

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
Monday, January 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: Patrick Gagnon, Kay Koach, Jack Powalysz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner. Absent and Excused: Vince Alber, David VanGinkel.

Also present were Jeff Dawson, Library Director; James McDonald, City Engineer/Public Works Director; Dave Buss, Finance Director; Scott Schneider, Fire Chief; Ross Blaha, Water Utility Director, Joe Collins, Police Chief; Judy Goodchild, Parks & Recreation Director; Tom Bushman, Electric Utility Director; Jack Bruce, City Attorney and Gregory Buckley, City Manager.

Consideration of any Councilmember request to participate in this meeting from a remote location. President Yaggie stated there were no requests received.

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 31, 2015.

President Yaggie asked for Input from the Public. No one addressed the Council.

Council Communications. None.

President Yaggie asked the Council if there were any reports from Boards, Commissions or Committees. Councilmember Gagnon reminded the Council of the Public Utilities Committee meeting on Tuesday, January 05, 2016 at 6:00 PM and the Public Works Committee meeting on Wednesday, January 6, 2016 at 5:15 PM, both meetings at City Hall.

City Manager's Status/Update Reports:

1. Harbor Park Seawall and Water Main Project. City Manager Buckley reported the project is shut down for the winter. The last things to be done on the project were the installation of lights along the river front.
2. South Pier Repairs. Mr. Buckley stated that he had a conversation with Al Ott, District Director from US Representative Glenn Grothman's office. They discussed the need for government funding to support this project's completion. Also, Mr. Buckley reported that he and Council President Yaggie received information from EPA, regarding possible Great Lakes Restoration Initiative grant funding for improvements at Neshotah Beach with an application to apply for grant money funds. The deadline for applying is February 29, 2016; staff will report back on this funding opportunity at a future meeting.
3. Legislative Update. The City Manager shared a communication from the League of Municipalities, addressing a bill introduced by State Senator Frank Lasee and State Representative Adam Jarchow. The League stated that there were initially concerns regarding this "property rights" legislation, sought by several business groups. Concerns were that the proposed law would limit or prohibit the ability of local governments to regulate property transfers and uses. Of even greater concern, it would change the law to give property owners "vested rights" under local zoning, once they have obtained a state permit related to a proposed land use. The City Manager then addressed received more recently from the League, indicating that the sponsors had agreed to strike provisions relative to local zoning and regulation, causing the League to change its position from "opposed" to "neutral".

4. Other: City Manager Buckley updated the Council regarding a meeting he will be having in Green Bay on Tuesday, January 5, 2016, with Wisconsin DOT, Holy Family Memorial, and City staff concerning a future project along STH 42 in Two Rivers. Councilmember Gagnon noted that AB 333 regarding wild animals may affect local ordinances concerning issues like residents with chickens within the City limits. He stated his belief that the City should be able to regulate local impact and retain control of domestic animal issues. Mr. Buckley stated that he will conduct more research on the topic and update the Council in future meetings concerning this bill.

The following Consent Agenda items were considered: Minutes of December 21, 2015 regular meeting and December 28, 2015 special meeting; Beverage Operator Applications for Quinn A. Machut, 2014 A Washington, Two Rivers; Jason R. Ross, 2118 Rankin Street, Manitowoc; Minutes of Meetings for Committee on Aging, November 2, 2015; Financial Reports for the month of November, 2015 for General Fund, Debt Service, and Lester Public Library.

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

President Yaggie presented a request for waiver of noise ordinance for an outdoor wedding reception at the private residence at 3604 Pierce Court on July 9, 2016 from 5:00 PM to 9:00 PM.

A motion was made by Councilmember Koach, seconded by Councilmember Powalisz, to approve the waiver as requested. Upon a voice vote, motion carried.

City Council Unfinished Business. None.

For Information Only:

- A. Reminder: City Council Candidate Papers are due to the City Clerk's Office by Monday, January 5, 2015 at 5:00 PM. There are currently 6 candidates who have turned in papers.
- B. Reminder: The Winter Overnight Parking Ban took effect December 1, 2015 and continues through March 15, 2016.
- C. Reminder: Public Utilities Committee meets on Tuesday, January 05, 2016 at 6:00 PM at City Hall. Public Works Committee meets on Wednesday, January 6, 2016 at 5:15 PM at City Hall.
- D. Mr. Buckley thanked all the Public Works and Park and Recreation employees who worked so hard to clear the City streets following the snow storm on Monday and Tuesday, December 28 and 29, 2015.
- E. Mr. Buckley passed around information concerning steps that the School District and Police Department are taking to alleviate traffic congestion at LB Clarke Middle School during the morning and afternoons each day. Police Chief Collins stated that there is now an extra crossing guard on duty to help, as well, which is partially funded by the TR Bus Company.

At 6:25 PM, a motion was made by Councilmember Taddy, seconded by Councilmember Gagnon, to enter into Closed Session per Wisc. Stats. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive bargaining reasons require a closed session.

- Discuss Possible City Assistance to Economic Development Projects
- Discuss Possible Property Acquisition
- Review and Consider Recommendation of City's Liability Insurance Carrier relative to a claim against the City.

Mr. Buckley noted that the City Council would likely take action on one or more closed session matters upon reconvening in open session.

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

At 7:06 PM, a motion was made by Councilmember Koach, seconded by Councilmember Gagnon, to reconvene in open session. Upon a voice vote, motion carried.

A motion was made by Councilmember Gagnon, seconded by Councilmember Taddy, to approve a recommendation by the City's liability insurance carrier to formally disallow and deny the claim of Janet Lukes, related to injuries incurred at Neshotah Park.

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

At 7:08 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. Upon a voice vote, motion carried.

Curt A. Vanderstelt
Deputy City Clerk

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
Monday, January 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: Patrick Gagnon, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, David VanGinkel, Mark Bittner.

Also present were Jeff Dawson, Library Director; James McDonald, City Engineer/Public Works Director; Dave Buss, Finance Director; Scott Schneider, Fire Chief; Ross Blaha, Water Utility Director, Joe Collins, Police Chief; Judy Goodchild, Parks & Recreation Director; Tom Bushman, Electric Utility Director; Ken Kozak, Electric Utility Associate Director; Jack Bruce, City Attorney and Gregory Buckley, City Manager.

Consideration of any Councilmember request to participate in this meeting from a remote location. Vice President VanGinkel stated President Yaggie and Councilmember Alber requested to participate from a remote location for this meeting.

A motion was made by Councilmember Gagnon, seconded by Councilmember Bittner, to approve President Yaggie's and Councilmember Alber's requests. Upon a voice vote, motion carried. At this time, President Yaggie and Councilmember Alber joined the meeting by phone.

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, January 14, 2016.

Vice President VanGinkel asked for Input from the Public. No one addressed the Council. Council Communications. None.

Reports from Boards, Commissions or Committees. None.

City Manager's Status/Update Reports:

1. City Manager Buckley introduced Ken Kozak, the new Electric Utility Director, as an invited guest.
2. South Pier Repairs. The City Manager reported that the Regional Maintenance Engineer, for the U.S. Army Corps of Engineers Detroit office had included the south pier in a list of submittals recommending emergency repair monies that has been submitted to the Corps headquarters in Washington D.C. Contact has been made with staff for U.S. Congressman Grothman and U.S. Senator Johnson. Follow-up will be made with U.S. Senator Baldwin.
3. Harbor Park Project. Mr. Buckley reported that work has wrapped up for the Winter and the project will be completed in the Spring. A field monitoring visit by staff of the WI Department of Administration, relative to the CDBG grant funding for the project, is scheduled later in the week.
3. Legislative Update. The City Manager shared a communication from the League of Municipalities, addressing a bill introduced by State Senator Frank Lasee and State Representative Adam Jarchow. The League stated that they are now neutral on AB 568 since Rep. Brooks and Sen. Lasee have introduced a substitute amendment making major changes to the Bill that would better respect local control in matters of designating historic properties and inspecting rental housing units.
4. Other: City Manager Buckley noted that AB 333 regarding wild animals, will not likely affect local ordinances concerning domestic animals like dogs, cats and chickens.

The following Consent Agenda items were considered: Minutes of January 4, 2016 regular meeting; Beverage Operator Applications for Ashley L. Miller, 924 South 29th Street, Two Rivers;

Vickie M. Farmer, 2318 Adams Street, Two Rivers; Minutes of Meetings for Committee on Aging, December 7, 2015; Lester Library, December 8, 2015; Public Utilities, January 5, 2016; Public Works, January 6, 2016; Plan Commission, January 11, 2016; Department Reports for the month of December, 2015 for Electric, Fire, Library, Inspections, Public Works, Safety, Water; Annual Report for Inspections from 2015.

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

Vice President VanGinkel presented a recommendation from Plan Commission to set a public hearing to review request for a conditional use permit to allow outdoor storage of recreational vehicles at 1910 20th Street, requested by Manitowoc County (owner) and Richard Carey d/b/a Chard International (tenant).

A motion was made by Councilmember Gagnon, seconded by Councilmember Taddy, to set the public hearing for Monday, February 1, 2016, 6:00 PM. Upon a voice vote, motion carried.

Vice President VanGinkel presented a recommendation from Plan Commission to set a public hearing to review request for a conditional use permit to operate a drive-thru facility serving Marietti's Deli and Schwartz's Pub at 1509 Washington Street, submitted by Michael Schwarz, Anchors Away, LLC (owner).

A motion was made by Councilmember Powalisz, seconded by Gagnon, to set the public hearing for Monday, February 1, 2016, 6:00 PM. Upon voice vote, motion carried.

Vice President VanGinkel presented a report from the City Manager, proposing key provisions for conveyance of Memorial Drive Wayside Property from the Wisconsin Department of Transportation to the City. Mr. Buckley reviewed the conditions and stated that, if these

conditions are acceptable to the City Council, he will proceed to work with WisDOT staff to develop a formal agreement.

A motion was made by Councilmember Koach, seconded by Councilmember Shimulunas, to indicate concurrence with the conditions and direct the City Manger to proceed to develop a formal agreement related to the conveyance, for future Council action. Upon a voice vote, motion carried.

Vice President VanGinkel presented conditions proposed by the Wisconsin Department of Transportation, relative to State Highway 42 access for redevelopment site on Roosevelt Avenue. Mr. Buckley explained that these conditions would be attached to a City permit to develop a public street to access the southbound lanes of STH 42 from the redevelopment site.

A motion was made by Councilmember Gagnon, seconded by Councilmember Koach, to indicate concurrence with the conditions for highway access as proposed by DOT, and direct to the City Manager to proceed to finalize an agreement to allow a street access approximately 1,350 feet West of Madison Street. Upon voice vote, motion carried.

City Council Unfinished Business. None.

For Information Only:

- A. Reminder: The Winter Overnight Parking Ban took effect December 1, 2015 and continues through March 15, 2016.
- B. Reminder: The Chamber of Manitowoc County 99th Annual Dinner & Meeting, Tuesday, February 9, 2016, reception 5:00 PM, dinner & program 6:30 PM, Holiday Inn, Manitowoc
- C. Reminder: Council Work Session with Plan Commission, Monday, January 25, 2016, 6:00 PM

At 6:50 PM, a motion was made by Councilmember Koach, seconded by Councilmember Gagnon, to enter into Closed Session per Wisc. Stats. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive bargaining reasons require a closed session.

- - Discuss Possible City Assistance to Economic Development Projects
- - Discuss Possible Property Acquisition

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

President Yaggie and Councilmember Alber ended their telephone participation in the meeting at this time.

At 7:51 PM, a motion was made by Councilmember Taddy, seconded by Councilmember Gagnon, to reconvene in open session. Upon a voice vote, motion carried.

At 7:51 PM, a motion was made by Councilmember Powalysz, seconded by Councilmember Bittner, to dispense with the reading of the minutes of the meeting and adjourn. Upon a voice vote, motion carried.

Kim M. Graves
City Clerk