

PROCEEDINGS OF COMMON COUNCIL REGULAR MEETING FROM MARCH 7, 2023

Mayor Steve Genisot **called to order**, the regular monthly meeting of the City of Marinette Common Council at 06:00 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: Alderperson 1st Ward- Ken Keller; Alderperson 2nd- Ward Jeffrey Skorik; Alderperson; 3rd Ward – Alderperson Doug Oitzinger; 4th Ward – Alderperson Mike Wolfe; 5th Ward – Alderperson Liz Mikutowski; 6th Ward – Alderperson Debra Klegin; 7th Ward- Alderperson Rick Polzin; 8th Ward- Alderperson Wm. Jason Flatt & Citywide At-Large Seat – Alderperson Dorothy Kowalski.

Absent: None

CITIZEN COMMENTS ON AGENDA ITEMS

None received

COMMON COUNCIL MEETING MINUTES

Alderpersons Skorik moved/Wolfe seconded, and all concurred to approve the regular Common Council meeting minutes from 2/7/2023.

REPORTS OF CITIZEN BOARDS & COMMISSIONS

No action was taken on the various Citizen Board, Department and Commission reports as presented by Mayor Genisot.

STANDING COMMITTEE MEETING MINUTES

Alderpersons Mikutowski moved/Klegin seconded and all concurred, to accept, the following standing committee meeting minutes (Finance & Insurance Committee minutes- February 22, 2023, Board of Public Works Regular Committee minutes – February 22, 2023 & Special February 7, 2023, Personnel & License Committee minutes- February 22, 2023, Public Safety & Code Enforcement Special Committee minutes – February 7, 2023, Plan Commission Committee Minutes- February 1, 2023).

MAYOR'S COMMUNICATIONS & SERVICE AWARDS

MAYOR'S UPDATES INCLUDING LAWSUIT, BAY-LAKE REGIONAL PLANNING COMMISSION TECHNICAL ASSISTANCE GRANT AWARD AND CDC WATER FLUORIDATION QUALITY AWARD.

Police Chief Jon LaCombe presented Lifesaving Awards to Officer Max Neumann and Officer Justin Fischer for their lifesaving action of 1/6/2023 the officers were called to a disturbance at a residence in the City of Marinette. The officers were able to bring order to a chaotic scene, both officers remained poised and provided calming effect to family members who were clearly upset by the condition of their loved one and were able to save a life by providing life saving measures until the victim was transported to the hospital. Both officers need to be commended for their quick and decisive measures to save a man's life. Mayor Genisot presented a letter from the Governor's office, Department of Oral Health to recognize the Marinette Water Utility for their commitment and benefit for the fluoridation of the water, the CDC recognizes the Water Department as 1 of 10 great public achievements. Water Utilities Manager Warren Howard accepted awards for the years 2018, 2019, 2020 & 2021 for fluoridation quality.

Mayor Genisot informed the City Council that four formal lawsuits have been filed by Town of Peshtigo residents, the lawsuits name Johnson Controls/Tyco, Chem Guard/Chem Design and three of the City's contractors that have worked on the Menekaunee Harbor and at some point the city may have some involvement as they sight negligence in dredging the Menekaunee Harbor, for the record the city did not test for PFAS as the city was not aware of PFAS in 2014. All of the contractors were under contracts with the City of Marinette, which was also under direction and funded by the DNR and EPA., we have been subpoenaed for all documents related to the Menekaunee Harbor

Mayor Genisot also informed the Council the pending lawsuit has cost the city's insurance carrier \$79,455.00 before depositions and Ruckert -Mielke will also be called for depositions, at this time the City's Insurance carrier has moved the reserve for the lawsuit from \$120,000 to \$199,500.

Mayor Genisot informed the Common Council the City Public Work crew is working on the Bay Shore Trails and will be bringing an update to the Parks & Recreation Committee.

Notification from Bay Lakes Regional Planning that the City was awarded the Technical Assistant Grant which allows 40 hours of technical assistant which may be used to update the outdoor Recreation Plan and Pedestrian & Bike safety opportunities.

Mayor Genisot asked the Common Council if the April 4th Common Council meeting can be moved to Tuesday April 11th due to the Election. Alderperson Mikutowski moved/ Klegin seconded and all concurred to approve moving the April 4th Common Council meeting to April 11th due to the Spring Election.

MARINETTE HIGH SCHOOL STUDENT REPRESENTATIVE REPORT.

Alex Mammanov presented the student representative report for Marinette High School.

RESCINDING ORDER OF AGENDA

Alderspersons Kowalski moved/Polzin seconded and all concurred, to approved Genisot's request to suspend the order of tonight's meeting agenda and consider agenda item 16a (Resolution No 01-2023) next.

RESOLUTION NO. 01-2023- RESOLUTION CREATING TAX INCREMENTAL DISTRICT NO. 15, APPROVING ITS PROJECT PLAN AND ESTABLISHING ITS BOUNDARIES CITY OF MARINETTE , WISCONSIN.

Joe Murray, Senior Financial Advisor from Ehlers & Associates (via go to meeting) presented the proposed City of Marinette Tax Incremental Finance (TID) # 15 Project Plan located on Roosevelt Rd. The proposed district includes three parcels (City of Marinette Tax Parcel #'s 251-00152.003, 251-00575.000 & 251-00161.003) that encompass a 68.71-acre area. Tax Incremental District ("TID") No. 15 ("District") is a proposed Mixed Use District comprising approximately 69 acres located in the western part of the City, north of Highway 41. The area is commonly referred to as the "former Fleet Farm property". The District will be created to pay the costs of development incentives, public improvements and other project costs needed to facilitate residential, a hotel, other commercial and overall mixed-used development ("Project"). The City does not have an identified developer at this time, but could work with one or multiple developers to accomplish the Project. Not less than 50% (proposed 68.5%) by area of the real property within the District (after removing the 41.60 acres of wetlands) is suitable for mixed use development as defined by Wis. Stat. § 66.1105(2)(cm). Lands proposed for newly-platted residential development comprise no more than 35% (proposed 33.2%) of the real property area within the District (after removing the wetlands). Costs related to newly-platted residential development may be incurred based on the proposed development having a density of at least three (3) units per acre as defined in Wis. Stat. §66.1105(2)(f)3. a, based on the foregoing finding, the District is designated as a mixed-use district. Aldersperson Polzin moved/Kowalski seconded and upon a call of the roll **motion carries** by a vote of 8 ayes to 1 nay (Oitzinger) to **approve** Resolution No- 01-2023– Resolution creating Tax Incremental District No. 15, Approving its Project Plan and Establishing its Boundaries City of Marinette , Wisconsin.

NEW BUSINESS

CONSIDERATION AND POSSIBLE ACTION REGARDING WAIVING BOAT LAUNCH FEES FOR CITY SPONSORED EVENTS.

Alderspersons Polzin moved/Flatt seconded and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **approve** waiving all Boat Launch fees for City sponsored events.

FINANCE AND INSURANCE COMMITTEE

RECOMMENDATION TO GRANT ADVANCE AUTHORIZATION TO PAY MARCH 2023 EXPENDITURES PURSUANT TO WI STAT. §66.0609 CONTINGENT UPON FINAL REVIEW & APPROVAL OF CITY OF MARINETTE FINANCE AND INSURANCE COMMITTEE.

Alderspersons Kowalski moved/Skorik Kowalski and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **grant** advance authorization to the City Treasurer/Finance Director to pay March 2023 expenditures contingent upon Finance and Insurance Committee approval.

CONSIDERATION AND APPROVAL OF JANUARY 2023 BUDGET REPORTS.

Alderspersons Keller moved/Polzin seconded and all concurred to **approve** January 2023 budget reports.

CONSIDERATION OF RECOMMENDATION REGARDING EXTENDING THE AUDIT CONTRACT WITH KERBERROSE FOR ANOTHER THREE YEARS.

Alderspersons Polzin moved/Klegin seconded and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **approve** extending the audit contract with KerberRose for another three years.

CONSIDERATION OF RECOMMENDATION REGARDING ADDITIONAL FUNDING REQUIRED FOR THE FIRE DEPARTMENT FLOOR APPARATUS.

Alderspersons Polzin moved/Klegin seconded and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **approve** additional funding required for the Fire Department Floor Apparatus.

CONSIDERATION OF RECOMMENDATION REGARDING TO APPROVE UP TO \$50,000 FOR CITY HALL MAINTENANCE ON ITEMS SUCH AS AIR HANDLING, CARPET HAZARDS, PHONE REPAIR AND OFFICE SPACE.

Mayor Genisot distributed a list of items that the Finance & Insurance Committee requested. Alderspersons Skorik moved/Kowalski seconded and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **approve** up to \$50,000 for City Hall maintenance on items such as air handling, carpet hazards, phone repair and office space.

CONSIDERATION OF RECOMMENDATION REGARDING INVESTING FUNDS IN TBILLS FOR A BETTER INTEREST RATE.

Alderspersons Polzin moved/Mikutowski seconded and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **approve** investing funds in Tbills for a better interest rate.

CONSIDERATION OF RECOMMENDATION REGARDING ADMINISTRATIVE ASSISTANT POSITION.

Aldersperson Polzin moved/ Keller seconded and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **approve** the administrative assistant position.

CONSIDERATION OF RECOMMENDATION REGARDING CLASS B BEER AND LIQUOR ORIGINAL BEVERAGE RETAIL LICENSE APPLICATION FOR LOS TRES MAGUEYES MEXICAN RESTAURANT LOCATED AT 2025 MARINETTE AVENUE, UNIT A.

Aldersperson Skorik moved/ Wolfe seconded and all concurred to approve the Class B Beer and Liquor Original Beverage Retail License for Los Tres Magueyes Mexican Restaurant located at 2025 Marinette Avenue, Unit A.

CONSIDERATION OF RECOMMENDATION REGARDING TEMPORARY CLASS "B" FERMENTED MALT BEVERAGE AND WINE LICENSE APPLICATION FOR ST. THOMAS AQUINAS ACADEMY FOR SPRING AUCTION AND FISH FRY(S) BEING HELD ON MARCH 26, 2023, MARCH 31, 2023 AND APRIL 7, 2023 AT 1200 MAIN ST.

Alderspersons Kowalski moved/Klegin seconded and all concurred, to approve the Temporary Class "B" fermented Malt Beverage and wine license application for St. Thomas Aquinas Academy for spring auction and fish fry(s) being held on March 26, 2023, March 31, 2023 and April 7, 2023 at 1200 Main St.

CONSIDERATION OF TEMPORARY CLASS "B" FERMENTED MALT BEVERAGE APPLICATIONS FOR MARINETTE MENOMINEE AREA YOUTH HOCKEY ASSOCIATION FOR DANGLE FEST HOCKEY TOURNAMENT AND LYLE "CHUMMY" MCDONALD MEMORIAL HOCKEY TOURNAMENT BEING HELD ON MARCH 31-APRIL 2, 2023, AND MARCH 24-26, 2023 RESPECTIVELY AT 2501 PIERCE AVE

Alderspersons Wolfe moved/Oitzinger seconded and all concurred (Polzin abstained) to approve Temporary Class "B" fermented Malt Beverage license for Marinette Menominee Area Youth Hockey Association for Dangle Fest Hockey Tournament and Lyle "Chummy" McDonald Memorial Hockey Tournament being held on March 31-April 2, 2023, and March 24-26, 2023 respectively at 2501 Pierce Ave

CONSIDERATION AND POSSIBLE ACTION REGARDING SIX (6) NEW OPERATOR LICENSE APPLICATIONS.

Pursuant to Marinette Municipal Code § 9.0220, Personnel and License Committee Policy No. PLC - 1.0010 and Wis. Stat. § 125.17, Aldersperson Mikutowski moved/Skorik seconded and all concurred to grant operator licenses to the following six (6) new applicants: Cayla M. Charlesworth, Erin M. Hammerberg, Angelia T. Lents, Dylan E. Oudeans, Burke J. Pihney & Nivannah Runnoe (contingent upon Nivannah paying all fines due to the City of Marinette). Each aforementioned operator license applicant, recommended to have licenses granted for the current licensing period expiring 6/30/2024, 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.

CIVIC AFFAIRS, TRAFFIC LIGHTS & CEMETERY COMMITTEE

CIVIC AFFAIRS, CEMETERY, TRAFFIC & LIGHTS DID NOT HAVE A MONTHLY COMMITTEE FOR THE MONTH OF FEBRUARY.

BOARD OF PUBLIC WORKS

CONSIDERATION OF RECOMMENDATION REGARDING RECYCLING DURING THE CHRISTMAS HOLIDAY SEASON.

Aldersperson Oitzinger moved/Kowalski seconded and upon a call of the roll motion carries by a vote of 8 ayes to 1 nay (Mikutowski) to approve the changes as presented for recycling during the Christmas Holiday Season.

CONSIDERATION OF RECOMMENDATION REGARDING BOAT LAUNCH PAY STATIONS.

Included in packet is a VenTek International Pay Station Kiosk that includes a breakdown of costs for the boat launch pay station. Aldersperson Kowalski moved/ Polzin seconded and upon a call of the roll motion carried by a vote of 9 ayes to 0 nays to approve as presented the VenTek International Model pay station for Menekaunee Harbor in the amount of \$11,926.00.

CONSIDERATION OF RECOMMENDATION REGARDING BOAT LAUNCH FEES.

Aldersperson Skorik moved/Kowalski seconded and upon a call of the roll motion carries by a vote of 9 ayes to 0 nays to approve increasing the daily boat launch fees from \$3 to \$5 and keeping the annual fee at the current rate of \$25.00.

CONSIDERATION OF RECOMMENDATION REGARDING BID RESULTS FOR FIRE DEPARTMENT MAKEUP AIR UNIT, PROJECT NO. 2023-600.

Bid results were included in today's packet. The results reflect three (3) bidders responded to the request for proposals. Bidders were required to submit prequalification documentation prior to submitting a bid. Valley Mechanical was the only contractor to submit prequalification documentation.

Aldersperson Oitzinger moved/Keller seconded and upon a call of the roll motion carries by a vote of 9 ayes to 0 nays to approve the bid from Valley Mechanical, Menominee MI in the amount of \$72,900.00

DISCUSSION AND POSSIBLE RECOMMENDATION TO THE COMMON COUNCIL REGARDING BID RESULTS FOR CHIP SEAL, PROJECT NO. 2023-500.

Bid results were included in today's packet. The results reflect one (1) bidder responded to the request for proposals and the sole bid totaling \$172,201.40 was submitted by Fahrner Asphalt Sealers, LLC. Also Included is a memorandum from Director of Public Works Miller regarding the Chip Seal & Spray Patch bid results, In the memorandum Miller stated the bid came in

\$29,201.40 over budget, eliminating the Chip seal on either White St or Taylor St would reduce the project cost below the budget amount. The cost reducing strategy removing White Street was discussed with Fahrner and they agreed to reduce their contract to the budget amount of \$143,000. Alderperson Polzin moved/Wolfe seconded and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **approve** the adjusted bid with removing White Street totaling \$143,000 submitted by Fahrner Asphalt Sealers, LLC.

DISCUSSION AND POSSIBLE RECOMMENDATION TO THE COMMON COUNCIL REGARDING BID RESULTS FOR STORM SEWER IMPROVEMENTS ROOSEVELT ROAD DITCH, PROJECT NO. 2023-600.

Included in today's packet is a memorandum from Public Works Director Brian Miller stating the project was identified in the Tax Increment Finance District (TID) No. 14 Project Plan as a fundable project. The project will also be partially funded from the Storm Water Utility. Bid results showing four (4) bidders responded to the request for proposals with the low bid totaling \$236,786.25 submitted by Peter's Concrete Company.

Alderperson Oitzinger moved/ Skorik seconded and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **approve** the low bid totaling \$236,786.25 submitted by Peter's Concrete Company.

BID RESULTS FOR 2023 SEASON REQUIREMENTS OF CONSTRUCTION MATERIALS FOR ASPHALT.

Bid results were included in today's packet. The results reflect one (1) bidder responded to the request for proposals and the sole total base bid totaling \$104,917.00 submitted by Northeast Asphalt, Inc. 1524 Atkinson Dr, Green Bay WI 54303.

Alderperson Kowalski moved/ Polzin seconded and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **approve** the sole total base bid totaling \$104,917.00 submitted by Northeast Asphalt, Inc. 1524 Atkinson Dr, Green Bay WI 54303 for 2023 season requirements – Asphalt.

BID RESULTS FOR 2023 SEASON REQUIREMENTS OF CONSTRUCTION MATERIALS FOR GRAVEL.

Bid results were included in today's packet. The results reflect two (2) bidders responded to the request for proposals and the low total base bid totaling \$1,100.00 was submitted by Peters Concrete Co. 1516 Atkinson Drive, Green Bay WI, 54143.

Alderperson Skorik moved/Klegin seconded and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **approve** the low total base bid totaling \$1,100.00 submitted by Peters Concrete Co. 1516 Atkinson Drive, Green Bay WI, 54143 for 2023 season requirements – Gravel.

BID RESULTS FOR 2023 SEASON REQUIREMENTS OF CONSTRUCTION MATERIALS FOR TOPSOIL.

Bid results were included in today's packet. The results reflect two (2) bidders responded to the request for proposals and the low total base bid totaling \$1,805.00 was submitted from Havelka Construction, W4559 US Hwy 41, Wallace, MI 49893.

Alderperson Skorik moved/ seconded and all concurred, to **recommend the Common Council approve** the low total base bid from Havelka Construction, W4559 US Hwy 41, Wallace, MI 49893 in the amount of \$1,805.00 for 2023 season requirements – Topsoil.

DISCUSSION AND POSSIBLE RECOMMENDATION TO THE COMMON COUNCIL REGARDING THE 2022 ANNUAL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) REPORT.

Alderperson Skorik moved/Polzin seconded and all concurred to **recommend the Common Council approve** the 2022 Annual Municipal Separate Storm Sewer System (MS4) Report as presented.

PARKS AND RECREATION COMMITTEE

PARKS AND RECREATION COMMITTEE DID NOT HAVE A MONTHLY COMMITTEE FOR THE MONTH OF FEBRUARY.

PUBLIC SAFETY AND CODE ENFORCEMENT COMMITTEE

PUBLIC SAFETY AND CODE ENFORCEMENT DID NOT HAVE A MONTHLY COMMITTEE FOR THE MONTH OF FEBRUARY.

PLAN COMMISSION

CONSIDERATION OF RECOMMENDATION REGARDING CERTIFIED SURVEY MAP (CSM) SUBMITTED BY RANDALL J. OETTINGER OF MACH IV ENGINEERING & SURVEYING, GREEN BAY, WI FOR KS LARGE BORE PISTONS, LLC. MARINETTE, WI, PERTAINING TO THE PROPOSED COMBINATION OF LOTS AS DESCRIBED IN DOCUMENT #600721 AT PARSEK STREET AND ANGWALL DRIVE, MARINETTE, WI

Alderperson Skorik moved/ Kowalski seconded and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **approve** the Certified Survey Map (CSM) submitted by Randall J. Oettinger of Mach IV Engineering & Surveying, Green Bay, WI for KS Large Bore Pistons, LLC. Marinette, WI, pertaining to the proposed combination of lots as described in Document #600721 at Parsek Street and Angwall Drive, Marinette, WI.

RESOLUTIONS

(Copies of complete text of the resolutions described below have been placed on file at the City of Marinette Clerk's office.)

RESOLUTION NO. 02-2023- APPROVING WORLD MIGRATORY BIRD DAY.

Aldersperson Kowalski moved/Flatt seconded and upon a call of the roll **motion carries** by a vote of 9 ayes to 0 nays to **approve** Resolution No 02-2023- Approving World Migratory Bird Day.

ADJOURNMENT: Alderspersons Flatt moved/Kowalski seconded and all concurred to adjourn at 7:29 PM

Lana Bero, City Clerk

The next regular Common Council meeting is scheduled for Tuesday April 11th, 2023 at 06:00 PM in the Common Council Chambers at Marinette City Hall, Marinette, WI.
