

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
Monday, July 18, 2016 - 6:00PM
Council Chambers, City Hall
Regular Meeting**

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

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

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

Also present were Jeff Dawson, Library Director; James McDonald, City Engineer/Public Works Director; Scott Schneider, Fire Chief; Joe Collins, Police Chief; Dave Buss, Finance 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 14, 2016.

Input from the Public.

Pamela Stevens, 3411 Parkway Blvd, addressed the proposed ordinance regarding Chickens in the City. She handed out information that she prepared for Council consideration.

Council Communications.

Councilmember Bittner stated he visited the Lake Michigan piers with local fisherman. He recommended that the City improve signage to help citizens and visitors access the piers.

President Gagnon stated he received complaints from citizens regarding the use of fire pits in residential areas in the City.

President Gagnon asked the Council if there were any reports from Boards, Commissions or Committees. None.

City Manager's Status/Update Reports:

Harbor Park Phase 2. Mr. Buckley reported on the July 7, 2016 bid opening. He noted that the award of bid for this project was presented later on the agenda.

Harbor Dredging. Mr. Buckley reported that a pre-construction meeting that was held on Monday, July 11, 2016. Work will begin on August 15, 2016, with completion planned by Labor Day 2016.

Holy Family Memorial Lakefront Campus Project. Mr. Buckley reported that a ground-breaking ceremony is planned for Wednesday, July 20, 2016, at 1:00 PM.

Proposed TID No. 11. Mr. Buckley reported that work is moving forward with this proposed TID, intended to assist in redevelopment of the former St. Peter the Fisherman School and other properties in the Lincoln Avenue corridor. The Plan Commission will hold a public hearing on the proposal on August 8, 2016, and he anticipates adoption of the TID by the September 6, 2016, Council meeting.

July 14, 2016, Residential Fire. Mr. Buckley reported on the incident involving response by the Two Rivers Fire Department and other area departments which provided mutual aid during the tragic event that resulted in a fatality. He thanked the police and fire departments from the City of Manitowoc, Manitowoc Sheriff's Department and Mishicot Fire Department.

Legislative Update. None.

The following Consent Agenda items were considered: Minutes from the July 5, 2016 regular City Council meeting; Application for Operator's Licenses for Baur, Ellen L., 2606 West Street, Two Rivers; Braun, Theresa A., 7136 Tannery Rd #28, Two Rivers; Brey, Michael C., 1351 Stadler Rd, Reedsville; Decker, Cheryl J., 2515 39th Street, Two Rivers; Finlan, Kendall R., 1834 31st, Two Rivers; Gordon, Ronal A., 3111 45th Street, Two Rivers; Hawkins, Carrielynn A., 1807 21st Street, Two Rivers; Klein, Wayne J., 1922 32nd Street, Two Rivers; Mackie, Lynette K., 144 Taylor Drive, Two Rivers; Peterman, Elizabeth L., 2606 South 21st Street,

Manitowoc; Sisel, Mary H., 3204 Jackson Street, Two Rivers; Stauffer, Jennifer L., 808 East Linden Avenue, Manitowoc; Wanek, Angela V., 2811 Forest Avenue, Two Rivers; Application for Block Party Permit for Diana Jahneke, 2413 14th Street on 14th Street bounded by the intersecting streets of Lowell Street and Glenwood Street on July 31, 2016 from 2:00 PM to 6:00 PM.; Temporary Class B License Application for Main Street for Two Rivers Brew Dash, July 30, 2016 from 9:30 AM to 1:00 PM in East Central Park; Minutes of Meetings for Lester Public Library Board of Trustees Meeting, June 14, 2016; Public Works Committee, July 5, 2016; Plan Commission, July 11, 2016; Department Reports for month of June from Electric, Fire, Inspections, Library, Public Works, Safety, and Water.

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

President Gagnon presented a recommendation from the Plan Commission meeting on June 13, 2016, to set a public hearing to consider an amendment to Municipal Code Section 10-1-21(d), 10-1-22(d) and 10-1-23(d) to allow new construction and additions to existing dwellings to conform to the minimum setback or the average setback for front and street yards, whichever is less, in the R-1, R-2 and R-3 Residence Districts in the City.

A motion was made by Councilmember Koach, seconded by Councilmember Shimulunas, to set the Public Hearing for 6:00 PM on August 1, 2016. Upon Voice vote, motion carried.

President Gagnon presented a recommendation from the Plan Commission meeting on July 11, 2016 to set a public hearing to consider an amendment to Municipal Code Section 10-1-7, "Definitions" to define Produce Gardening and to Section 10-1-16(g) (4), "Permitted Obstructions in Required Yards," to incorporate Produce Gardening as a permitted land use in street side, rear and interior side yards in the City.

A motion was made by Councilmember Koach, seconded by Councilmember LeClair, to set the Public Hearing for 6:00 PM on August 1, 2016. Upon Voice vote, motion carried.

President Gagnon presented an Ordinance creating Section 6-5-22 of the Municipal Code, entitled "Licensing and Keeping Of Chickens," to provide requirements and standards for the keeping of chickens in the City.

A motion was made by Councilmember Shimulunas, seconded by Councilmember LeClair to table to the pending receipt of the Plan Commission recommendation Zoning Code text amendment on agriculture issue to allow staff to further publicize this proposed Ordinance and provide the opportunity for further public input prior to Council action. Upon Voice vote, motion carried.

President Gagnon presented a recommendation from the Public Works Committee meeting on July 5, 2016 for the proposed terms for the payment of special assessments related to planned Garfield Street improvements.

A motion was made by Councilmember Yaggie, seconded by Councilmember Powalisz, to amend the recommendation to require full payment of any outstanding balance upon sale of a subject property during the proposed period. Upon Voice vote, motion carried.

A motion was made by Councilmember Shimulunas, seconded by Councilmember Bittner, to approve the proposed terms as recommended by the Public Works Committee (with amendment added). Upon Voice vote, motion carried.

President Gagnon presented a preliminary Resolution under Section 66.0703 Wisconsin Statutes, to levy special assessments upon properties fronting on Garfield Street from 29th Street to 34th Street, for improvements consisting of excavation, installation of storm sewer, grading and graveling, curb and gutter, bituminous or Portland cement concrete paving, sidewalks, restoration, and miscellaneous related work.

A motion was made by Councilmember Shimulunas, seconded by Councilmember Taddy, to waive 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 for Waiver of the Residency Prohibition contained in Section 9-9-3 of the City Ordinance setting forth "Sexual Offender Residency Restrictions," to allow an individual to reside in the City.

A motion was made by Councilmember Koach, seconded by Councilmember Taddy, to deny the request as recommended by Police Chief. Upon Voice vote, motion carried.

President Gagnon presented the award of bids for construction of a new picnic shelter and Restroom/Shower Building for Harbor Park Phase 2.

A motion to authorize Keller Structures to award the contracts as recommended by the Public Works Director, as well as the change orders recommended, resulting in contract awards totaling \$201,527.00, authorizing change orders for electric (added to scope of work for the building construction contractor) and concrete/landscaping deductions (not awarded; work to be performed by City crews). Upon Voice vote, motion carried.

President Gagnon presented a Resolution Authorizing Borrowing from WPPI Energy for LED Replacement Lights on Washington Street in the amount not to exceed \$30,350.00 at a zero percent interest. The City Manager noted that this was an additional formal action related to a project and borrowing originally approved by the Council in May 2016; the amount of borrowing has increased slightly due to adding four lights to the relamping project and adding a spare replacement fixture.

A motion was made by Councilmember Shimulunas, seconded by Councilmember Bittner, to waive reading and adopt the Resolution. 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.

City Council Unfinished Business.

President Gagnon presented an Ordinance to Amend Section 9-2-12(a)(1) and (e) regarding Curfew Hours for minors, to Correct Error in Original Ordinance (tabled at the July 5, 2016 meeting).

A motion was made by Councilmember Shimulunas, seconded by Councilmember LeClair, to approve Ordinance Amendment as recommended by the City Manager. 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.

For Information Only: The City Manager addressed the following:

- - Reports on recent Community Special Events: Beach Bash, Fish Derby and EVP Beach Volleyball Tournament; all were highly successful and well-received in the community.
- - Scenic Shore 150 Bike Tour, sponsored by the Leukemia and Lymphoma Society of WI, passes through Two Rivers on the early morning of Saturday, July 23, 2016.
- - Lakeshore Wind Ensemble concert, Sunday, July 24, 2016, 6:00 PM Central Park.
- - City Council Work Session, Monday, July 25, 2016, City Hall Committee Room.
- - Absentee Voting in local nursing homes (Atrium Post Acute Care, Atrium Senior Living at Northland Lodge, and Meadow View), Wednesday, July 27, 2016.
- - In-Person Absentee Voting for the August 9, 2016 Partisan Primary Election begins July 25, 2016 through August 5, 2016 from 8:00AM until 4:40PM (August 5, until 5:00PM).
- - Relay for Life, July 30, 2016, Two Rivers High School.
- - Two Rivers Main Street Brew Dash, July 30, 2016.
- - Community Care Day, August 5, 2016 in Central Park from 9:00 AM to 4:00 PM; TRBA Ping Pong Ball Drop at 3:00 PM.

- - United Way of Manitowoc County Campaign Kickoff and Day of Action, Saturday, August 6, 2016, 8:00 AM at Washington Park, Two Rivers.

Closed Executive Session. Mr. Buckley stated that there was no need to enter closed session.

At 7:30 PM, a motion was made by Councilmember Yaggie, seconded by Councilmember Powalysz, to dispense with the reading of the minutes of the meeting and adjourn. Upon Voice vote, motion carried.

Curt Vanderstelt
Deputy City Clerk