

**CITY OF TWO RIVERS  
COUNCIL PROCEEDINGS  
REGULAR MEETING  
Monday, April 6, 2020 – 6:00 PM  
Council Chambers – City Hall  
MINUTES**

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**1. CALL TO ORDER** by President Curt Andrews at 6:02 PM.

NOTE: Per Governor's Executive Order and Local Emergency Proclamation, related to the COVID-19 pandemic, this meeting was held remotely, via Zoom video/audio conference.

**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      | President      | Present |         |
| David England     | Councilmember  | Present |         |
| Erin Gonnerman    | Councilmember  | Present |         |
| Jack Powalisz     | Vice-President | Present |         |
| Mark Bittner      | Councilmember  | Present |         |
| John Casavant     | Councilmember  | Present |         |

Also participating remotely were Jeff Dawson, Lester Library Director; Al Schaeffer, Interim Parks and Recreation Director; Jim McDonald, Public Works Director; Steve Denzien, Fire Chief; Brian Kohlmeier, Police Chief; Ross Blaha, Water Director; Dave Buss, Finance Director; Elizabeth Runge, Economic Development Director/City Planner; Rick Powell, EDP Supervisor; Jack Bruce, City Attorney and Greg Buckley, City Manager.

**4. ANNOUNCEMENT OF METHODS FOR PUBLIC PARTICIPATION IN THIS REMOTE MEETING**

Options for the public to view and participate in this meeting were reviewed by the Council President.

**5. PUBLIC HEARINGS**

- A. **2020-072** Ordinance to Change Zoning from R-3 Single and Double Family Residence District to B-1 Business District for 2121 Adams Street, submitted by Riley Haupt (owner) and David O'Brien, Baylakes Buildings as agent for Aaron Abt (developer)

Recommended Action:

Motion to waive reading and adopt the Ordinance

President Andrews opened the first call, no one addressed the Council.

On the second and third calls, no one addressed the Council. President Andrews closed the hearing.

**RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]**

**MOVER:** Jack Powalisz, Vice-President

**SECONDER:** Bonnie Shimulunas, Councilmember

**AYES:** Remiker, LeClair, Shimulunas, Andrews, England, Gonnerman, Powalisz, Bittner, Casavant

- B. **2020-073** Conditional Use Permit to establish the Tidy Store of Two Rivers, a gas station including a convenience store, at the northeast corner of 16th and Monroe Streets in the B-2 Business District, submitted by Virginia Craven (property owner) and Basu Dev Adhikari (buyer)

Recommended Action:

Motion to waive reading and approve the conditional use permit, as recommended by the Plan Commission

President Andrews opened the first call, no one addressed the Council.

On the second and third calls, no one addressed the Council. President Andrews closed the hearing.

**RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]**

**MOVER:** Mark Bittner, Councilmember

**SECONDER:** Jay Remiker, Councilmember

**AYES:** Remiker, LeClair, Shimulunas, Andrews, England, Gonnerman, Powalisz, Bittner, Casavant

- C. **2020-074** Ordinance to Change Zoning from R-1 Single Family Residence District to C-2 Conservancy District for a 65.04 Acre Parcel in the 3800 Block of Lincoln Avenue for the Establishment of the Van der Brohe Arboretum and Bird Sanctuary, submitted by John Durbrow (agent)

Recommended Action:

Motion to waive reading and adopt the Ordinance

President Andrews opened the first call, no one addressed the Council.

On the second and third calls, no one addressed the Council. President Andrews closed the hearing.

**RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]**

**MOVER:** Bill LeClair, Councilmember

**SECONDER:** John Casavant, Councilmember

**AYES:** Remiker, LeClair, Shimulunas, Andrews, England, Gonnerman, Powalisz, Bittner, Casavant

- D. **2020-075** Ordinance to add "Event Facility/Assembly Hall" as a Conditional Use in the C-2 Conservancy District

Recommended Action:

Motion to waive reading and adopt the Ordinance

President Andrews opened the first call, no one addressed the Council.

On the second and third calls, no one addressed the Council. President Andrews closed the hearing.

**RESULT:** APPROVED WITH ROLL CALL [UNANIMOUS]

**MOVER:** Mark Bittner, Councilmember

**SECONDER:** Erin Gonnerman, Councilmember

**AYES:** Remiker, LeClair, Shimulunas, Andrews, England, Gonnerman, Powalisz, Bittner, Casavant

**6. INPUT FROM THE PUBLIC**

None.

**7. COUNCIL COMMUNICATIONS**

Letters and other communications from citizens

None.

**8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES**

None.

**9. CITY MANAGER'S REPORT**

A. Invited Guests

B. Status/Update Reports

1. COVID-19 Update

Mr. Buckley reported that Manitowoc County as of April 6 has 3 confirmed cases of COVID-19 and Wisconsin has 2,440 confirmed cases with 77 deaths. He stated that he issued a City Emergency Proclamation on March 20, which was affirmed by the Council on March 30.

Effective April 6 and until further notice, City Hall is closed to the public except for voting access as a polling location on April 7. The Library, Community House and other City facilities remain closed to the public. City Parks and trails are open and per the Governor's Safer at Home order the playgrounds are closed.

2. April 7 Election Update

Mr. Buckley reported on the pending court appeals, but also noted that the City is still prepared to conduct the April 7 election with the four normal polling places to be open from 7:00 AM to 8:00 PM. Protective measures have been taken for poll workers and the public with the 6 foot distancing in lines to be enforced, plexiglass

barriers between the poll workers and voters. Hand sanitizers, masks, face shields and gloves are available to the poll workers. He also thanked everyone who has requested an absentee ballot. 1,645 absentee applications have been received and 1,114 being returned and 531 in-person absentee ballots cast.

3. Downtown Hotel Project

Mr. Buckley stated that the hotel is still scheduled to be completed and open in the Summer of 2020 a \$6.3 million project for fifteen area investors in the Two Rivers Hotel Group, LLC assisted with a City TIF Grant totaling \$750,000 and \$250,000 WEDC Grant.

4. WPS - Two Rivers AMI Meter Replacement Program

Mr. Buckley reported on the WPS Two Rivers Automated Metering Interface (AMI) project. The gas utility has contracted with the City's Electric Utility to place its network equipment on utility poles.

5. Other

Mr. Buckley reported it is anticipated the Culver's will be breaking ground late spring or early summer. The Culver's location is at the corner of 22nd Street and Washington Street.

Mr. Buckley reported the Woodland Dunes Nature Center is completing a 5,000 SF addition and the construction is expected to be completed by April 21, 2020. The addition will provide opportunities to accommodate larger groups for educational purposes, and to serve as a meeting and event space.

Mr. Buckley stated Riverside Foods is adding 8,826 square feet to its existing building. The construction has started and is expected to be completed by August 1, 2020. The Company is making a \$6.9 million investment and will add at least 30 jobs. Overall project completion, including equipment installation, should be completed by year-end.

Mr. Buckley reported the City has just sold a lot in the Sandy Bay Highlands Subdivision in March 2020 and continue to be open to working with developers. Marketing activity is ongoing with the listing agent Amy Townsend of Berkshire Hathaway.

Mr. Buckley reported the City is working with an interested party on the 606 Parkway Boulevard, former Paragon building and anticipates movement on this property.

C. Legislative/Intergovernmental Update

**10. CONSENT AGENDA**

A. Presentation of Minutes

1. **2020-076** Regular City Council Minutes- March 2, 2020

Recommended Action:

Motion to waive reading and adopt the minutes

B. Applications and Petitions

1. Application for Operator's License - Recommended for Approval

- a. Todd A. Denfeld, 2745 10th Street, Apt B, Two Rivers
- b. Alanna M. Fabian, 2915 38th Street, Two Rivers
- c. Leann K. Welens, 1922 Adams Street, Apt A, Two Rivers

Recommended Action:

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

C. Reports

1. **2020-077** Minutes of Meetings

- a. Room Tax commission, March 18, 2020
- b. Personnel and Finance Committee, March 27, 2020

Recommended Action:

Motion to receive and place on file

2. **2020-078** Finance Reports

- a. Debt Service, December 2019
- b. General Fund, December 2019
- c. Lester Library, December 2019
- d. 4th Quarter Utilities, 2019

Recommended Action:

Motion to receive and place on file

3. **2020-079** Summary of Verified Bills for the Month of March 2020 for \$3,803,926.30

Recommended 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:** Jack Powalisz, Vice-President

**SECONDER:** Erin Gonnerman, Councilmember

**AYES:** Remiker, LeClair, Shimulunas, Andrews, England, Gonnerman, Powalisz, Bittner, Casavant

**11. CITY COUNCIL - FORMAL ITEMS**

- A. **2020-080** Resolution Authorizing Three-Year Borrowing of \$550,000 at 2.5 Percent Annual Interest from the State Trust Fund Loan Program, Administered by the Board of Commissioners of Public Lands of Wisconsin, for Financing Water and Sewer Laterals (To Be Repaid from Special Charges to Property Owners)

Recommended Action:

Motion to waive reading and adopt the Resolution

**RESULT:** APPROVED WITH ROLL CALL [UNANIMOUS]  
**MOVER:** Bonnie Shimulunas, Councilmember  
**SECONDER:** Bill LeClair, Councilmember  
**AYES:** Remiker, LeClair, Shimulunas, Andrews, England, Gonnerman, Powalisz, Bittner, Casavant

- B. Resolution Increasing Daily Boat Launch Fees from \$5.00 to \$8.00 (Recommendation by the Advisory Recreation Board)

Recommended Action:

Motion to waive reading and adopt the Resolution

Council members expressed concerns about the timing of such a fee increase and noted that it would make Two Rivers' daily fee higher than that in Manitowoc. Mr. Buckley pointed out that, while the Advisory Recreation Board recommended no increase in the season fees, those are substantially lower than Manitowoc or Kewaunee.

**RESULT:** FAILED [4 TO 5]  
**MOVER:** Mark Bittner, Councilmember  
**SECONDER:** Jack Powalisz, Vice-President  
**AYES:** England, Gonnerman, Powalisz, Bittner  
**NAYS:** Remiker, LeClair, Shimulunas, Andrews, Casavant

## 12. FOR INFORMATION ONLY

- A. Cemetery Clean Up: Remove Winter Decoration by April 15. New Summer decorations may be placed after May 15.
- B. City Council Meeting, Monday, May 4, 2020, 6:00 PM—Remote Meeting
- C. City Council Re-Organizational Meeting, Tuesday, April 21, 2020, 6:00 PM—Remote Meeting
- D. City Council Work Session Meeting, Monday, April 27, 2020, 6:00 PM—Remote Meeting
- At 7:20 PM Councilmember Powalisz left the meeting.

## 13. CLOSED SESSION

At 7:20 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: Culver's, Other

-- Discuss Matter Pertaining to a Public Works Construction Project

And per Wisc. 19.85(1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved

-- Discuss Recent Notice of Threatened Litigation

-- Discuss Matter Pertaining to a Public Works Construction Project

NOTE: Live-streaming, televising, Zoom access and other means of monitoring the meeting by the public concluded at this time, after the City Manager announce that. The Council's only action upon reconvening in open session would be to adjourn the meeting

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

#### 14. RECONVENE IN OPEN SESSION

At 8:20 PM, a motion to reconvene in open session.

**RESULT:**     **APPROVED VOICE VOTE [UNANIMOUS]**  
**MOVER:**     Bonnie Shimulunas, Councilmember  
**SECONDER:** John Casavant, Councilmember  
**AYES:**       Remiker, LeClair, Shimulunas, Andrews, England, Gonnerman, Bittner,  
                  Casavant  
**ABSENT:**     Powalisz

#### 15. ADJOURNMENT

At 8:20 PM, a motion to dispense with the reading of the minutes of the meeting and adjourn.

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

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Kim M. Graves  
City Clerk