

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
REGULAR MEETING
Monday, August 19, 2019 – 6:00 PM
Council Chambers – City Hall
MINUTES**

1. **CALL TO ORDER** by President Patrick Gagnon at 6:00 PM.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL BY CITY CLERK**

Attendee Name	Title	Status	Arrived
Jay Remiker	Councilmember	Present	
Bill LeClair	Councilmember	Present	
Bonnie Shimulunas	Councilmember	Present	
Curt Andrews	Vice-President	Present	
David England	Councilmember	Present	
Erin Gonnerman	Councilmember	Absent	
Jack Powalisz	Councilmember	Present	
Mark Bittner	Councilmember	Present	
Patrick Gagnon	President	Present	

Also present were Jeff Dawson, Lester Library Director; Kevin Boehm, Parks and Recreation Director; Jim McDonald, Public Works Director; Steve Denzien, Fire Chief; Brian Kohlmeier, Assistant Chief of Chief; Dave Dassey, City Information Technology; Jack Bruce, City Attorney and Greg Buckley, City Manager.

4. **CONSIDERATION OF ANY COUNCIL MEMBER REQUESTS TO PARTICIPATE IN THIS MEETING FROM A REMOTE LOCATION**

None.

5. **PUBLIC HEARING**

None.

6. **INPUT FROM THE PUBLIC**

None.

7. **COUNCIL COMMUNICATIONS**

Letters and other communications from citizens

Councilmember Shimulunas stated she received a request from a citizen of Two Rivers to have a meeting where citizens can bring discussions forward without a time limit. She reported that she has set up a session on Wednesday, August 21, 2019 in the Berringer Room of the Community House.

Councilmember Bitter asked about the status of placement of the Water Trail signs. Mr. Buckley stated he will have them put up this week. Councilmember Bittner asked to consider the part-time inspector position and for options to streamline some of the processes to be online. Mr. Buckley stated he will put this topic on the next Work Session meeting.

Councilmember Andrews stated that he has received positive comments on the recent Movie on the Beach.

Councilmember England stated that he also has received positive comments on the Movie on the Beach.

Council President Gagnon stated that a recent parking issue due to a pot hole in the middle of the street and the no parking signs on side of 17th Street was done in a timely matter with thanks to Police Department and Department of Public Works.

8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

Councilmember Powalisz, one of the Council representatives to the Advisory Recreation Board, stated that members of that board have received many positive reports on the new concessionaire, especially at the operation at the beach with reliable hours.

Councilmember Shimulunas, Public Utilities Committee stated that she watched the new vacor truck clean the tank at Wastewater in less than two hours rather than 3 days. She gave recognition to the crew for a job well done

Councilmember Bittner, Manitowoc Area Visitor & Convention Bureau Board stated that organization is looking at ways to improve tourism in both communities.

9. CITY MANAGER'S REPORT

A. Invited Guests

Mr. Buckley called upon Jim Zadalis, retired Air Force Major General, to address the Council. General Zadalis reported that he has been working on consolidating a list of fallen service members from Two Rivers for the local American Legion.

When working on the list, he discovered Two Rivers had a Medal of Honor recipient Staff Sergeant Andrew Miller, who was killed in World War II. He would like to set up a non profit with the goal of putting up a statue for a memorial to this individual. General Zadalis stated that he would like to see the statue located across from the Civil War statue in Central Park. He is requesting approval from the City Council, so he can work for soliciting donations. Mr. Buckley agree to place this on the next Work Session meeting agenda for discussion.

Mr. Buckley called upon Kevin Boehm to introduce Emma Aumiller as the new Parks & Recreation Supervisor. The City Council welcomed Ms. Aumiller.

B. Status/Update Reports

1. South Breakwater Trail

Mr. Buckley reported the Public Works Department in July completed the outermost segment of the trail, at the south breakwater on Lake Michigan.

The project also includes interpretive signage and a mural across the back of Seagull Marina maintenance building.

The \$125,000 project is being funded in part with a \$48,000 grant from Wisconsin's Coastal Management Program and a \$30,000 grant from the West Foundation.

The project will be completed this year. WI DNR recently approved grant extension to December 31, 2019.

Asphalt paving bids will be opened Friday, August 23 and presented for Council action at meeting on August 26.

2. Community Development Director/City Planner Recruitment

Mr. Buckley reported the applications were due by July 1. Phone interviews with 5 semi-finalist candidates were completed the week of August 5 with the City Manager, City Clerk/HR Director and Council President Gagnon.

On-site assessments were completed on August 14 and 15, and included a meet and greet with the City's management team an interview with a panel consisting of City Manager, City Clerk/HR Director, Police Chief and Council President Gagnon and Council Vice President Andrews.

A top candidate has been identified; pending a final background and reference check and an offer of employment should be extended this week.

3. Paragon Partners Foreclosure and Sheriff's Sale

Mr. Buckley reported the Company has defaulted on repayment of \$750,000 City loan and \$250,000 County loan. City and County are in a joint first mortgage position; have obtained a foreclosure judgment.

Sheriff's Sale is scheduled for Tuesday, August 20 at 9:00 AM.

Goals: Recoup funds owed the City and County loan programs and see the Paragon property returned to productive use.

4. Two Creeks Solar Groundbreaking Aug. 22, 2019

Mr. Buckley stated the 150 megawatt project is being constructed by Wisconsin Public Service and Madison Gas and Electric.

The 100 megawatt Point Beach Solar Project, to be built by Next Era Energy under a long-term purchase power contract with WPPI Energy, the City of Two Rivers' electrical energy supplier. That project is slated to break ground in 2020.

5. Memorial Drive Wayside Property Transfer

Mr. Buckley reported the County deeded its parcels to City on June 27. The City received proposed language for deeds from WisDOT to City on July 31. Expect for all parcels to transfer to City ownership by end of August.

The WisDOT has agreed to continue its contract with Ascend Services for wayside maintenance, through September 30.

The berms at the monument site feature natural vegetation and are unmowed. This is also the case for areas along Forget-Me-Not Creek and the bridge leading from the wayside parking lot to the monument. While these areas look a bit “rough” now, their appearance will improve over time.

6. 2019 TID Values

Mr. Buckley shared a chart of the 2019 TID Equalized Values for Tax Incremental Districts, as Reported by WI Department of Revenue.

7. Mandated Reduction in Cable Franchise Fees--State Budget Item

Mr. Buckley reported that the 2019-21 State Budget, adopted by the Legislature in June and signed by Governor Evers on July 3, reduces franchise fees (“video provider fees”) paid by cable subscribers and forwarded by cable providers to local municipalities, by 1 percentage point, effective in 2020. The budget provides for State to make locals whole for lost revenues

Most local franchise fees are equal to 5 percent of the cable bill.

In Two Rivers, cable franchise fees in 2018 totaled \$131,358, as revenue to the City’s General Fund. Reduction by one percentage point would amount to \$26,272 for the City. Original legislation would have committed the State to replacing these revenues for 10 years; Gov. Evers partial veto makes that funding commitment ongoing. The City filed required paperwork for reimbursement in mid-August.

8. Recent Events

Mr. Buckley reported on recent events.

9. Upcoming Events

Mr. Buckley reported Copper Box Band will be on the Neshotah Beach Rotary Pavilion on August 25 from 4-7 PM. The 14th Annual Kites Over Lake Michigan will be Saturday, August 31 and September 1, 2019. The Wall that Heals, a half-scale replica of the Vietnam Veterans Memorial, will have a motorcycle escort from the Two Rivers National Guard Armory to the Manitowoc County Expo Center, starting at 4:00 PM on Tuesday, September 10. Area residents will be encouraged to come attired in red, white and blue, waving American flags, to welcome the wall to our area.

10. Other

Mr. Buckley reported \$18,070 has been achieved on the Phase 1 fund-raising goal of \$30,000 to decorate the single-headed light poles for the entire length of downtown Washington Street, from the bridge to 22nd Street. The cost per pole is \$500.

Mr. Buckley stated the Community branding project is underway. The project consultant Civic Brand of Richardson, TX, made an initial visit to Two Rivers July 17-20. During that visit, the Civic Brands Team: Met with City Council, Branding and Marketing Committee, and representatives of Main Street, TRBA and other groups. They experienced Two Rivers firsthand with visits to the beach, Rogers Street Fishing Village, the Hamilton Wood Type and Printing Museum and Woodland Dunes.

Civic Brand will return to Two Rivers September 18 - 22, for a visit that will include a public input session on Thursday, September 19, 6:00 to 8:00 PM. More details to

come.

Mr. Buckley reported that the representatives of SmithGroup spent the day in Two Rivers on July 10. They met with 4 area property owners and City staff during the day and met for nearly 2 hours with the 9-member Citizen Planning Committee that evening.

The SmithGroup team returned on July 31, to review and solicit feedback on some preliminary concepts for this important gateway to TR's downtown and harbor district.

Mr. Buckley reported on the \$6.3 million project construction of a new, 4-story, 55 room hotel on the city's downtown waterfront. The Site and Architectural Plan Review slated for September 9 Plan Commission Meeting and asked if the Council wishes to plan on a joint meeting? The plans for groundbreaking are pending.

C. Legislative/Intergovernmental Update

10. CONSENT AGENDA

A. Presentation of Minutes

1. **2019-131** City Council - Regular Meeting July 1, July 15 and August 5, 2019

Recommended Action:

Motion to waive reading and adopt the minutes

B. Applications and Petitions

1. **2019-132** Minutes of Meetings

- a. Committee on Aging, July 1, 2019
- b. Lester Library Board, July 9, 2019
- c. Public Works, August 5, 2019
- d. Public Utilities, August 6, 2019
- e. Plan Commission, August 12, 2019

Recommended Action:

Motion to receive and place on file

2. Applications for Operator's License – Recommended for Approval

- a. Tamara D. Hartlich, 2304A Monroe Street, Two Rivers
- b. Karri Lynn Koch, 207 Redwood Court, Francis Creek
- c. Destiny L. Lee, 812 State Street, Apt 1W, Manitowoc
- d. Jody J. LeGreve, 2322 13th Street, Two Rivers
- e. Jenna L. Miller, 1310 Madison Street, Two Rivers
- f. Travis L. Nikson, 2414 Adams Street, Two Rivers
- g. Abby S. Novachek, 1436 terrace Court, Two Rivers
- h. Mackenzie B. Peltier, 15533 County Road B, Mishicot
- i. Isaiah M. Polich, 4717 Laurie Lane, Two Rivers

Recommended Action:

Motion to approve the applications and authorize the City Clerk to issue the licenses

3. Application for Taxi License

- a. Brad E. Smith, 1318 School Street, Two Rivers

Recommended Action:

Motion to approve the application and authorize the City Clerk to issue the license

4. Application for Taxi Driver License

- a. Brad E. Smith, 1318 School Street, Two Rivers

Recommended Action:

Motion to approve the application and authorize the City Clerk to issue the license

C. Reports

1. **2019-133** Department Reports for July 2019

- a. Electric
- b. Fire
- c. Inspections
- d. Lester Public Library
- e. Parks & Recreation
- f. Police Annual Report 2016-2018
- g. Public Works/Wastewater
- h. Safety Program
- i. Water

Recommended Action:

Motion to receive and file

2. **2019-134** Summary of Verified Bills for the Month of July 2019 for \$1,493,899.20Recommended Action:

Motion to receive and place on file

RECOMMENDED ACTION FOR CONSENT AGENDA

Motion to approve the Consent Agenda with the various actions recommended

RESULT: **APPROVED WITH VOICE VOTE [UNANIMOUS]**

MOVER: Jay Remiker, Councilmember

SECONDER: Jack Powalisz, Councilmember

AYES: Remiker, LeClair, Shimulunas, Andrews, England, Powalisz, Bittner, Gagnon

ABSENT: Gonnerman

11. CITY COUNCIL - FORMAL ITEMS

A. Recommendation from Plan Commission Meeting of August 12, 2019

- 1. Conditional Use Permit to operate an Indoor and Outdoor Recreational Facility in the I-1 Industrial District at 1206 - 25 Street, submitted by John Schwarz Jr., d/b/a Scare USA

(business owner) and John Schwarz Sr., Schwarz Marine Co. (property owner)

Recommended Action:

Motion to set Public Hearing for Tuesday, September 3, 2019 at 6:00 PM

RESULT:	APPROVED WITH VOICE VOTE [UNANIMOUS]
MOVER:	David England, Councilmember
SECONDER:	Curt Andrews, Vice-President
AYES:	Remiker, LeClair, Shimulunas, Andrews, England, Powalisz, Bittner, Gagnon
ABSENT:	Gonnerman

12. FOR INFORMATION ONLY

- A. Music in the Park Series, Thursday, August 22, 2019, 6:00 PM, Bella Musik, Central Park
- B. Walk for the Fallen, Saturday, August 24, 2019, 10 AM, Neshotah Beach. Wisconsin Family of the Fallen Boot Memorial, Friday, August 23, 2019 at Central Park.
- C. Bands on the Beach-Copper Box, Sunday, August 25, 2019, 4:30-8 PM, Rotary Pavilion Neshotah Beach
- D. City Council Work Session, Monday, September 30, 2019, 6:00 PM
- E. Music in the Park Series, Thursday, August 29, 2019, 6:00 PM, Amy Jo and the Down Glow, Central Park
- F. Kites Over Lake Michigan, Saturday August 31 and Sunday, September 1, 2019, Neshotah Beach
- G. City Hall Closed, Monday, September 2 in Observance of Labor Day
- H. City Council Regular Meeting, Monday, September 16, 2019, 6:00 PM
- I. Two Rivers Water & Light Recycle Event, September 10, 2019, 7:30 AM to 5:00 PM, 1415 Lake Street (Next Door to McDonalds)

13. CLOSED SESSION

At 7:05 PM, a motion to enter into Closed Session, per Wisc. Stats 1985(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 reason require a closed session; Discuss Possible City Assistance to Economic Development Projects; 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.

And per Wisc. 19.85(1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved; Confer with legal counsel regarding property acquisition matters likely to be the subject of litigation; Discuss Current Litigation Matter.

And per Wisc. Stats. 19.85(1) (c) considering employment, promotion, compensation or

performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; Consider Employee Compensation/Benefits Matter; Consider Waiver of Personnel Policy Requirement with Respect to Potential New Hire

RESULT: **APPROVED ROLL CALL [UNANIMOUS]**
MOVER: Bill LeClair, Councilmember
SECONDER: Jay Remiker, Councilmember
AYES: Remiker, LeClair, Shimulunas, Andrews, England, Powalisz, Bittner, Gagnon
ABSENT: Gonnerman

14. RECONVENE IN OPEN SESSION

At 8:25 PM, a motion to reconvene in open session and to consider possible actions in follow-up to closed session discussions.

RESULT: **APPROVED VOICE VOTE [UNANIMOUS]**
MOVER: David England, Councilmember
SECONDER: Bill LeClair, Councilmember
AYES: Remiker, LeClair, Shimulunas, Andrews, England, Powalisz, Bittner, Gagnon
ABSENT: Gonnerman

Motion to direct City Manager to prepare a Resolution with respect to the waiver of Residency Policy 15 mile radius to facilitate hiring of top candidate, Elizabeth Runge, waiving of the residency policy for Community Development Director/City Planner subject to reference checks in concurrence with recommendations from City Manger and that of the screening committee.

RESULT: **APPROVED ROLL CALL [UNANIMOUS]**
MOVER: Mark Bittner, Councilmember
SECONDER: Curt Andrews, Vice-President
AYES: Remiker, LeClair, Shimulunas, Andrews, England, Powalisz, Bittner, Gagnon
ABSENT: Gonnerman

15. ADJOURNMENT

At 8:29 PM, a motion to dispense with the reading of the minutes of the meeting and adjourn.

RESULT: **APPROVED VOICE VOTE [UNANIMOUS]**
MOVER: David England, Councilmember
SECONDER: Jay Remiker, Councilmember
AYES: Remiker, LeClair, Shimulunas, Andrews, England, Powalisz, Bittner, Gagnon
ABSENT: Gonnerman

Kim M. Graves
City Clerk