

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
Monday, May 1, 2017 - 6:00PM
Council Chambers, City Hall
Regular Meeting**

The meeting was called to order by Council President Kay Koach at 6:00 PM.

Roll Call – Present: Kay Koach, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Mark Bittner, John Casavant, David England, Patrick Gagnon, Erin Gonnerman; Absent: None

Also present were Jeff Dawson, Lester Library Director; Jim McDonald, Public Works Director; Scott Ahl, Civil Engineer; Dave Buss, Finance Director; Scott Schneider, Fire Chief; Judy Goodchild, Parks and Recreation Director; Joe Collins, Police Chief; 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, April 27, 2017.

President Koach opened the Public Hearing for a Final Resolution Authorizing Special Assessments for Storm Sewer Main and Service Laterals in Conjunction with Pilon Court Reconstruction Project.

After calling three times and seeing no one wishing to address the Council, President Koach closed the hearing and asked for a motion.

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

President Koach opened a Public Hearing for a Final Resolution Authorizing Special Assessments for Storm Sewer Main and Service Laterals in Conjunction with Reconstruction of Wilson Street from 23rd to 24th Street.

After calling three times and seeing no one wishing to address the Council, President Koach closed the hearing and asked for a motion.

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

President Koach opened a Public Hearing on a Final Resolution Authorizing Special Assessments for Excavation, Installation of Storm Sewer, Grading and Graveling, Curb and Gutter, Asphaltic Cement Pavement, Concrete Sidewalk, Restoration and Miscellaneous Related Work Related to the Construction of Lakefront Way from Roosevelt Avenue to Memorial Drive.

On the first call the following person addressed the Council:

Samantha Kocourek, 2131 Roosevelt Street, addressed the Council regarding the impact of the project and the proposed special assessments on her property, which borders Lakefront Way to the east.

Ms. Kocourek questioned how the special assessments would be calculated if there was an action that triggered the requirement for a deferred assessment, as described in the resolution.

Mr. Buckley responded that the assessment rates, expressed per foot of street frontage, would be applied to the parcel that required access to or frontage on the new street, based on the frontage of that parcel on the street. If access was required by the existing parcel, the assessment would be based on the entire frontage of that parcel on Lakefront Way. If access or street frontage was required by a new

parcel created from the existing parcel, then the assessment would be based on the actual frontage of the new parcel only.

Ms. Kocourek stated that she had contacted the City Engineer's Office earlier in the day, expressing concern that the holes dug for planting of a landscape screen of cedar trees along the east side of the street right-of-way, near the fence along her side lot line, were too close to the fence to allow for future pruning and maintenance of the trees. Mr. Buckley replied that Scott Ahl of the City's Engineering staff had reviewed the area in question earlier in the day, and agreed that the holes were too close to the fence; Mr. Ahl further indicated that the holes will be re-dug so the trees are six feet from the property/fence line.

On the second and third call, no one addressed the Council. President Koach closed the hearing and asked for a motion.

A motion was made by Councilmember Shimulunas, seconded by Councilmember Casavant, to waive reading and adopt the resolution, including provision for deferred special assessments for property abutting the east side of the street. Upon a roll call vote, Ayes (9) Bonnie Shimulunas, Mark Bittner, John Casavant, David England, Patrick Gagnon, Erin Gonnerman, Kay Koach, Darla LeClair, Jack Powalisz; Noes (0) Motion carried.

Input from the Public. No one addressed the Council.

Council Communications:

A letter from concerned resident regarding a vicious dog in the 1800 block of Adams Street and response from Code Enforcement Officer John Springstube

A motion was made by Councilmember Gagnon, seconded by Councilmember Shimulunas to receive and file. Motion carried.

A letter from Mackenzie Graff and Madison Loomans regarding the need to protect the environment and stop the use of plastic, paper and plastic bags and Styrofoam for the benefit of present and future generations. Mr. Buckley noted that Madison Loomans was in the audience at the meeting. The City Manager also commented that the State Legislature and Governor in 2016 adopted a law that precludes local governments in Wisconsin from banning one-use plastic bags, eliminating local control on this issue.

A motion was made by Councilmember Gagnon, seconded by Councilmember Powalisz to receive and file. Motion carried.

Councilmember Shimulunas received a citizen call about low spots filled with standing water in the dog park and near the Zander Park playground. Suggestion was to use caution tape that could be placed around the problem areas. Judy Goodchild, Parks and Recreation Director stated they have a pump to use in the areas, but it has been raining and Park crews have not been able to keep up with the pumping.

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

City Manager's Report:

Invited Guests:

1. VFW Post 1248 Representative, Donna Stoeger, announced 2017 Poppy sales during the week of May 15 – 20, 2017 at Piggly Wiggly, Pick N Save, Patsy's Mobil, Kwik Trip and Shoreline Credit Union in Two Rivers. Proceeds will benefit veterans. Mr. Buckley stated that this is an important fund raiser for hospitalized and disabled veterans and encouraged the community to participate.

2. Introduction and Swearing in of Two New Police Officers. Chief Collins welcomed Full Time Police Officer Zachary Smith and Part Time Police Officer Kyle Phillips.

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

Status/Update Reports:

1. Mr. Buckley stated that this past Sunday, a domestic dispute at an Adams Street apartment building rapidly escalated into a major incident: a male subject barricaded in an apartment, threatening harm to responding police officers. The incident ultimately resulted in the involvement of not only 11 TRPD members, but also the Manitowoc County SWAT team, Two Rivers Fire and EMS (both standby ambulance and assistance with building entry), TR Public Works (street barricades) and Lester Public Library (temporary shelter for about 15 evacuated tenants). He stated that it was an impressive response and we are all grateful that nobody was hurt. Thanks to everyone involved in the well-coordinated response to this incident.
2. Mr. Buckley stated the Lincoln Avenue project is moving along even with the large amount of rain we have been receiving. He encouraged everyone to support area businesses during the construction period.
3. Mr. Buckley reported that Will Dorsey from the DOT recently affirmed a continued interest in working with the City on the Memorial Drive Wayside and he will reaffirm with DOT at the end of the month for City Council action.
4. Mr. Buckley reported that the City in 2016 proposes to acquire the Canadian National Railroad Right-of-Way from Madison Street to Woodland Drive. The City offered \$1.00 in exchange for assuming responsibility for removing the railroad swing bridge, estimated to cost \$365,000. Canadian National rejected that offer, the railroad then provided a list of "comparable" properties that had recently sold in the area. Mr. Buckley stated that he did not

consider the properties cited to be valid comparables, and he will be working with the City Assessor to develop a list of comparables for consideration by the railroad. He added that the City is working with McMahon Associates to determine how much of the railroad parcel is wetland, which would impact value.

5. Mr. Buckley detailed his recent meeting with the U.S. Army Corps of Engineers on the status of work under a two-year contract for developing design modifications for the harbor entry, to address surge and shoaling issues. The Corps is expected to submit a written Engineering report within two weeks, then meet with City Staff to evaluate designs and discuss .

6. Mr. Buckley reported that representatives of the estate that owns the property at 1326 East River Street (former Blue Goose Tavern) received a jurisdictional offer from the City on April 15, 2017. An email received on April 28, 2017 from the property owners stating the offer was not acceptable. The City Attorney can now file a petition for condemnation with Circuit Court. The Circuit Court Judge can turn over the petition to Condemnation Commissioners.

7. Mr. Buckley discussed President Trump's recent executive order, which may impact the proposed Wisconsin-Lake Michigan National Marine Sanctuary.

Legislative/Intergovernmental Update.

1. Mr. Buckley reviewed the League of Wisconsin Municipalities Bulletin of April 24, 2017 and addressed the issues contained in this bulletin

The following Consent Agenda items were considered: Minutes from the April 17 20, 2017, Regular Meeting, April 18, 2017 Organizational Meeting and April 24, 2017 Special City Council Meeting; Application for Beverage Operator Licenses – Recommended for Approval for Bergene, Danielle M., 1711 12th Street, Two Rivers, Budrick, Dana J., 1613 South 12th Street,

Manitowoc, Clere, AnnMarie B., 2209 East River Street Apt A, Two Rivers, Curcio, Jessica Alexandra, 1603 South 24th Street, Manitowoc, Duerschmidt, Amanda E., 1710 24th Street, Two Rivers, Ebelt, Heath W., 2400 Wilson Street, Two Rivers, Facer, Janine M., 815 25th Street, Two Rivers, Knepfel, Kelly A., 3404 Memorial Drive Apt G2, Two Rivers, Kohlmeier, Keyara D., 4137 Martin Lane, Two Rivers, Moreau, Dwayne L., 2792 Blue Spruce Drive, Green Bay, Schwarz, Jessica B., 5529 Old County Road Q, Manitowoc, Shillcox, Constance L., 3703 Parkway Boulevard Apt. C, Two Rivers, Tribolini, Sayde R., 1403 20th Street, Two Rivers, Wagener, Nicholas A., 2222 Michigan Avenue, Manitowoc, Wandrie, Steven M., 4803 Forest Hills Avenue, Two Rivers; Application for Temporary Class “B” License – Recommended for Approval for Two Rivers Fish Derby, Inc., for Two Rivers Fish Derby, July 21 - 23, 2017 from 9:00 AM – 11:30 PM at Walsh Field Corner of 22nd and Polk Street; Two Rivers Main Street for a Wine Walk in Downtown Two Rivers at Various Businesses on Friday, May 19, 2017 from 5:00 PM to 8:30 PM; Two Rivers Main Street for Cool City Classic Car Show & Cruise, June 23, 2017 from 5:00 PM – 10:00 PM at Central Park; Minutes of Meetings for Advisory Recreation Board, April 11, 2017, BIDC/CDA, March 28, 2017, Public Utilities Committee, April 4, 2017, Public Works Committee, April 3, 2017, Public Works Committee, April 10, 2017, Personnel and Finance Committee, April 17, 2017.

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

President Koach presented a Proclamation Naming the Week of May 14 – 20, 2017 as Police Week and May 15, 2017 as Peace Officer’s Memorial Day (Memorial Ceremony at Noon Monday, May 15, 2017 on 22nd Street Bridge).

A motion was made by Councilmember Shimulunas, seconded by Councilmember Gonnerman, to read and adopt the Proclamation. Upon voice vote, motion carried. Police Chief Collins read the Proclamation.

President Koach presented the City Manager's appointments and re-appointments to Boards, Committees and Commissions (additional appointments to be presented at May 15, 2017 meeting.)

A motion was made by Councilmember Gagnon, seconded by Councilmember Casavant, to approve the list as recommended by the City Manager. Peter Walker, Advisory Recreation Board; Kathy Peterson, Advisory Recreation Board; Greg Erickson, Business Improvement District Board; Steve Sonntag, Business Improvement District Board; Elizabeth Bittner, Community Development Authority; Donald Karman, Community Development Authority; Gregory Coenen, CDBG Housing Committee; Donna Reilly, Committee on Aging; Stanley Palmer, Lester Library Board of Trustees. Upon voice vote, motion carried.

President Koach presented a Resolution Expressing Appreciation for Members of Committees, Commissions and Boards Who Retired as of April 2017 or Have Ended Their Service During the Past Year

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

President Koach presented a Resolution Honoring James Taddy for His Service on City Council.

A motion was made by Councilmember Gagnon, seconded by Councilmember LeClair, to waive reading and adopt the Resolution. 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 Resolution Honoring Brad Yaggie for His Service on City Council.

A motion was made by Councilmember Powalisz, seconded by Councilmember Shimulunas, to waive reading and adopt the Resolution. 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 (0) None. Motion carried.

President Koach presented a request from Two Rivers Kiwanis Club for a Noise Waiver on July 21 – 23, 2017 For the Fish Derby Until 11:30 PM Each Night and No Parking on The East Side of the 2100 Block of Polk Street, On The 2200 and 2300 Blocks of Sandy Bay Road And the 600 Block of 22nd Street and Both Sides of The Entrance to Picnic Hill

A motion was made by Councilmember Powalisz, seconded by Councilmember Gonnerman, to approve request as submitted. Upon voice vote. Motion carried.

President Koach presented the International Migratory Bird Day Resolution.

A motion was made by Councilmember Shimulunas, seconded by Councilmember LeClair, to read and adopt the resolution. 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 (0) None. Motion carried. Parks and Recreation Director Judy Goodchild read the Resolution.

City Council Unfinished Business.

President Koach presented the Proposed Ordinance Amendment to the Official Map to add East River Street from 16th Street to 19th Street, 16th Street and 18th Streets, east to East River Street, a strip of land in the 1800 Block of Jefferson Street and a Strip of Land in the 1400 Block of 19th Street (Tabled from April 3). Mr. Buckley noted that this matter had been tabled from the April 3, 2016 meeting, to allow further feedback from Thermo Fisher Scientific, which had expressed opposition to the amendment. He stated that he had sent a letter, requesting such feedback in time for this meeting; the company did not reply.

Motion made by Councilmember Gagnon, seconded by Councilmember Bittner, 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 (0) None. Motion carried.

For Information Only: The City Manager addressed the following:

- A. May is Foster Care Month
- B. May is Two Rivers High School Art Show Month at the Lester Public Library
- C. Progress Lakeshore 6th Annual Excellence in Economic Development Awards
Breakfast, Wednesday, May 3, 2017, 7-9 AM, Holiday Inn, Manitowoc
- D. National Day of Prayer Observance, Central Park Bandstand, Thursday, May 4,
2017, Noon
- E. Mariners Trail Cleanup, Saturday, May 6, 2017, starting from Memorial Drive
wayside opposite Woodland Drive at 8:30 AM
- F. Lioness Club Spaghetti Dinner, Monday, May 8, 2017 form 4:00 PM – 7:00 PM,
Two Rivers Family Restaurant, \$8.00 per person

G. MAVCB Tourism Breakfast and Forum, Wednesday, May 10, 2017, 7:30 – 10:00 AM, Holiday Inn, Manitowoc

H. Heart-A-Rama Performances, J.E. Hamilton Community House, May 4, 5, 6, 2017. Tickets on sale at Inman Jewelers

I. Electronics Recycling, Saturday, May 13, 2017 from 9:00 AM – 1:00 PM at J. E. Hamilton Community House Parking Lot by TR High School Octagon Club

J. Neshotah Charitable Foundation “Dick Rohrer Memorial Badger Night,” featuring Badger basketball great Joshua Patrick Gasser “Captain America”, Saturday, May 13, 2017 social starting at 5:00 PM in the Community House.

K. Wisconsin Historic Preservation Review Board to consider Tubal Cain Shipwreck, 1.33 miles’ northeast of the Two Rivers harbor entrance in Lake Michigan for nomination at the Wisconsin State Register of Historic Places and National Register of Historic Places on May 19, 2017.

L. Two Rivers Main Street Wine Walk Downtown, Friday, May 19, 2017 from 5:00 – 8:30 PM

M. The Accidental Hero, a World War II story of a Two Rivers man who liberates the Czech village, Tuesday, May 23, 2017 at 7:30 PM, Capital Civic Center

N. President Koach’s Appointments to City Council Standing Committees for 2017-2018. Personnel and Finance Committee to consist of Councilmembers Gagnon (chair), Powalisz and Koach. Public Works Committee to consist of Councilmembers LeClair (chair), Bittner and England. Utilities Committee to consist of Councilmembers Shimulunas (chair), Casavant and Gonnerman

O. League of Wisconsin Municipalities - Local Government 101 Workshop, (nearest location is at Tundra Lodge & Conference Center, Green Bay, Friday, June 2, 2017)

Councilmembers wishing to attend?

At 7:45 PM, a motion was made by Councilmember Gagnon, seconded by Councilmember LeClair, to enter into Closed Sessions, per Wisc. Stats. 19.85(1)(e) to discuss possible City Assistance to Economic Development Projects; to discuss possible property acquisition and 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. Upon 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.

At 8:35 PM, a motion was made by Councilmember Gagnon, seconded by Councilmember Shimulunas, to reconvene in Open Session. Upon voice vote, motion carried.

A motion was made by Councilmember Bittner, seconded by Councilmember Gagnon to direct staff to set up a Special Council meeting on May 8, 2017 to pursue a 5.8-acre property for development.

At 8:35 PM, a motion was made by Councilmember LeClair, seconded by Councilmember Powalisz, to dispense with the reading of the minutes and adjourn the meeting. Upon voice vote, motion carried.


Kim M. Graves
City Clerk