (9), Mark Bittner, John Casavant, Patrick Gagnon, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie; Noes (0), None. Motion carried.

President Gagnon convened a Public Hearing for an Ordinance to amend Zoning Code Section 10-1-7, entitled "Definitions" to define Agriculture; Section 10-1-21, entitled "Single Family Residence District (R-1)" to amend the list of Agriculture Land Uses as a Conditional Use and to include Keeping of Chickens as a Permitted Land Use; and Section 10-1-22, entitled "Single and Double Family Residence District (R-2)" to amend the List of Agriculture Land Uses as a Conditional Use and include Keeping of Chickens as a Permitted Land Use; and Section 10-1-23, entitled "Single and Double Family Residence District (R-3)" to amend the list of Agriculture Land Uses as a Conditional Use and to include Keeping of Chickens as a Permitted Land Use in the City.

After three calls, there were no public comments. President Gagnon declared the hearing closed.

A motion was made by Councilmember Yaggie, seconded by Councilmember Taddy, to waive reading and adopt the ordinance, as recommended by the Plan Commission. Upon Roll Call vote; Ayes (9), John Casavant, Patrick Gagnon, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner; Noes (0), None. Motion carried.

President Gagnon convened a Public Hearing for an Ordinance to amend Zoning Code Section 10-1-3 to state that boundary lines on the Zoning District Map are established along the Centerlines of Rights-of-Way, unless otherwise indicated.

After three calls, there were no public comments. President Gagnon declared the hearing closed.

A motion was made by Councilmember Powalisz, seconded by Councilmember Koach, to waive reading and adopt the ordinance, as recommended by the Plan Commission. Upon Roll Call vote; Ayes (9), Patrick Gagnon, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner, John Casavant; Noes (0), None. Motion carried.

President Gagnon convened a Public Hearing for an Ordinance to amend the District Map to change the zoning from R-1 Single Family Residence District to Office Service Business District for the property at 1322 33rd Street (former St. Peter the Fisherman School Property).

After three calls, there were no public comments. President Gagnon declared the hearing closed.

A motion was made by Councilmember Koach, seconded by Councilmember Shimulunas, to waive reading and adopt the ordinance, as recommended by the Plan Commission. Upon Roll Call vote; Ayes (9), Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner, John Casavant Patrick Gagnon; Noes (0), None. Motion carried.

Input from the Public. None.

Council Communications. None.

Council Reports from Boards/Commissions/Committees. None.

City Manager's Report.

Harbor Park Phase 2. Mr. Buckley reported that reimbursement requests related to the Phase 1 grants are in process. He also reported that Phase 2 is pretty well wrapped up. The construction crews are winterizing the restroom/picnic shelter.

Harbor Dredging. This project has been completed and a reimbursement payment for about $670,000 should be received by year-end 2016.

Holy Family Memorial Lakefront Campus. Mr. Buckley stated that the City will close on the purchase of the right-of-way for the new public street serving this development on November 23, 2016.

Garfield Street Construction. Mr. Buckley stated this project is done.

Legislative/Intergovernmental Update.

Proposed New Discharge Permit for Wastewater Treatment Plant. Mr. Buckley reported that Public Works Director, Jim McDonald, and Wastewater Supervisor, Dave Casebeer, have seen a draft of the new permit, as provided by WDNR to USEPA.

DNR Scoring of City Applications for 2017 Clean Water Fund Financing and Safe Drinking Water Fund Financing. Mr. Buckley provided the Council with a handout showing the DNR's scoring of the City's applications for loan financing for 2017 sewer and water projects. He stated that the scoring for Clean Water Fund financing indicates that the City has qualified for 30 percent "principal forgiveness" on its four sewer projects that total approximately $1,500,000; that means that nearly $450,000 of the project will be paid as a grant of Federal funds through the State.

The City Manager then directed the Council's attention to page 3 of the handout, relative to the Safe Drinking Water Fund borrowing. He reported that the City didn't qualify for principal forgiveness on these projects. Staff will investigate whether this will be considered General Obligation debt or Utility debt.

Status of Funding for Bike/Ped Trails to Two Rivers High School. Mr. Buckley noted that the Council was provided with copies of a letter he had written to Wisconsin DOT regarding the termination of Northside Trail CMAQ grant and a request that some of the funds from that project by transferred to the Eastside trail project. He also pointed out that the City remains committed to a northside trial, from the VV bridge to the high school, but he believes it can be accomplished for a far lesser cost than would be required under the Federal design standards associated with the CMAQ program; a resolution to that effect appears later on the agenda for this meeting.

The following Consent Agenda items were considered: Minutes from the October 24, 2016 Special City Council meeting, November 21, 2016 Regular City Council meeting and November 28, 2016 Special City Council meeting; Applications for Operator's Licenses –

Recommended for Approval for Cleveland, Karen R., 1601 26th St., Two Rivers, Dupont, Lynn M., 1212 East Thomas St, Manitowoc, Gulseth, Wanda M., 2105 36th St., Two Rivers, Gundrum, Charlotte Ann, 1918 School St., Two Rivers, Mueller-Ricker, Jodie M., 1805 21st, Two Rivers, Russell, Jesse L., 1808 27th St., Two Rivers; Minutes of Meetings for Committee on Aging, October 3, 2016, Personnel & Finance Committee, October 3, 2016, Personnel & Finance Committee, November 14, 2016, Personnel & Finance Committee, November 21, 2016.

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

President Gagnon presented a Resolution Recognizing 125 Years of Continuous Library Service to the City of Two Rivers.

A motion was made by Councilmember Shimulunas, seconded by Councilmember Powalisz, to read and adopt Resolution. Upon Roll Call vote; Ayes (9), Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner, John Casavant Patrick Gagnon Kay Koach; Noes (0), None. Motion carried. President Gagnon read the resolution aloud.

President Gagnon presented a Resolution Upon Retirement Honoring Sue Wargin, Finance Department Secretary.

A motion was made by Councilmember Powalisz, seconded by Councilmember Yaggie, to read and adopt Resolution. Upon Roll Call vote; Ayes (9), Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner, John Casavant, Patrick Gagnon, Kay Koach, Darla LeClair; Noes (0), None. Motion carried. Finance Director Buss read the resolution aloud.

President Gagnon presented a Resolution authorizing Two Percent Wage increase for Non-Union Full-Time and Regular Part-Time Employees, effective January 1, 2017, as recommended by the Personnel and Finance Committee and funded in the 2017 Budget.

A motion was made by Councilmember Yaggie, seconded by Councilmember Taddy, to waive reading and adopt the resolution. Upon Roll Call vote; Ayes (9), Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner, John Casavant, Patrick Gagnon, Kay Koach, Darla LeClair, Jack Powalisz; Noes (0), None. Motion carried.

President Gagnon presented a Resolution authorizing a $400,000 payment to Wisconsin Retirement System to reduce unfunded pension liability, and stating the City's intent to reimburse itself that amount from the proceeds of a 2017 State of Wisconsin Trust Fund loan or other borrowing, as recommended by the Personnel and Finance Committee.

A motion was made by Councilmember Koach, seconded by Councilmember Shimulunas, to waive reading and adopt the resolution. Upon Roll Call vote; Ayes (9), Jim Taddy, Brad Yaggie, Mark Bittner, John Casavant, Patrick Gagnon, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas; Noes (0), None. Motion carried.

President Gagnon presented an Ordinance to create Section 6-5-22, entitled "Licensing and Keeping of Chickens", in the Municipal Code to provide requirements and standards for the keeping of Chickens in the City, as recommended by the Plan Commission.

A motion was made by Councilmember Yaggie, seconded by Councilmember Taddy, to waive the reading and adopt the ordinance. Upon Roll Call vote; Ayes (9), Brad Yaggie, Mark Bittner, John Casavant, Patrick Gagnon, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy; Noes (0), None. Motion carried.

President Gagnon presented an Ordinance to amend Section 1-2-1, entitled "License, Permit and Other Fees Established", in the Municipal Code to require an annual license fee of $10 for the keeping of Chickens in the City, as recommended by the Plan Commission.

A motion was made by Councilmember Powalisz, seconded by Councilmember Yaggie, to waive the reading and adopt the ordinance. Upon Roll Call vote; Ayes (9), Mark Bittner, John Casavant, Patrick Gagnon, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie; Noes (0), None. Motion carried.

President Gagnon presented consideration of Council Meeting Dates for December 2016 and January 2017.

A motion was made by Councilmember Yaggie, seconded by Councilmember Taddy, to set the December Council Work Session for 6:00 PM on Tuesday, December 27, 2016 and the first regular meeting in January for 6:00 PM on Tuesday, January 3, 2017. Upon Roll Call vote; Ayes (9), John Casavant, Patrick Gagnon, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner; Noes (0), None. Motion carried.

President Gagnon presented consideration of Amendment No. 5 to Development Agreement for Washington Highlands TID No. 8 Redevelopment Project, extending deadline for completion of 8-Unit Senior Apartment Building now under construction.

A motion was made by Councilmember Koach, seconded by Councilmember Yaggie, to authorize the City Manager and City Clerk to execute the agreement. Upon Voice vote, motion carried.

President Gagnon presented a Resolution affirming City's intent to develop improved Bike and Pedestrian facilities from the North Side of the City (area of Tannery Road and 45th Street) to Two Rivers High School.

A motion was made by Councilmember Yaggie, seconded by Councilmember Bittner, to waive the reading and adopt the Resolution. Upon Roll Call vote; Ayes (9), Patrick Gagnon, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner, John Casavant; Noes (0), None. Motion carried.

President Gagnon presented a request to authorize City Manager to "Sell Back" six vacation days unused in 2016.

A motion was made by Councilmember Koach, seconded by Councilmember Yaggie, to authorize the cash payout for six unused vacation days. Upon Voice vote, motion carried.

City Council Unfinished Business. None.

For Information Only: The City Manager addressed the following:

- - Breakfast with Santa at Two Rivers Fire Department, Sunday, December 11, 2016, 10:00 AM.

- - Christmas Celebration Lunch & Concert, Friday, December 16, 2016, 11:00 AM, Senior Center.

- - Lester Public Library 125th Celebration Open House, Saturday, December 17, 2016, 10:00 AM – 2:00 PM

- - City Council Meeting, Monday, December 19, 2016, 6:00 PM

- - City Hall Closed for Holidays on December 23 & 26, 2016 and January 2, 2017

- - Lester Library Closed for Holidays on December 23-26 & 30, 31, 2016 and January 1 & 2, 2017

- - Nomination Papers are now available in the City Clerk's Office for the Office of Two Rivers City Councilmember. Three seats are up for Election in April. 100 signatures needed and all nomination papers need to be filed in the Clerk's Office on or before Tuesday, January 3, 2017. Non-candidacy forms for current councilmembers are due by 5:00 PM on Friday, December 23, 2016.

At 7:00 PM, a motion was made by Councilmember Powalisz, seconded by Councilmember Yaggie, to enter into Closed Sessions, per Wisc. Stats. 19.85(1)(e) to discuss possible City assistance to Economic Development projects, property acquisition and matters pertaining to City Utility easement and the City's rights under said easement. Upon Roll Call

vote; Ayes (9), Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner, John Casavant, Patrick Gagnon; Noes (0), None. Motion carried.

At 7:20 PM, a motion was made by Councilmember Taddy, seconded by Councilmember Casavant, to reconvene in open session. Upon Voice vote, motion carried.

At 7:20 PM, a motion was made by Councilmember Powalisz, seconded by Councilmember Yaggie, to dispense with the reading of the minutes and adjourn the meeting. Upon Voice vote, motion carried.

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Kim Graves
City Clerk