

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
Monday, July 17, 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: Mark Bittner, John Casavant, David England, Patrick Gagnon, Erin Gonnerman, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas (arrived at 6:15PM).

Also present were: Scott Schneider, Fire Chief; Joe Collins, Police Chief; Judy Goodchild, Parks and Recreation Director; Ross Blaha, Water Utility Director; Ken Kozak, Electric 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, July 13, 2017.

Input from the Public. The following person addressed the Council:

- Pamela Stephens, 3411 Parkway Blvd, Two Rivers WI. She stated her concerns about school bus traffic safety regulations. She stated she learned the State of Wisconsin does not require school buses to use red lights and the “stop arm” in areas where there are sidewalks and curbs. She added that, upon further researching the matter, she found that State law allows local municipalities, at their discretion, to adopt such requirements, even where sidewalks are available. She requested the City Council to look into requiring the use of the stop arm and red flashing lights on buses wherever children are loading and unloading in the city.

Councilmember Gonnerman requested this item on the next City Council Agenda for discussion. Mr. Buckley suggested that he refer this matter to the Public Works Committee Meeting on August 7, 2017 at 4:45 PM and extend an invitation to Two Rivers School District Administrator, Two Rivers Police Department and Two Rivers Buses.

Council Communications:

Councilmember Bittner stated the WI Coastal Management River trail grant started July 1 2017 he stated that our community should benefit from this project.

Councilmember Gagnon, acknowledged the passing of Sheridan O'Rourke who served on the Lester Public Library Board for several years, after a teaching career at several area high schools.

Council Reports from Boards/Commissions/Committees. There were no reports.

City Manager's Report:

Invited Guests.

Elizabeth Bittner Representative of Two Rivers Rotary and Lauretta Krcma-Olson, Representative of Two Rivers Rotary Foundation and Next Era Energy who presented Police Chief Joe Collins a check in the amount \$2,500.00 to purchase Narcan for treatment of opioid overdoses and to assist with community drug education. The Rotary contribution was in the amount of \$1,500 which was the second half of a \$3,000 grant they received and Next Era Energy added a \$1,000 donation for a total of \$2,500.00. Police Chief Collins thanked the Rotary Club and Next Era Energy for this donation.

Status/Update Reports:

1. Mr. Buckley stated that the Lincoln Avenue project is progressing well and Vinton Construction is on schedule, with the official deadline of November for the completion time.
2. Mr. Buckley stated he received a communication from WisDOT, affirming that agency is interested in selling the Memorial Drive wayside to the City.

3. Mr. Buckley reported 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 that the U.S. Army Corps of Engineers (USACE) has finalized its report on harbor surge mitigation. Mr. Buckley will be meeting with Brian Hinrichs from Foth regarding strategy going forward to pursue funding for the needed south pier repairs and design work on a surge mitigating structure. The Report will be put on the City's website.
5. Mr. Buckley gave an update on the filing with Manitowoc County Circuit Court on use of eminent domain to acquire the property at 1326 East River Street (former Blue Goose Tavern). The Court has referred the matter to the County Condemnation Commissioners who have scheduled a meeting on August 4, 2017. to select a Chair. The Chair will then select a panel of three members of that body to hold a hearing and determine appropriate compensation for the property. Either party may appeal the Condemnation Commissioners' decision to Circuit Court.
6. Mr. Buckley stated that soil borings related to the lighting project at Vietnam Vets Park will done this week.
7. Hamilton Waterfront Property Acquisition, Mr. Buckley noted that Vogels Buckman Appraisal Group, Inc. is working on appraisals with the final report due August 4, 2017.
8. Mr. Buckley stated that City Staff and Councilmembers Gagnon and Casavant recently met with representatives from Keller Structures and Craft Roofing to discuss the issue of "oil canning" on the metal roof of the new Harbor Park shelter. The consensus was that the visibility of this waviness in the roofing material, varies based on the angle at which sunlight strikes the panels, and will not impact the longevity of

the roof. There is no intention to replace the roof to address this aesthetic problem.

9. County Sales Tax Issue. Mr. Buckley noted that the City of Manitowoc is advocating legislation that would allow individual cities to adopt a local option sales tax. Current Wisconsin law allows for a local option sales tax only at the county level.
10. Mr. Buckley distributed a copy of a letter that Rolf Johnson, Wisconsin Maritime Museum Director wrote to the Herald Times Reporter in favor of the National Marine Sanctuary and a letter received from Judith Perlman in opposition to the Sanctuary.

Legislative Update.

1. Mr. Buckley distributed the recent League of Wisconsin Municipalities Bulletin. He further commented that the transportation budget is holding up the overall State Budget.

The following Consent Agenda items were considered: Minutes from the July 5, 2017 regular City Council meeting; Applications for Beverage Operator Licenses – Recommended for Approval from; – Heather A. Arnold, 1222 South 18th Street, Apt A, Manitowoc, Christine M. Koch, 1016 20th Street, Two Rivers, Corrina M. Kvithyll, 1800 Adams Street, Two Rivers; Application for Temporary Class “B” License - Recommended for Approval for Two Rivers Main Street Brew Dash, Saturday, July 29, 2017 in East Central Park, 9:00 AM to Noon; Lakeshore Rise, War on the Shore Baseball Tournament, July 28-30, 2017 at Vietnam Veterans Park, 8:00AM – 11:00 PM; Two Rivers Rotary, Community Care Day Concert, Friday, August 4, 2017 at Neshotah Beach, Rotary Pavilion; Application for New Class B Beer and Liquor License for Sepia Chapel, 1820 Jefferson Street, Two Rivers for the period of July 1, 2017 through June 30, 2018; Minutes of Meetings for Committee On Aging, June 5, 2017, Lester Public Library, Board of Directors, June 13, 2017, Utilities Committee, July 7, 2017, Plan Commission Meeting, July 10, 2017; June 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 June, 2017 in the amount of \$1,929,540.99.

Mr. Buckley noted that Gina Krahn, Owner of Sepia Chapel was in the audience. Mrs. Krahn addressed the Council explaining this new business in the old St. Luke's Church. She stated that it is more than a wedding chapel. She said they want to market as another venue to hold birthday parties, baptisms, etc. Their first event is on August 10, 2017.

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

President Koach presented the recommendations from the Plan Commission meeting of July 10, 2017:

1. Schedule a Public Hearing for Change in Zoning for a vacant lot and the Northwest Corner of 35th Street and Lincoln Avenue from R-4 Multiple Family Residence District to B-2 Business District, submitted by Laris Veldre (owner) and Mike Yelmene (buyer)

A motion was made by Councilmember Gagnon, seconded by Councilmember England, to set the Public Hearing for Monday, August 7, 2017 at 6:00 PM. Upon a voice vote, motion carried.

2. Schedule a Public Hearing for Proposed Zoning Code Text Amendment to add Event Facility/Assembly Hall as a Conditional Use in the R-4 Multiple Family Residence District.

A motion was made by Councilmember Powalisz, seconded by Councilmember LeClair, to set the Public Hearing for Monday, August 7, 2017 at 6:00 PM. Upon a voice vote, motion carried.

President Koach presented the recommendations from the Plan Commission meeting of July 17, 2017:

1. Schedule a Public Hearing for Proposed Conditional Use Permit for Development of

Parking Lot on City-Owned Property at 2608 Wilson Street in the R-3 Single and Double Family Residential Zoning District, for use by Employees of Riverside Foods (tabled from July 20, 2017 Plan Commission meeting; scheduled for action at July 17, 2017 Special Plan Commission Meeting). Mr. Buckley noted that the Plan Commission Meeting that was scheduled for Monday, July 17, 2017 was canceled due to not having a quorum. He asked the Council to set the Public Hearing contingent upon the Plan Commission, tendering its recommendation.

A motion was made by Councilmember Shimulunas, seconded by Councilmember Gonnerman, to set the public hearing for Monday, August 7, 2017 at 6:00PM, contingent on the Plan Commission providing its recommendation. Upon a voice vote, motion carried.

President Koach presented the recommendations from the Utilities Committee Meeting of July 7, 2017:

1. Authorize Staff to proceed with ordering a new Line Truck (2018 Capital Plan Item). The truck is a \$200,000 line item net of trade in with a 300 day delivery timeline; no payment required until delivery, which is expected the First Quarter in 2018.

A motion was made by Councilmember Gagnon, seconded by Councilmember Casavant, to authorize the Electric Utility to place the order, as requested by Electric Utility Director and recommended by the Utilities Committee. Upon a roll call vote, Ayes (9) David England, Patrick Gagnon, Erin Gonnerman, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Mark Bittner, John Casavant; Noes (0) None. Motion carried.

President Koach presented a Resolution Authorizing Additional On-site Identification Signage at Woodland Dunes Nature Center.

A motion was made by Councilmember England, seconded by Councilmember Bittner, to waive reading and adopt the Resolution as recommended by the Plan Commission. Upon a roll call vote, Ayes (9) John Casavant, David England, Patrick Gagnon, Erin Gonnerman, Kay

Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Mark Bittner; Noes (0) None. Motion carried.

President Koach presented a Noise Waiver Request from Judy Goodchild, Parks and Recreation Director for Saturday, July 29, 2017 for a wedding at the Rotary Pavilion and Beach House at Neshotah Beach.

A motion was made by Councilmember Powalisz, seconded by Councilmember LeClair, to approve the request as submitted. Upon a voice vote, motion carried.

President Koach presented Noise Waiver Requests from Judy Goodchild, Parks and Recreation Director for the following events at Neshotah Beach in the Rotary Pavilion:

1. Friday, August 4, 2017, White Chocolate Concert, 5:00 PM – 8:00 PM
2. Sunday, August 13, 2017, Steel Drum Band, 2:00 PM – 5:00 PM
3. Saturday, September 9, Out of Time Concert, 4:00 PM – 7:00 PM

A motion was made by Councilmember Gonnerman, seconded by Councilmember Gagnon, to approve the request as submitted. Upon a voice vote, motion carried.

President Koach presented an Ordinance to Repeal and Recreate Section 6-5-7 of City Ordinances, currently entitled Restrictions on Keeping of Dogs and Cats, to modify provisions regarding animals at large and clarify requirements related to the effective control of animals both on and off the Owner's property.

A motion was made by Councilmember Gagnon, seconded by Councilmember LeClair, to waive reading and adopt the Ordinance. Upon a roll call vote, Ayes (9) Patrick Gagnon, Erin Gonnerman, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Mark Bittner, John Casavant, David England; Noes (0) None. Motion carried.

President Koach presented an Ordinance to Repeal and Recreate Section 6-5-9 of City Ordinances, currently entitled Dogs and Cats Prohibited on Public Grounds and Cemeteries, to

modify language pertaining to prohibitions and restrictions of animals on Public Grounds and in Public Buildings.

A motion was made by Councilmember Gonnerman, seconded by Councilmember Casavant, to waive reading and adopt the Ordinance. Upon a roll call vote, Ayes (9) Erin Gonnerman, Kay Koach, Darla LeClair, 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 7-1-1 of City Ordinances, entitled General Park Regulations, to modify existing prohibitions and restrictions of animals in City Parks.

A motion was made by Councilmember LeClair, seconded by Councilmember Gonnerman, to waive reading and adopt the Ordinance. Upon a roll call vote, Ayes (9) Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Mark Bittner, John Casavant, David England, Patrick Gagnon, Erin Gonnerman; Noes (0) None. Motion carried.

For Information Only: The City Manager addressed the following:

- A. Mr. Buckley thanked Adam Wachowski and sponsors for the successful Beach Bash on July 7 & 8
- B. Mr. Buckley congratulated Two Rivers Water & Light on receiving MEUW Safety Award.
- C. Public Information Meeting, Wednesday, July 19, 2017, 6:00PM in the Council Chambers regarding replacement of private portion of lead laterals at properties where the public portion of such laterals were placed in 2010
- D. Central Park Concert, Clipper City Chordsmen, Thursday, July 20, 6:30 – 8:30 PM, sponsored by Two Rivers Lions Club, Bob and Shan Bergeon & the Family of Tom Reynolds

- E. Extreme Volleyball Professionals Coolest Coast Volleyball Tournament, July 21-23, Neshotah Beach, Friday Noon to 8:00 PM, Saturday 8:30 AM to 6:00 PM, Sunday 10:00 AM with playoffs beginning at 1:30 PM
- F. Two Rivers Fish Derby, July 21-23, Walsh Field; Fishing Fantasy Parade, Saturday, July 22, at 1:30 PM, 17th and Zlatnik. The Optimist Great Bike Giveaway following the parade at Walsh Field
- G. Central Park Concert, UW Manitowoc-Lakeshore Wind Ensemble and strawberry shortcake, Sunday, July 23, 6:30 to 8:30 PM sponsored by Klein & Stangel Funeral Home and Formrite Companies
- H. City Council Work Session, Monday, July 24, 2017 at 6:00 PM, Council Chambers
- I. Central Park Concert, Family and Friends Concert, Two Rivers Municipal Band, Thursday, July 27, at 6:30 – 8:00 PM
- J. Relay for Life of Manitowoc County, Friday, July 28, 6:00 PM, Two Rivers High School
- K. Brew Dash Walk, Run or Crawl, Saturday, July 29, 9AM to Noon; after the run is complete each runner will be able to re-hydrate with microbrews. Non runners are invited to a small fee
- L. Community Care Day, Friday, August 4, 2017 in Central Park, 9:00 AM to 3:00 PM; Community Care Concert with White Chocolate; 5:00 to 8:00 PM at Rotary Pavilion at Beach (Concert benefits River Trails Project)

At 7:30 PM, a motion was made by Councilmember Shimulunas, seconded by Councilmember Gagnon, to enter into Closed Session, per Wisc. Stats. 19.85(1)9e) 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 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 a roll call vote, Ayes (9) Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Mark Bittner, John Casavant, David England, Patrick Gagnon, Erin Gonnerman, 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. Upon a voice vote, motion carried.

At 8:00 PM, a motion was made by Councilmember Powalisz, 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