

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

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; Jim McDonald, Public Works Director; Dave Buss, Finance Director; Scott Schneider, Fire Chief; Judy Goodchild, Parks and Recreation 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, February 2, 2017.

President Gagnon convened a Public Hearing on proposed Conditional Use Permit for an agriculture land use to include the Keeping of Animals in the R-1 Single Family Residence District at 4115 Lincoln Avenue, submitted by Jeremy and Shannon Berglund (owners).

On the first call for public comment, Dorothy Tinkham-DeLo, 2100 Garfield Street, stated that she is opposed to the granting of this Conditional Use Permit. She stated that farms should not be in the City.

Shannon Berglund, 4115 Lincoln Avenue, stated that she and her husband plan to haul manure away and have made plans for disposal and composting for community and personal gardens.

After two more calls, there were no further comments from the public. President Gagnon closed the Public Hearing.

A motion was made by Councilmember Koach, seconded by Councilmember Yaggie, to waive reading and adopt the Conditional Use Permit as recommended by the Plan Commission. Mr. Buckley addressed the various conditions recommended by the Plan Commission; he noted that the conditions include an annual review of the permit, which may be reaffirmed, revoked, or modified following such review. Attorney Bruce also pointed out that the Conditional Use Permit can be brought back to City Council, with notice provided to Berglunds, if there are any nuisance issues; following such review, the permit could also be modified or revoked.

President Gagnon noted that the City Council had been provided just prior to the meeting with copies of recent communications on this matter from the Two Rivers Public Schools (opposed to issuance of permit) and from Heidi Sprinstube (4107 Lincoln Avenue, next door to 4115, in support of permit), in addition to a letter from the Heller family of 4212 Lincoln Avenue that had been included in the agenda packets. Councilmember Yaggie noted that he and other Councilmembers had received another letter from the Hellers over the weekend, prior to this meeting.

Upon Roll Call vote; Ayes (7), Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, John Casavant, Kay Koach; Noes (2), Mark Bittner, Patrick Gagnon. Motion carried.

President Gagnon convened a public hearing on a proposed Conditional Use Permit for an Art Studio in the R-3 Single and Double Family Residence District at 2000 12th Street, submitted by Annette England D/B/A Annie's Heart, LLC (owner).

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

A motion was made by Councilmember Yaggie, seconded by Councilmember Shimulunas, to waive reading and adopt the Conditional Use Permit as recommended by the Plan Commission. Mr. Buckley addressed the conditions to be placed upon this land use, as recommended by the Plan Commission. 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.

President Gagnon convened a public hearing on a proposed amendment to the Official Map to include Lakefront Way as a public street.

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

Mr. Buckley noted that Holy Family Memorial representatives were in attendance and available for questions.

A motion was made by Councilmember Yaggie, seconded by Councilmember Koach, to waive reading and adopt the Amendment as recommended by the Plan Commission. 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.

Input from the Public. None.

Council Communications. None.

Council Reports from Boards/Commissions/Committees. None.

City Manager's Report.

Status/Update Reports.

1. Mr. Buckley reported on the announcement by NextEra Energy and WPPI Energy on January 30, 2017, regarding a 100 Megawatt solar project at Point Beach.

2. Mr. Buckley reported on the Business and Industrial District Committee meeting from January 24, 2017, where the BIDC approved a \$33,000 loan to D&D Woodworking, 2004 14th Street. Loan closing was on January 31, 2017.

3. Mr. Buckley reported on the \$21,903 grant awarded to Bay-Lake Regional Planning Commission by the Wisconsin Coastal Management Program to assist in the River Trails Project: planning, developing and publicizing water recreation opportunities on the East and West Twin Rivers. Mr. Bittner also addressed this project, noting that it is a regional effort that includes the City of Two Rivers, Village of Mishicot and Woodland Dunes Nature Center.

4. Mr. Buckley gave an update on the \$71,000 audio/visual upgrade in the Council Chambers; he reported that the installation will begin March 7, 2017.

5. Mr. Buckley gave an update on the Holy Family Memorial Lakefront Way construction.

Legislative/Intergovernmental Update.

1. Mr. Buckley reported on the 2017-2018 Legislative Session and recent Legislative Bulletins from the WI League of Municipalities.

The following Consent Agenda items were considered: Minutes from the January 16, 2017 Regular Meeting; Applications for Operator's Licenses – Recommended for Approval from Coenen, Kathryn Anne, 4955 Cardinal Ln., Two Rivers, Bouche, Tanya M., 1025 24th St., Two Rivers, Brotski, Joshua T., 9603 Sunrise Lane, Two Rivers, Messman, Kesle M., 1905 20th, Two Rivers; Application for Temporary Class "B" Retailer's License – Recommended for Approval for Roncalli Athletic Association for TRCCS Volleyball Tournament at Community House on Saturday and Sunday, March 4 & 5, 2017, from 8:00 AM to 11:00 PM; Minutes of Meetings for Committee on Aging, December 5, 2016.

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

President Gagnon presented a Resolution Remembering Doug Day.

A motion was made by Councilmember Powalisz, seconded by Councilmember Yaggie, to read 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. Mr. Buckley read the resolution aloud.

President Gagnon presented a Resolution authorizing the borrowing of \$400,000 from the Board of Commissioners of Public Lands State Trust Fund Loan Program, to refinance and retire unfunded Wisconsin Retirement System Pension Liability—Electric Utility Revenue borrowing, 10 Years at 4.0 percent annual interest.

A motion was made by Councilmember Yaggie, seconded by Councilmember Taddy, to waive reading and adopt the 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.

President Gagnon presented a Resolution authorizing the redemption of Electric System Revenue Bonds, dated March 1, 2006 (Total Amount Outstanding: \$325,000) and General Obligation Refunding bonds, dated April 2, 2007 (Amount Outstanding: \$1,300,000).

A motion was made by Councilmember Yaggie, seconded by Councilmember Taddy, to waive reading and adopt the 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.

President Gagnon presented a Resolution authorizing the borrowing of \$325,000 from the Board of Commissioners of Public Lands State Trust Fund Loan Program, to refinance existing

Electric Utility debt for interest savings—Electric Utility Revenue borrowing, 4 Years at 3.5 percent annual interest.

A motion was made by Councilmember Koach, seconded by Councilmember Yaggie, to waive reading and adopt the resolution. 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 a Preliminary Resolution to levy special assessments for concrete paving and storm sewer against properties fronting on Lincoln Avenue, 22nd Street to 35th Place. Mr. Buckley stated that, if the resolution is approved, the hearing will be scheduled for Monday, March 6, 2017.

A motion to waive reading and adopt the 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.

President Gagnon presented a request for Council authorization to contract for the replacement of chiller for City Hall air conditioning system (project budgeted at \$90,000).

A motion was made by Councilmember Yaggie, seconded by Councilmember Shimulunas, to authorize awarding contract to Schaus Roofing and Mechanical Contractors of Manitowoc, based on its proposal to furnish and install a Carrier 75-ton chiller, in the amount of \$68,952. Mr. Yaggie asked if there were any Focus on Energy or WPPI Energy incentives available to assist with this project. Mr. Buckley stated that, during discussion of this project in August 2016, the vendors did not believe there were any such incentives that would apply; he affirmed that he would again check into this matter, through the City's Electric Utility, prior to giving final authorization to the contract. Upon Voice vote, motion carried.

President Gagnon presented a Resolution supporting establishment of Wisconsin/Lake Michigan National Marine Sanctuary.

A motion was made by Councilmember Yaggie, seconded by Councilmember Powalisz, 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.

Mr. Buckley stated that Council members and members of the community would be encouraged to attend the NOAA Scoping Session scheduled for March 14 at the WI Maritime Museum in Manitowoc, and to express Two Rivers community support for the sanctuary with letters and through the NOAA website. He added that Acting Director for the proposed sanctuary, Russ Green, will be in attendance at the February 20, 2017 City Council meeting.

City Council Unfinished Business. None.

For Information Only: The City Manager addressed the following:

- - Meeting for Business Owners Along the Lincoln Ave/STH 42 Project Corridor will be held on Thursday, February 23, 2017, 5:00 - 7:00 PM.

- - Public Information Meeting on Lincoln Avenue/STH 42 Reconstruction Project will be held on Thursday, March 2, 2017, 5:00 to 7:00 PM.

- - In Person Absentee Voting, February 6 – 17, 2017, 8:00 AM – 4:30 PM, City Hall Spring Primary Election, Tuesday, February 21, 2017.

- - The Chamber of Manitowoc County 100th Annual Dinner, Tuesday, February 7, 2017, 5:00 PM, Fox Hills Resort in Mishicot.

- - Local History Alive program, on indigenous peoples of Manitowoc County, Lester Public Library, Wednesday, February 15, 2017, 6:00 PM.

- - Main Street Chili Cook-off, Saturday, February 18, 2017, Community House, doors open to the public for sampling at Noon.

- - Personnel and Finance Committee, Monday, February 20, 2017, 4:30 PM, City Hall, Committee Room.

- - Update from Jeff Dawson, Lester Public Library Director, on Rhea County (Evensville, TN) High School reading project on “Walking to Two Rivers”.

- - Woodland Dunes Tropical Blast Fundraiser, Saturday, February 25, 2017, Silver Lake College, 5:00 PM.

- - Memorial Gathering for Doug Day, Lonz’s Tannery Club, Sunday, February 26, 2017, 6 - 8 PM.

- - 2016 Police Officer & Firefighter of the Year, Saturday, March 4, 2017, Elks Lodge, 5:00 PM, \$16/person.

- - Progress Lakeshore Investor Social & Wisconsin Ag Education Center Campaign Fundraising event, Wednesday, March 8, 2017, Wisconsin Maritime Museum, 5:00 PM. RSVP to Progress Lakeshore by Monday, February 20, 2017.

Closed Executive Session.

At 7:45 PM, a motion was made by Councilmember Shimulunas, 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 and property acquisition and per Wisc. Stats 19.85(1)(g), discuss the status of current litigation and possible settlement. 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.

At 7:53 PM, a motion was made by Councilmember Yaggie, seconded by Councilmember Shimulunas, to reconvene in Open Session. Upon Voice vote, motion carried.

At 7:53 PM, a motion was made by Councilmember Yaggie, seconded by Councilmember Powalisz, to dispense with the reading of the minutes and adjourn the meeting.

Upon Voice vote, motion carried.

Kim Graves
City Clerk