

PROCEEDINGS OF COMMON COUNCIL REGULAR MEETING FROM JUNE 5, 2018

Mayor Steve Genisot **called to order**, the regular monthly meeting of the City of Marinette Common Council at 06:05 PM in the City Hall Common Council Chambers, 1905 Hall Avenue, Marinette.

Upon a **call of the roll** it was determined a quorum of Common Council members were present and the following attendance was recorded:

Members Present: 1st Ward – Alderperson Ken Keller; 2nd Ward – Alderperson Jeffrey Skorik; 3rd Ward – Alderperson John Marx; 5th Ward – Alderperson Wally Hitt; 6th Ward – Alderperson Peter Noppenberg; 7th Ward – Alderperson Rick Polzin and Citywide At-Large Seat – Alderperson Dorothy Kowalski.

Absent: 4th Ward Alderperson Brian Walters & 8th Ward Alderperson Wm. Jason Flatt

CITIZEN COMMENTS ON AGENDA ITEMS

There were no citizen comments at tonight meeting.

COMMON COUNCIL MEETING MINUTES

Alderpersons Hitt moved/Noppenberg seconded and all concurred, to **approve as presented**, the regular Common Council meeting minutes from 05/01, **Special 05/22/2018**.

REPORTS OF CITIZEN BOARDS & COMMISSIONS

Alderpersons Hitt moved/Skorik seconded and all concurred, to **accept, as presented**, the various Citizen Board, Department and Commission reports as presented by Mayor Genisot.

STANDING COMMITTEE MEETING MINUTES

Alderpersons Noppenberg moved/Polzin seconded and all concurred, to **accept, as presented**, the following standing committee meeting minutes: (Finance & Insurance Committee minutes – May 15 2018; Personnel & License Committee minutes – May 15, 2018; Board of Public Works Committee minutes – May 15, 2018; Parks & Recreation Committee minutes – May 6, 2018, Public Safety & Code Enforcement- May 21, 2018 & Plan Commission minutes – May 2 & May 16, & Special May 22nd, 2018.)

COMMUNICATIONS

MARINETTE HIGH SCHOOL YOUTH REPRESENTATIVES REPORT:

Jake Anderson and Ben Everson were given an accommodation for their efforts in reporting a monthly report for Marinette High School.

CITIZEN BOARDS AND COMMISSION APPOINTMENTS

Alderperson Marx moved/ Skorik seconded and all concurred to **approve** the Mayor's recommendation of appointment of Mike Shaffer for Police and Fire Commission.

UPDATE REGARDING JOHNSON CONTROL TESTING: Jim Cox and Chris Behrend, Johnson Controls representatives provided and update stating in April they tested 137 homes in the Town of Peshtigo and 97 had no detect, 29 were below the health advisory level and 11 revealed above the health advisory level, these residents have been offered a water filtration system to clean the water before usage. After Memorial Day they started to test Surface Water in ponds and ditches. The representatives also provided resources and a map for residents to contact if they have any questions regarding the testing. A full report will be written regarding the testing by the end of September.

DISCUSSION REGARDING CITY OF MARINETTE SPACE NEEDS.

Mayor Genisot wanted to discuss the ongoing concerns of the space needs at City Hall and the option of possible future sites to relocate the City hall facility. City Engineer Brian Miller stated the Heating and Boiler System and the current facility is failing and there is no longer the capability of getting new parts to fix the failing system. The Common Council discussed other facilities including Marinette County available space on Ella Ct and the soon to be vacant Bay Area facility. Alderperson Skorik spoke on behalf of the Public Safety and Code Enforcement Committee stating the committee feels the Police department should be a top priority as the current facility has many concerns.

MAYOR'S REPORT.

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Mayor Genisot reported the new OSMS open house was on 06/4/18 and the new extended stay is on track to open later this year. Mall redevelopment continues to grow. The Concert in the park series starts on 6/5/18 and continues through August. The Annual Riggs run was held on 6/1 and the 5K event was well attended. Thursday at the Marinette Welcome Center will be a lunch in the park with free music; he also stated they are looking for Craft Vendors to be at the event.

UNFINISHED BUSINESS

CONSIDERATION AND POSSIBLE ACTION REGARDING PAY REQUESTS FOR NEW REC CENTER FROM SCHERRER CONSTRUCTION DRAW 12.

Alderspersons Marx moved/Kowalski seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to **approve, as presented**, the pay request for new REC Center from Hansen Masonry & Concrete LLC. in the amount of \$56,058.75.

Alderspersons Skorik moved/Hitt seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to **approve, as presented**, the pay request for new REC Center from Frank Zeise Construction Co. in the amount of \$86,583.73.

Alderspersons Polzin moved/Noppenberg seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to approve, as presented, the pay request for new REC Center from Crafts Inc. in the amount of \$5,000.00.

Alderspersons Kowalski moved/Skorik seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to approve, as presented, the pay request for new REC Center from Hubert Glass Inc.. in the amount of \$5,000.00.

Alderspersons Hitt moved/Marx seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to **approve, as presented**, the pay request for new REC Center from Omni Glass & Paint Inc. In the amount of \$44,510.00.

Alderspersons Polzin moved/Noppenberg seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to **approve, as presented**, the pay request for new REC Center from Prostar Surfaces Inc. in the amount of \$141,447.42.

Alderspersons Skorik moved/Kowalski seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to **approve, as presented**, the pay request for new REC Center from Fireline Sprinkler in the amount of \$1,447.00

Alderspersons Noppenberg moved/Hitt seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to **approve, as presented**, the pay request for new REC Center from KBK Services Inc. in the amount of \$221,489.90.

Alderspersons Polzin moved/Marx seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to **approve, as presented**, the pay request for new REC Center from Master Electric Inc. in the amount of \$179,866.18.

Mayor Genisot requested Council to **pass** on the pay request for new REC Center from Scherrer Construction Co., Inc.in the amount of \$25,822.25.

PAY REQUESTS FOR NEW REC CENTER FROM SCHERRER CONSTRUCTION DRAW 13

Alderspersons Skorik moved/Hitt seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to **approve, as presented**, the pay request for new REC center from Barley Trucking & Excavating Inc., in the amount of \$9,479.00

Mayor Genisot asked the Common Council to pass on the pay request for new REC Center from Hansen Masonry & Concrete LLC. in the amount of \$18,688.50.

Alderspersons Kowalski moved/Polzin seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to **approve, as presented**, the pay request for new REC Center from Frank Zeise Construction Co. in the amount of \$3,778.00.

Alderspersons Kowalski moved/Noppenberg seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to **approve, as presented**, the pay request for new REC Center from Prostar Surfaces Inc. in the amount of \$28,000.00.

Alderspersons Noppenberg moved/Skorik seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to **approve, as presented**, the pay request for new REC Center from KBK Services Inc. in the amount of \$8,560.00.

Alderspersons Kowalski moved/Noppenberg seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to **approve, as presented**, the pay request for new REC Center from Master Electric Inc. in the amount of \$24,998.45.

Mayor Genisot requested Council to **pass** on the pay request for new REC Center from Scherrer Construction Co., Inc.in the amount of \$17,716.86

CONSIDERATION AND POSSIBLE ACTION REGARDING THE 4TH OF JULY FIREWORKS WITH THE CITY OF MENOMINEE.

Aldersperson Hitt moved/ Noppenberg seconded and upon a call of the roll **motion passed** by a vote of 7 ayes to 0 to **approve** the donation of \$2500.00 to the City of Menominee Fireworks on the 4th of July.

DISCUSSION AND POSSIBLE ACTION REGARDING FINAL PLACEMENT OF STATUES AT MENEKAUNEE HARBOR.

Aldersperson Kowalski moved/ Skorik seconded and upon a call of the roll motion passed by a vote of 7 ayes to 0 to **approve** the placement of two of the three statues (Fisherman and Bear) at Menekaunee Harbor. Aldersperson Hitt further moved/ Noppenberg seconded and upon a call of the roll motion passed by a vote of 7 ayes to 0 to **approve** the placement of all the statues as presented.

NEW BUSINESS

CONSIDERATION AND POSSIBLE ACTION REGARDING PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MARINETTE AND NEWCAP, INC., AND AUTHORIZATION TO ALLOW MAYOR TO SIGN "LETTER OF SITE CONTROL," REGARDING THE FOLLOWING CITY-OWNED PARCELS OF PROPERTY:

- 1) Tax Parcel #: 251-06124.000, formerly known as the "Colonial Building property" (1529 – 1533 Main Street, Marinette, WI 54143);
- 2) Tax Parcel #: 251-06498.000, formerly known as the "Contamone, LLC property" (vacant lot adjacent to former "Colonial Building Property" (1531 Main Street, Marinette, WI 54143);
- 3) Tax Parcel #: 251-06127.000, formerly known as the "Bay Area Medical Center parking lot property" (1515 Main Street, Marinette, WI 54143).

Aldersperson Marx moved/ Hitt seconded and upon a call of the roll the **motion passed** by a vote of 7 ayes to 0 nays to **approve** the proposed Memorandum of Understanding between the City of Marinette and NEWCAP, Inc., and authorization to allow Mayor to sign "Letter of Site Control," regarding the following City-owned parcels of property:

FINANCE AND INSURANCE COMMITTEE

MONTHLY EXPENDITURES: Alderspersons Polzin moved/Noppenberg seconded and upon a call of the roll the **motion passed** by a vote of 7 ayes to 0 nays to **grant advance authorization** to the City Treasurer/Finance Director to pay June 2018 expenditures contingent upon Finance and Insurance Committee approval.

CONSIDERATION AND APPROVAL OF THE MARCH 2018 BUDGET REPORTS:

Aldersperson Noppenberg moved/ Marx seconded and upon a call of the roll the **motion passed** by a vote of 7 ayes to 0 nays to **approve** April 2018 budget reports.

2017 NET INCOME CARRIED OVER INTO FUND BALANCE.

Aldersperson Skorik moved/ Hitt seconded and upon a call of the role motion passed by a vote of 7 ayes to 0 nays to **approve** the carry-over of \$508,000.00 remaining in the 2017 Fund balance moving 50% to Capital Projects and leave the remaining 50% into the Fund Balance.

FUNDING OF WOOD CHIPS FOR PLAYGROUNDS.

Aldersperson Polzin moved/ Noppenberg seconded and upon a call of the role motion passed by a vote of 6 ayes to 1 nay (Aldersperson Keller) to **approve** one load of wood chips for Public Works in the amount of \$2100.00 and to loads for the recreation department in the amount of \$4200.00.

PERSONNEL AND LICENSE COMMITTEE

CONSIDERATION OF TEMPORARY CLASS "B" FERMENTED MALT BEVERAGE LICENSE APPLICATIONS FROM MARINETTE MENOMINEE AREA CHAMBER OF COMMERCE FOR BAY AREA MEDICAL CENTER OPEN HOUSE EVENTS BEING HELD ON JULY 17, 2018 AND JULY 19, 2018 AT 3003 UNIVERSITY DRIVE.

Aldersperson Polzin moved/Kowalski seconded and all concurred, to **grant** a temporary retail Class "B" Fermented Malt Beverage License to Marinette Menominee Area Chamber of Commerce for Bay Area Medical Center Open House events being held on July 17, 2018 and July 19, 2018 at 3003 University Drive.

CONSIDERATION OF CLASS "B" FERMENTED MALT BEVERAGE and intoxicating liquor license application from Twin Eagle, Inc. (Edgewater) for premises located at 16 W. Hosmer Street beginning July 1, 2018 through June 30, 2019

Aldersperson Kowalski moved/Noppenberg seconded and all concurred, to **grant** a Class "B" Fermented Malt beverage and Intoxicating Liquor license to Twin Eagle, Inc. (Edgewater) for premises located at 16 W. Hosmer Street beginning July 1, 2018 through June 30, 2019.

CONSIDERATION OF CIGARETTE AND TOBACCO PRODUCTS RETAIL LICENSE APPLICATION FROM TWIN EAGLE, INC. (EDGEWATER) LOCATED AT 16 W. HOSMER STREET.

Aldersperson Skorik moved/Noppenberg seconded and all concurred, to grant a Cigarette and Tobacco Products Retail License to Twin Eagle, Inc. (Edgewater) located at 16 W. Hosmer Street.

CONSIDERATION OF RECOMMENDATION REGARDING RENEWING RETAIL LIQUOR, BEER AND TOBACCO PRODUCTS LICENSE APPLICATIONS FOR LICENSING PERIOD EXPIRING JUNE 30, 2019.

- Class "B" fermented malt beverage licenses – 3 renewing applicants.
- Class "C" Wine- 1 Renewal
- Class "B" combination fermented malt beverage & intoxicating liquor licenses – 31 renewing applicants.
- Class "A" fermented malt beverage licenses only – 17 renewing applicants.

- Class "A" intoxicating liquor licenses – 14 renewing applicants.
- Retail tobacco products licenses – 19 renewing applicants.

(Motion to grant license, shall be conditioned upon each applicant supplying valid State of Wis. sellers permit number and confirmation of no outstanding debts with local taxing jurisdictions or wholesale alcoholic beverage distributors).

Alderperson Polzin moved/Noppenberg seconded and all concurred, to grant the renewals as presented for licensing period expiring June 30, 2019.

FIFTEEN (15) RENEWAL OPERATOR LICENSE APPLICATIONS

Alderpersons Marx moved/Noppenberg seconded and all concurred, to grant operator licenses to the following fifteen (15) applicants who are renewing their 2-year operator/beverage server license for the period expiring June 30, 2020, to Darian R. Behling, Denise J. Bird, Kim M. Dobbins, Patricia A. Farthing, Norann L. Gurney, Michael A. Johnston, James D. Kessel, Marilu McDonald, Kristin M. Meyer, Carole E. Roubal, Lisa L. Vista, Stacy L. Zelm, Jennifer L. Chaltry, Renee M. Heinz & Nathan A. Luthardt.

FOUR (4) NEW OPERATOR LICENSE APPLICATIONS: Alderpersons Marx moved/Noppenberg seconded and all concurred, to conditionally grant operator licenses to the following four (4) new applicants: Lindsey A Dunlap, Rebecca F. Grace, Cindy L. Kopp & Zachary N. Maye. Each aforementioned operator license applicant, recommended to have licenses granted for the current licensing period expiring 6/30/2020, shall be contingent upon each applicant providing documentation to City Clerk's Office, prior to expiration date of their 60-day provisional operator license, confirming completion of a State of Wis. approved Responsible Beverage Server class and Pursuant to Marinette Municipal Code § 9.0220, Personnel and License Committee Policy No. PLC - 1.0010 and Wis. Stat. § 125.17.

BOARD OF PUBLIC WORKS

CONSIDERATION OF RECOMMENDATION REGARDING THE 2018 MCMAHON AGREEMENT FOR ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM.

Alderperson Polzin moved/ Kowalski seconded and upon a call of the roll motion passed by a vote of 7 ayes to 0 nays to approve the 2018 McMahan Agreement for Illicit Discharge Detection and Elimination Program.

BID RESULTS FOR CONCRETE AT LARGE.

Alderpersons Skorik moved/ Hitt seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to approve the low bid from Ed's Concrete & Masonry, Inc. in the amount of \$25,460.00 for Concrete at large.

CONSIDERATION OF RECOMMENDATION REGARDING BID RESULTS 7TH STREET RECONSTRUCTION, PROJECT #2018-600.

Alderpersons Hitt moved/Noppenberg seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to accept the low bid totaling \$291,971.86 submitted by Barley Trucking & Excavating for 7th Street Reconstruction Project # 2018-600.

CONSIDERATION OF RECOMMENDATION REGARDING PROPOSED CHANGES TO THE CITY REFUSE AND RECYCLING COLLECTION PROGRAM.

Alderpersons Kowalski moved/Polzin seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to accept the presented changes to the city refuse and recycling collection program, which includes an earlier start time of 6:00AM and a full five day collection cycle.

CONSIDERATION AND POSSIBLE ACTION REGARDING BID RESULTS FOR A NEW PAVILION AT MENEKAUNEE HARBOR.

Alderpersons Keller moved/Skorik seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to accept the low bid submitted by La Court Concrete Construction in the amount of \$127,994.39 for new pavilion at Menekaunee Harbor.

CONSIDERATION OF RECOMMENDATION REGARDING MEMORIAL PARK BENCH AT RED ARROW PARK.

Alderpersons Noppenberg moved/Skorik seconded and all concurred to approve the placement of the Memorial Park Bench at Red Arrow Park, contingent upon the placement of the bench is approved by City Engineer Miller.

CONSIDERATION OF RECOMMENDATION REGARDING WDNR STEWARDSHIP GRANT AMENDMENT FOR THE MENEKAUNEE HARBOR PARK PAVILION PROJECT.

Alderpersons Skorik moved/Hitt seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to approve the amendment of \$15,013.00 to the WDNR Stewardship Grant. Total amount of the grant is now \$225,518.00.

PUBLIC SAFETY AND CODE ENFORCEMENT COMMITTEE

RECOMMENDATION REGARDING THE WI-DNR FOREST FIRE FIGHTING EQUIPMENT GRANT.

Fire Chief Heckel stated this is a 50/50 grant and his portions of the funds are in the 2018 budget. Alderpersons Hitt moved/Kowalski seconded and upon a call of the roll the motion passed by a vote of 7 ayes to 0 nays to approve the WDNR

APPROVED ORDINANCE

Please take notice that the City of Marinette enacted the following ordinance listed below on Tuesday June 5, 2018. Pursuant to WI Stat. § 62.11(4)(c)(2) copies of the complete text of ordinance listed below may be obtained at the City of Marinette Clerk's office located at Marinette City Hall, 1905 Hall Ave., Marinette WI or by calling 715-732-5140. Each City of Marinette Ordinance listed below shall take effect on the day after publication in this newspaper or at a later date if expressly prescribed in the ordinance.

ORDINANCE NO. - 2400-Alderspersons Kowalski moved/Polzin seconded and upon a call of the roll the **motion passed** by a vote of 7 ayes to 0 nays to **approve, as presented**, City of Marinette Ordinance No. 2400- Amending 13.2005 Conditional Uses - to allow Brewpub or winery, accessory to a restaurant, tavern, cocktail lounge or package beverage store, provided that no greater than thirty (30%) percent of the gross floor area is devoted to any manufacturing or processing, or storage of beverages produced on premises, provided that brewpubs produce no greater than three thousand (3,000) barrels of fermented malt beverages per year, or, that wineries produce no greater than twenty thousand (20,000) gallons of wine per year, in conformance with §125, Wisconsin Statutes, and the Code of General Ordinances.

ORDINANCE NO. – 2401- Alderspersons Skorik moved/Noppenberg seconded and upon a call of the roll the **motion passed** by a vote of 7 ayes to 0 nays to **approve, as presented**, City of Marinette Ordinance No. 2401- Amending MMC 10.0114(9) Pertaining to Parking Reserved for Vehicles of Disabled.

ORDINANCE NO. - 2402- Alderspersons Kowalski moved/Skorik seconded and upon a call of the roll the **motion passed** by a vote of 7 ayes to 0 nays to **approve, as presented**, City of Marinette Ordinance No. 2402 - Amending MMC 9.1302 Schedule A (Fee Schedule) pertaining to Disabled Parking Violation fee.

ORDINANCE NO. – 2403 -Alderspersons Skorik moved/Kowalski seconded and upon a call of the roll the **motion passed** by a vote of 7 ayes to 0 nays to **approve, as presented**, City of Marinette Ordinance No. 2403 - Amending MMC 9.1302 to establish fees for Commercial Plan Reviews for Plumbing to be performed by Safe Built, the City of Marinette's contracted Building Inspector.

ADJOURNMENT: Alderspersons Polzin moved/Noppenberg seconded and all concurred to adjourn at 7:59 PM.

Lana R. Bero, City Clerk

The next regular Common Council meeting is scheduled for Tuesday July 3, 2018 at 06:00 PM in the Common Council Chambers at Marinette City Hall, Marinette, WI.