

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
Monday, June 20, 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, Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie. Absent: None.

Also present were Judy Goodchild, Park & Recreation Director; Jeff Dawson, Library Director; James McDonald, City Engineer/Department of Public Works; Scott Schneider, Fire Chief; Joe Collins, Police Chief; Dave Buss, Finance Director; Dave Casebeer, Wastewater Superintendent; 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, June 16, 2016.

President Gagnon asked the Council if there were any Council Communications: Letters and other communications from citizens.

Councilmember Koach stated that she had been made aware of several apparent code violations that she will be passing along to Two Rivers TRIAD, who will investigate along with the Community Service Officer.

City Manager's Status/Update Reports:

A. Invited Guests

1. Betty Bittner and Laretta Krcma-Olson of Two Rivers Rotary, who presented a check for \$11,850 to complete Rotary's Naming Gift Contribution for the Rotary Pavilion at Neshotah Beach. Ms. Bittner stated that Rotary pledged \$25,000 and have given \$21,000 already for the project. This final check brings the total amount given to the project to \$32,850.

City Manager Buckley thanked Rotary for supporting the City's vision for a beachfront events and entertainment venue, and for its generous support, of this and other community projects in Two Rivers.

Parks and Recreation Director, Judy Goodchild, reported that there are many summer events planned at the beach, including 2 concerts planned by Lighthouse Church, seven (7) concerts via AC Concessions/Bands on the Beach, plus the Aurora cancer run, and two weddings. The brick wall behind the stage is completed and the plaques honoring donors will be installed soon. There will be a Ribbon Cutting ceremony in July.

2. Pinning of Firefighter's badge and Presentation of Helmet to Firefighter/Paramedic Ryan Menges, marking successful completion of his probationary period. Chief Schneider introduced Firefighter/Paramedic Menges and proceeded to present the badge and helmet.

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

Mr. Juul addressed the Council and thanked the community for the opportunity to serve.

4. Introduction and Swearing In of Two New Police Officers. Chief Collins welcomed Megan Klumpyan and Jacob Glaser. City Clerk Kim Graves swore in both new officers and Chief Collins pinned on their badges. Council members extended a welcome to the TRPD's newest officers

5. Wastewater Superintendant Dave Casebeer, Presenting Compliance Maintenance Annual Report as Filed with WI Department of Natural Resources. Mr. Casebeer reported a steady operation the last three (3) years, with no permit violations in 2015. He further stated that the City's application to DNR for a new, 5-year discharge permit was recently submitted to DNR. The new permit is to take effect in 2017; the major challenge will likely be a continued reduction in the permitted phosphorous content in the plant's discharge.

Councilmember Shimulunas commented that the report card from the City's wastewater operations has been very good in recent years.

B. Status/Update Reports

1. Harbor Dredging. Mr. Buckley reported that a pre construction meeting with Roen Salvage is in the works for mid-July. There will be an update provided in the next City Council agenda.

2. Harbor Park Phase 2. Mr. Buckley reported that a July 7, 2016, Bid Opening is planned for the picnic shelter restroom building.

C. Legislative Update: None.

The following Consent Agenda items were considered: Minutes from the June 6, 2016 regular meeting; Beverage Operator Licenses - Recommended for Approval, Becker, Steven C., 134 Riverview Dr., Manitowoc; Bergelin, Debra A., 1809 Adams St., Two Rivers; Blattler, Norman N., 320 Albert Dr. # 8, Manitowoc; Copeskey, Carol J., 7136 Tannery Rd #40, Two Rivers; Curcio, Jessica A., 1010 South 39th St., Apt D, Manitowoc; DeGroot, Dwyn M., 808 21st Street, Two Rivers; Denfeld, Todd A., 2117 31st, Two Rivers; Ducat, Mark L., 2905

Jackson St, Two Rivers; Duncan, Kelly A., 3704 Parkway Blvd, Apt D, Two Rivers; Feltz, Joseph A., 1911 Wild Oak Dr., Apt 7, Manitowoc; Fisher, Jill I., 2009 Jefferson Street, Two Rivers; Glandt, William P., 3118 Mishicot Rd, Two Rivers; Hall, Larry L., 2011 12th St., Two Rivers; Henrickson, Nicole A., 770 East Albert Dr., Lot 13, Manitowoc; Kilps, William R., 3504 Pierce Court, Two Rivers; Kronforst, Amanda M., 2600 West St., Two Rivers; Mitchell, James S., 1513 25th, Two Rivers; Payette, Lynette L., 959 Laduron Dr., Mishicot; Schwarz, Richard P., 3933 Woodlawn St., Manitowoc; Schweppe, Margaret A., 1106 Bellevue Place, Two Rivers; Schleusner, Vicky C., 7751 Northern Road, Newton; Sisel, Danielle M., 410 Mark St., Mishicot; Soulier, Kellie A., 2735 34th Street, Two Rivers; Stevenson, Jessica R., 506 Buchanan St., Mishicot; Tiener, Elizabeth A., 1715 Cedar Gove Dr., Apt 3D, Manitowoc; Turner, Susan J., 1812 Garfield Street, Two Rivers; Walesh, Karl R., 3050 Cottage Lane, Two Rivers; Wavrunek, Miranda M., 1431 Hawthorne Avenue, Two Rivers; Wuelling, Nicole L., 2008 25th Street, Two Rivers; Temporary Class "B" License Application, Rogers Street Fishing Village for Rogers Street Days, August 12 & 13, 2016, from 3 PM to 11 PM each day; List of fourteen renewal applications for Landscaping/Tree Removal Licenses for the period July 1, 2016 to June 30, 2017; List of nine renewal applications for Cigarette Licenses for the period July 1, 2016 to June 30, 2017, all over-the-counter sales; List of eight renewal applications for Beer Garden Permits for the period July 1, 2016 to June 30, 2017; List of two renewal applications for Class "A" Fermented Malt Licenses for the period July 1, 2016 to June 30, 2017; List of seven renewal applications for "Class A" Malt & Liquor Licenses for the period July 1, 2016 to June 30, 2017; List of four renewal applications for Class "B" Fermented Malt Licenses for the period July 1, 2016 to June 30, 2017; List of twenty-six renewal applications for "Class B" Malt & Liquor Licenses for the period July 1, 2016 to June 30, 2017; One new application for Class "B"

Beer & Liquor Beverage Retail License for Daryl A. Jeske, Tribbs, LLC d/b/a Alliano's, 3312 Lincoln Ave., Two Rivers for the period of July 1, 2016 to June 30, 2017; Application for Commercial Garbage Hauler License, Blue Water Services Ltd.; Minutes of Meetings for Lester Library Board, May 10, 2016; Personnel and Finance Committee, June 2, 2016; Public Works Committee, June 6, 2016; Public Utilities Committee, June 7, 2016; Plan Commission, June 13, 2016; Department Reports for May 2016; Electric; Fire; Library; Inspections; Parks and Recreation; Safety; Water; Annual Report for Police Department, 2014-2015; Summary of Verified Bills for the month of May in the amount of \$1,552,276.42.

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

President Gagnon presented a recommendation from the Plan Commission to set a Public Hearing to review a request for a Conditional Use Permit in the B-2 Business District for a storage garage and for indoor and outdoor storage of recreational vehicles at 3615 Lincoln Avenue, submitted by Kristy Moffatt (owner).

A motion was made by Councilmember Taddy, seconded by Councilmember Shimulunas, to set public hearing for Tuesday, July 5, 2016 at 6:00 PM as recommended by the Plan Commission. Upon Voice vote, motion carried.

President Gagnon presented a recommendation from the Personnel and Finance Committee to authorize engaging Schenck Government and Not-for-Profit Solutions to conduct a water utility rate study.

A motion was made by Councilmember Koach, seconded by Councilmember Yaggie, to authorize staff to engage Schenck Government and Not-for-profit Solutions to conduct a water

utility rate study as recommended by the Personnel and Finance Committee. Upon voice vote, motion carried.

President Gagnon presented an Ordinance to modify Title 4, Chapter 5 of the Municipal Code, the Construction Site Erosion Control Ordinance.

A motion was made by Councilmember Koach, seconded by Councilmember LeClair, to waive reading and adopt the ordinance. Mr. McDonald addressed the need for this amendment, as well as the next ordinance amendment on the agenda, which are intended to keep the City's ordinances compliant with current state law, as required under the City's DNR-issued storm water discharge permit. 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 an Ordinance to modify Title 4, Chapter 6 of the Municipal Code, the Post-Construction Storm Water Management Ordinance.

A motion was made by Councilmember Yaggie, seconded by Councilmember Powalisz, to waive reading and adopt the ordinance. 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 authorization for purchase of Police and Fire department mobile and portable radios and related equipment from Frank's Radio Service/Motorola, to accomplish conversion to 800Mhz system; authorization to utilize two-year interim financing through Motorola.

The City Manager stated that, in discussions with Motorola subsequent to the agenda being prepared, he had determined that the recommended interim financing, a 24 –month, zero-interest

leaser-purchase agreement, did not require a down payment (agenda indicated the need for a ten percent down payment). He further stated that this interim financing would not count toward the City's general obligation debt limit; borrowing for these radios would only count toward the limit when refinanced in 2018 as 5-7 year debt.

A motion was made by Councilmember Taddy, seconded by Councilmember Yaggie, to authorize the purchase of the radio equipment at the quoted price of \$365,805.53, to authorize the City Manager to execute financing documents for interim, 24-month financing through Motorola based on zero down payment followed by zero payments/zero interest charges for 24 months, with the express intent to then refinance through conventional borrowing for a term of five to seven years. Upon Roll Call vote, Ayes (8), Jim Taddy, Brad Yaggie, Mark Bittner, John Casavant, Patrick Gagnon, Kay Koach, Darla LeClair, Jack Powalisz; Noes (1), Bonnie Shimulunas. Motion carried.

The Council President & CM then noted that there was no need for Council action on agenda X D (setting public hearing on a budget amendment to provide funding for a ten percent down payment on the above - cited radio equipment), based on the radio equipment lease-purchase agreement requiring no down payment.

President Gagnon presented a request for a noise ordinance waiver from Rogers Street Fishing Village at 2010 Rogers Street for Friday, August 12, 2016, and Saturday, August 13, 2016, from 7:30 PM on Friday and 7:00 PM on Saturday to 11:00 PM each day.

A motion was made by Councilmember Yaggie, seconded by Councilmember LeClair, to approve the request as recommended by the City Manager. Upon Voice vote, motion carried.

President Gagnon presented the Compliance Maintenance Resolution for Wastewater Treatment Plant.

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

For Information Only: The City Manager addressed by following:

- A. Bike Rodeo, Wednesday, June 22, 2016, Washington Park, 6 – 8 PM
- B. Joint Review Board TID No. 10, Thursday, June 23, 2016, 7:30 AM, City Hall Committee Room, to consider TID development agreement with Holy Family Memorial
- C. Plan Commission, Thursday, June 23, 2016, 4:30 PM, City Hall Council Chambers, to consider TID development agreement with Holy Family Memorial
- D. Sundae Thursday, June 23, 2016, 5:30-8 PM, Central Park
- E. Main Street Cool City Classic Car Cruise & Show, Friday, June 24, 2016 & Saturday, June 25, 2016
- F. Local “Get Into Your Sanctuary” activities, Saturday, June 25, 2016
- G. Voter Registration Day, Tuesday, June 28, 2016, City Hall 1st Floor, 11 AM-1 PM
- H. US Postal Service Ice Cream Sundae Stamp, First Day of Issue, Washington House, Thursday, June 30, 2016, 4:00 PM
- I. Fourth of July events at Walsh Field – 7:30 PM Two Rivers Municipal Band, 7:40 PM Flag Raising, 8:30 PM Sponsor Appreciation, 8:40 PM Patriotic Sing-a-Long, Dusk Community Sponsored Fireworks
- J. Ribbon Cutting for New Rotary Pavilion at Neshotah Beach, Tuesday, July 26, 2016, 6 PM

K. Public Hearing on Proposed Amendment to the Sewer Service Area (SSA) Plan for the Two Rivers-Manitowoc-Mishicot Area, July 13, 2016, 4 PM, Two Rivers City Hall Council Chambers

I. City Council Work Session, Monday, June 27, 2016, 6:00 PM City Hall Committee Room.

Councilmember Yaggie expressed his appreciation to the Parks and Recreation and Police Departments for their support of the HFM Marathon.

Closed Executive Session.

At 7:30 PM, a motion was made by Councilmember Koach, seconded by Councilmember Yaggie, to enter into Closed Sessions, per Wisc. Stats. 19.85(1)(e) 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 Proposed TID No. 10 Development Agreement to provide City assistance to project to be undertaken by Holy Family Memorial, Inc.
- Discuss possible property acquisition

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.

At 8:20 PM, a motion was made by Councilmember Yaggie, seconded by Councilmember Koach, to reconvene in open session to consider possible actions in follow-up to closed session discussions. Upon voice vote, motion carried.

President Gagnon presented a Tax Incremental Financing Development Agreement with Holy Family Memorial, Inc. for development of medical clinic to be located on former Hamilton

warehouse site on Roosevelt Ave – redevelopment site located in Tax Incremental District No. 10.

A motion was made by Councilmember Yaggie, seconded by Councilmember Shimulunas, to authorize the City Manager and City Clerk to sign the agreement on behalf of the City, contingent on approval by the TID No. 10 Joint Review Board and the Plan Commission; further, to authorize changes to the agreement deemed appropriate in the judgment of the City Manager and legal council, provided such changes do not result in increased costs to the City. 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.

At 8:30 PM, a motion was made by Councilmember Yaggie, seconded by Councilmember Casavant, to dispense with the reading of the minutes of the meeting and adjourn. Upon Voice vote, motion carried.

Kim M. Graves
City Clerk