

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
Tuesday, September 6, 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/Department of Public Works; Joe Collins, Police Chief; Ken Kozak, Electric Utility Director; Scott Schneider, Fire Chief; 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, September 1, 2016.

President Gagnon presented a Public Hearing for an Ordinance to amend Municipal Code Sections 10-1-7(a) and 10-1-25(b) to define and include "Event Facility/Assembly Hall" as a Permitted Use in the B-1 Business District in the City. This land use would also be included by reference as a Permitted Use in the B-2 and B-3 Business Districts.

After three calls, there were no public comments. Mr. Buckley acknowledged that Barry Krohn of Sepia Chapel, new owner of the former St.Luke's Church and the party that requested this text amendment, was present in the audience.

A motion was made by Councilmember Yaggie, seconded by Councilmember Shimulunas, to waive the reading and adopt the Ordinance. Upon Roll Call vote; Ayes (9), Brad

Yaggie, Mark Bittner, John Casavant, Patrick Gagnon, Darla LeClair, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy; Noes (0), None. Motion carried.

President Gagnon presented a Public Hearing for an Ordinance to amend Municipal Code Sections 10-1-7, entitled "Definitions" to define agriculture; Section 10-1-21, entitled "Single Family Residence District (R-1)" to amend the list of agriculture land uses that may be considered as a conditional use and to include keeping of chickens as a permitted land use; and Section 10-1-22, entitled "Single and Double Family Residence District (R-2)" to amend the list of agriculture land uses as a conditional use and include keeping of chickens as a permitted land use; and Section 10-1-23, entitled "Single and Double Family Residence District (R-3)" to include keeping of chickens as a permitted land use in the City (Amendment to Section 10-1-23 to be effective December 31, 2016).

After three calls, there were no public comments.

Councilmember Shimulunas stated that she would like to know about the proposed rules are concerning the keeping of chickens before acting on this ordinance.

Councilmember Taddy asked if this would be regulating big chickens or small chickens.

Councilmember LeClair stated that the regulations and guidelines on this ordinance need to be crystal clear.

Councilmember Gagnon stated that the Plan Commission should have presented a more complete package to the Council.

Mr. Buckley stated that the intent of the ordinance was to keep zoning ordinance separate from the regulatory/licensing ordinance.

Attorney Bruce stated that regulatory ordinance addressed in the proposed Zoning Code amendment, 6-5-22, has not been established, yet.

A motion was made by Councilmember Yaggie, seconded by Councilmember Bittner to table the Ordinance, pending receipt of a final recommendation from the Plan Commission regarding regulations specific to the keeping of chickens. Upon Roll Call vote; Ayes (9), Mark Bittner, John Casavant, Patrick Gagnon, Darla LeClair, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie; Noes (0), None. Motion carried.

Input from the Public.

Adam Wachowski, 4603 Laurie Lane, commented on sporting events like War on the Shore softball tournament recently held at Vietnam Park that have economic impact on Two Rivers. He stated that an estimated \$500,000 economic impact was generated to area businesses through 10,000 people visiting the area over the 3 day tournament. He asked how important is this facility to the City? He further stated that lighting system failures may jeopardize tournaments coming to the park in the future. He also felt that donations that have been made to the City for this park would be wasted.

Mr. Wachowski also stated that he has obtained a quote of \$250,000 to replace the lights.

Jason Ring, 615 Buchholz, the presented comments as the Director of the Manitowoc Area Visitors and Convention Bureau. He stated that sporting events can have a major economic impact on local communities. He cited events like EVP volleyball and War on the Shore have allowed Two Rivers to become competitive with other locations in Wisconsin for hosting big sporting events but the park needs to be updated to continue doing so. He further stated that there were 1,000 hotel rooms filled and local campgrounds were full, too, during the tournament weekends.

Korren Jewitt, American Heat Association, presented the 2016 Lifeline EMS Gold Achievement Award to the Two Rivers Fire Department. She stated that the TRFD is making a

true impact and that this is the third award the department has received. She thanked the department saying their skill level gives great comfort to the community.

Council Communications. None.

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

City Manager's Status/Update Reports:

Invited Guests.

Tom Bushman, retired Electric Utility Director.

A motion was made by Councilmember Koach, seconded by Councilmember Yaggie, to read and adopt a resolution upon retirement for Electric Utility Director Tom Bushman. Upon Roll Call vote; Ayes (9), John Casavant, Patrick Gagnon, Darla LeClair, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner; Noes (0), None. Motion carried. Mr. Buckley read the resolution aloud. Council members extended their best wishes to Mr. Bushman.

Fire Chief Scott Schneider presented Bradley Scherer, Two Rivers Fire Department, for the pinning of his badge and presentation of this helmet, recognizing successful completion of his probationary period. The Council congratulated Firefighter/Paramedic Scherer.

Mr. Buckley gave a status update on Harbor Park stating that the colored concrete blocks that have been holding up the restroom/shelter project will soon be delivered. The plumbing and roofing work should be completed in time for the September 30 dedication, he added.

Harbor Dredging. Mr. Buckley reported that Roen Salvage is working on the harbor dredging project with project completion expected within the next week.

Mr. Buckley also reported that he hopes to update the Council relative to the Holy Family Memorial Lakeside Clinic plans and street construction soon.

Mr. Buckley noted that TID No. 11 is on the agenda for final City Council approval at tonight's meeting, and will go before the Joint Review Board for final approval on September 8, 2016.

Mr. Buckley gave the following Legislative/Intergovernmental Update:

New 5-year Tourism Services Agreement with the City of Manitowoc and the MAVCB was approved by the room tax commissions of the two cities at a joint meeting on August 30, 2016. He noted that the Two Rivers Room Tax Commission has final authority to approve the agreement; in Manitowoc, the Common Council must approve any contract entered into by that city's room tax commission. He added that the agreement was revised agreement to provide for 6 total members representing tourism entities, 3 from each City, like the current agreement. Two additional board seats, representing local business/tourism interests, will be appointed by the City Manager and Mayor.

League of Wisconsin Municipalities Chief Executives Conference – Mr. Buckley reported that he attended this Conference, where the League and the Wisconsin Taxpayers Alliance presented the first annual 2016 State of Wisconsin Cities and Villages report, and League staff presented Legislative priorities for the coming session of the WI Legislature. The League has requested an October 12, 2016 meeting to present 2017 legislative agenda to Manitowoc County cities and villages; meeting to be hosted by Two Rivers.

The following Consent Agenda items were considered: Minutes from the August 15, 2016 regular City Council meeting and August 29, 2016 City Council and Plan Commission Special Joint meeting; Application for Operator's Licenses – Recommended for Approval for Culligan, Devan P., 131 Park Rd., Two Rivers, Laurent, Keith Lee, 3812 Mirro Dr., Manitowoc, Spaeth, Bettysue M., 3408 Mirro Drive, Manitowoc, Application for Temporary Class "B" Retailer's License for Manitowoc County Mariners for a football game at Walsh Field on Saturday, September 10, 2016, from Noon to 10:00 PM, Two Rivers Historical Society d/b/a

Hamilton Wood Type & Printing Museum for Hamilton Wayzgoose 2016 on November 4, 5, & 6, 2016, at 1816 10th Street; Application for Class “B” Beer & Liquor Beverage Retail License for Tavern at Waverly, LLC d/b/a Waverly Tavern, 1402 16th Street, Two Rivers, for the period of September 1, 2016 to June 30, 2017; Application for Special Event Beer Garden Permit by City Central, 2014 Washington Street, for September 17, 2016 (application pending, will be presented at meeting); Minutes of Meetings for Business and Industrial Development Committee and Community Development Authority, June 28, 2016, Business and Industrial Development Committee and Community Development Authority, July 21, 2016, Advisory Recreation Board, August 9, 2016, Business and Industrial Development Committee and Community Development Authority, August 11, 2016, Board of Canvassers, August 15, 2016, Personnel & Finance, August 18, 2016, Board of Review, August 31, 2016, Financial Reports for July 2016 for General Fund, Debt Service, Lester Public Library.

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

President Gagnon presented at Resolution Creating Tax Incremental District No. 11 and Approving the Project Plan for this new redevelopment tax incremental district.

At 7:00 PM Mr. Buckley requested a recess, to determine whether the City Council had received both resolutions that required action relative to TID 11 creation.

At 7:05 PM the Council reconvened the meeting. Mr. Buckley apologized for the delay, noting that Council members’ packets included both City Council resolutions relative to TID 11 creation and project plan approval, plus the proposed Joint Review Board resolution, which was included in the packets in error.

A motion was made by Councilmember Yaggie, seconded by Councilmember Taddy, to waive the reading and adopt both resolutions pertaining to TID No. 11. Upon Roll Call vote; Ayes (9), Patrick Gagnon, Darla LeClair, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner, John Casavant; Noes (0), None. Motion carried.

President Gagnon presented an award of bid for improvements to Garfield Street, 29th Street to 34th Street; grading and graveling, bituminous paving, some curb work, storm sewer installation and restoration.

A motion was made by Councilmember Powalisz, seconded by Councilmember Shimulunas, to award the bid to Vinton Construction of Manitowoc, in its low bid amount of \$246,918.25. Mr. Buckley noted that there were five bids received, with the low bid being within \$1,000 of engineer's cost estimate. Upon Roll Call vote; Ayes (9), Darla LeClair, Kay Koach, Jack Powalisz, Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner, John Casavant, Patrick Gagnon; Noes (0), None. Motion carried.

President Gagnon presented the approval for the revised State-Municipal agreement for STH 42/Lincoln Avenue reconstruction project, to be undertaken in 2017.

A motion was made by Councilmember Powalisz, seconded by Councilmember Yaggie, to authorize the City Manager to execute the agreement on behalf of the City. Upon Voice vote, motion carried.

City Council Unfinished Business. None.

For Information Only: The City Manager addressed the following:

- - Congratulations and Thank You to Kites Over Lake Michigan Sponsors, Kites & Volunteers
- - Joint Review Board for TID No. 11, Thursday, September 8, 2016, 7:30 AM, City Hall Committee Room

- - Octagon Club Electronics Drive, Community House, Saturday, September 10, 2016, 9 AM – 1 PM
- - Pig to Pig Walk, Saturday, September 10, 2016, 8:00 AM start
- - Senior Center Open House, Tuesday, September 13, 2016, 4 – 6 PM
- - Community Conversation, Lester Library, Wednesday, September 14, 2016, 6 PM with Police Chief Joe Collins & Asst Chief Brian Kohlmeier
- - Senior Center Fish Boil, Friday, September 16, 2016, Noon
- - Salvation Army Bike Ride for Hunger, Saturday, September 17, 2016, 8:30 AM, start at YMCA
- - Main Street Ethnic Fest, Saturday, September 17, 2016, 9 AM – 5 PM
- - Kurtz's Oktoberfest, Saturday, September 17, 2016, 11 AM – 8 PM
- - Prevent Suicide Wisconsin Walk for Hope, Sunday, September 18, 2016, 9 AM, Neshotah Beach
- - TR Water & Light Recycle Day, Tuesday, September 20, 2016, 7:30 AM – 5 PM
- - Progress Lakeshore Pasta for Progress, Thursday, September 22, 2016, 5:30 PM
- - Senior Center Trash to Treasure, Thursday, September 29, 2016, 8:30 AM – 4 PM
- - Harbor Park Ribbon Cutting with Lt. Gov. Rebecca Kleefisch, Friday, September 30, 2016, 10 AM

Closed Executive Session.

At 7:25 PM a motion was made by Councilmember Koach, seconded by Councilmember Powalisz to enter into Closed Sessions, per Wisc. Stats. 19.85(1)(e) to discuss possible City assistance to economic development projects and property acquisition and per Wisc. Stats. 19.85 (1)(f) to discuss a personnel matter. Upon Roll Call vote; Ayes (9), Kay Koach, Jack Powalisz,

Bonnie Shimulunas, Jim Taddy, Brad Yaggie, Mark Bittner, John Casavant, Patrick Gagnon, Darla LeClair; Noes (0), None. Motion carried.

At 8:35 PM a motion was made by Councilmember Yaggie, seconded by Councilmember Bittner, to reconvene in open session. Upon Voice vote, motion carried.

At 8:35 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