

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
REGULAR MEETING
Monday, June 1, 2020 – 6:00 PM
Council Chambers – City Hall
- ZOOM MEETING
- MINUTES**

1. CALL TO ORDER by President Curt Andrews at 6:00 PM.

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

2. PLEDGE OF ALLEGIANCE AND VIDEO RENDITION OF "GOD BLESS AMERICA" BY THE TRHS SHOW CHOIR

3. ROLL CALL BY CITY CLERK

Attendee Name	Title	Status	Arrived
Adam Wachowski	Councilmember	Present	
Bill LeClair	Councilmember	Present	
Bonnie Shimulunas	Councilmember	Present	
Curt Andrews	President	Present	
Darla LeClair	Councilmember	Present	
Jack Powalisz	Vice-President	Present	
Jay Remiker	Councilmember	Present	
John Casavant	Councilmember	Present	
Mark Bittner	Councilmember	Present	

Also present were Jeff Dawson, Lester Library Director; Jim McDonald, Public Works Director; Steve Denzien, Fire Chief; Ken Kozak, Electric Director; Brian Kohlmeier, Police Chief; 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. CONSIDERATION OF ANY COUNCIL MEMBER REQUESTS TO PARTICIPATE IN THIS MEETING FROM A REMOTE LOCATION

None.

5. PUBLIC HEARING

- A. **2020-122** Public Hearing Regarding Proposed Application for Community Development Block Grant CDBG Public Facilities (CDBG-PF) Program Funds 24th Street Roadway and Utility Improvements

Recommended Action:

Motion to submit application

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 VOICE VOTE [UNANIMOUS]**
MOVER: Jack Powalisz, Vice-President
SECONDER: Bill LeClair, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner

6. INPUT FROM THE PUBLIC

Charles Hagen addressed the Council asking why the City is considering building a retention pond on a garbage dump, the area was the location of a tannery where animal hides were processed. His questions were, what's in the dump, where is the test report that was paid for and what was, in fact, tested? Why is the City even considering this site? Are there other candidate sites? Can the City suspend this work until citizens get back on their feet?

Mr. Hagen asked about the power rates being billed to customers and why the City has a power supply contract with WPPI Energy that extends to the year 2055. He requested 2-3 quotes for power from other sources, including Great Lakes Utilities, with this activity being overseen by Councilmember Wachowski.

Mr. Hagen asked why businesses in Two Rivers are consistently bypassed for vendors outside of the City and requested a resolution by Council that the City directs its spending, where competitively possible, toward Two Rivers suppliers.

Mr. Hagen also requested a referendum to be placed on the November Election ballot to ask the Citizens of Two Rivers to switch to a mayoral form of City Government.

Councilmember Shimulunas asked Jim McDonald, Public Works Director, Ken Kozak, Electric Director and Ross Blaha, Water Director to address the utility rate questions from Mr. Hagen.

7. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

Councilmember Powalisz expressed concerns about the need for grass cutting on the Thermo Fisher property and regarding trees and shrubs hanging over Neshotah Road. Mr. Buckley stated that Public Works will check on these issues.

Councilmember Wachowski asked whether there are plans for an Advisory Recreation Board meeting. Mr. Buckley stated the next Advisory Recreation Board meeting is scheduled for June 9, 2020.

Councilmember Bitter stated that all businesses are important, and the Chamber Small Business Relief fund applications are now available. He stated the reduced license fee for 26 taverns was a relief already given to those businesses.

Councilmember Andrews reminded all councilmembers that when posting on Face book they should refrain from being hostile and remember they work for the citizens. He stated

the Personnel and Finance will be considering language for an ethics ordinance to hold councilmembers accountable, such ordinance to be brought back to the council for its consideration.

8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

None.

9. CITY MANAGER'S REPORT

A. Invited Guests

B. Status/Update Reports

1. Congratulations to the TRHS Parents, Students, School District Staff and Everyone Involved in the Banner Project Honoring 2020 Graduating Seniors

Mr. Buckley congratulated the Two Rivers High School parent, students, school district staff and everyone involved in the banner project honoring the 2020 graduating seniors.

2. Thank You to Everyone Who Participated in the Virtual Memorial Day Program and the Parks and Rec Department's Tribute

Mr. Buckley thanked everyone who participated in the virtual Memorial Day program and the Parks and Recreation Department tribute.

3. Plans for Re-Opening City Hall and Other City Facilities, Following COVID-19 Related Closures

Mr. Buckley reported the following plans for re-opening City Hall and other City facilities, following the COVID-19 related shutdown.

City Hall will re-open its lobby Monday, June 15 to allow access to the Police Department window and the Customer Service window from 10:00 AM to 4:00 PM daily; other offices will remain available by appointment only.

The Community House plans to re-open the entire building, except the Senior Center, for normal hours as of June 15; including the room rentals. Recreation programming will start to resume with precautions. The Senior Center plans to re-open front counter June 15 the rest of the facility remains closed to the public until further notice. Meals on Wheels will continue, and the Center on June 2 began offering cold lunches for curbside pickup. Resumption of congregate noon meals at the Aging and Disability Resource Center; it may be several months before congregate meals resume.

The park shelters are now available for booking. Neshotah restrooms are open and all other park restrooms will be open June 5, supplied with hand sanitizer dispensers. Blow dryers have been temporarily de-activated.

Lester Public Library curbside and on-line services continue with the re-opening of the building being deferred until at least July 1, per the Board and the Director.

All other City Departments are accessible by appointment only.

4. July 4 Fireworks

Mr. Buckley reported Two Rivers will light up the sky on July 4, capping off Independence Day with its always-popular fireworks display, shot from the outfield at Walsh Field on 22nd Street. Due to COVID-19 concerns, there will be no public access to any area inside the fences at Walsh Field, and there will be no pre-fireworks entertainment. He encouraged resident to enjoy the fireworks while practicing safe distancing at various viewing locations around the city. He also thanked the fireworks sponsors.

5. Summer 2020 Concerts and Movies at Central Park, Neshotah Beach and Walsh Field

Mr. Buckley reported on the 2020 Two Rivers Central Park Concert Series, Bands on the Beach and the Outdoor Movies schedules. He also stated as of June 1, the Director of the Municipal Band advised that, after polling of his members, a decision has been made to cancel the Band's 2020 Season; this impacts three Central Park concert dates.

6. Small Business Grant Program in Conjunction with Chamber of Manitowoc County and City of Manitowoc--Accepting Applications Starting at 9:00 AM on Tuesday, June 2, 2020

7. Public Works Department 2020 Crack Sealing Program on City Streets

Mr. Buckley reported the Public Works Department recently completed an ambitious 2020 crack sealing program on City Streets. A total of 4.84 miles of concrete streets were treated.

8. Permanent Repairs to Street Openings from 2019 Lead Water Service Lateral Replacements

Mr. Buckley reported that work is being done at 40 location for permanent repairs to street openings from the 2019 lead water service lateral replacement project.

9. Status of Proposed Ordinance Changes Related to Beer Gardens and Sidewalk Cafes

Mr. Buckley reported that additional staff work is needed on the project and will be presented for possible action on the June 15, 2020 City council agenda/

10. Other

C. Legislative/Intergovernmental Update

10. CONSENT AGENDA

A. Applications and Petitions

1. Application for Temporary Class B License

- a. Friends of the Two Rivers Senior Center, Central Park Concert Series, July 2, 8, 16, 23, 30; August 6, 20, 27, 2020, 1710 West Park Street, 5:30 - 8:00 PM

Recommended Action:

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

B. Reports

1. **2020-123** Minutes of Meetings

- a. Business and Industrial Development Committee/Community Development Authority, April 28, 2020
- b. Personnel and Finance Committee, May 13, 2020
- c. Zoning Board of Appeals, May 19, 2020
- d. Board of Review, May 27, 2020

Recommended Action:

Motion to receive and place on file

Councilmember Powalisz left the meeting at 8:15 PM.

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: Darla LeClair, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner

11. CITY COUNCIL - FORMAL ITEMS

- A. Award of Bid for Riverview Pond--Low Hazard Report from Staff and Representatives of McMahon Associates (Tabled from June 1 City Council Meeting)

Recommended Action:

Motion to award the bid to Vinton Construction, in its low bid amount of \$1,582,480.07

RESULT: TABLED [UNANIMOUS] **Next: 6/15/2020 6:00 PM**
MOVER: Darla LeClair, Councilmember
SECONDER: Jay Remiker, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

- B. **2020-124** Resolution Authorizing CDBG Application to Commit Matching Funds

Recommended Action:

Motion to waive reading and adopt the Resolution

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: Darla LeClair, Councilmember
SECONDER: Bonnie Shimulunas, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

- C. **2020-125** CDBG Application: Adopt Resolution Prohibiting the Use of Excessive Force

Recommended Action:

Motion to waive reading and adopt the Resolution

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: Bonnie Shimulunas, Councilmember
SECONDER: Mark Bittner, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

- D. **2020-126** CDBG Application: Adopt Plan Residential Anti-Displacement and Relocation Assistance Plan

Recommended Action:

Motion to waive reading and adopt the Resolution

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: Mark Bittner, Councilmember
SECONDER: Bill LeClair, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

- E. **2020-127** Resolution Declaring Official Intent to Reimburse Expenditures from the Proceeds of Borrowing--2021 Water Main, Sewer and Lateral Replacement Projects

Recommended Action:

Motion to waive reading and adopt the Resolution

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: Darla LeClair, Councilmember
SECONDER: Bonnie Shimulunas, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

- F. **2020-128** Resolution Appointing Authorized Representative to File Applications for Financial Assistance from the Wisconsin Environmental Improvement Fund Safe Drinking Water Loan Program and Clean Water Fund Program

Recommended Action:

Motion to waive reading and adopt the Resolution

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: John Casavant, Councilmember
SECONDER: Bill LeClair, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

- G. **2020-129** Resolution Waiving Interest and Penalties on Property Taxes on Third Installment of 2019 Property Taxes

Recommended Action:

Motion to waive reading and adopt the Resolution

RESULT: **APPROVED WITH ROLL CALL [UNANIMOUS]**
MOVER: Bonnie Shimulunas, Councilmember
SECONDER: Jay Remiker, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla
 LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

- H. **2020-130** Memorandum of Understanding with Manitowoc County, Addressing 2019 Tax Collection and Tax Settlement Matters Related to City and County Waiver of Interest and Penalties on Third Installment of 2019 Property Taxes

Recommended Action:

Motion to authorize the City Manager and City Clerk to sign the Memorandum of Understanding on behalf of the City

RESULT: **APPROVED WITH VOICE VOTE [UNANIMOUS]**
MOVER: Bill LeClair, Councilmember
SECONDER: Bonnie Shimulunas, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla
 LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

- I. Discussion and Possible Action Regarding Resumption of In-Person Meetings of the City Council, Council Committees and Citizen Boards, Committees and Commissions
1. Report from City Attorney Regarding Ability to Limit Public Attendance at the In-Person Meetings (COVID-19 Related Physical Separation Concerns)
 2. Continued Ability of Council Members to Attend Meetings Via Zoom
 3. Effective Date for Resumption of In-Person Meetings of City Council and Council Committees
 4. Effective Date for Resumption of In-Person Meetings of Citizen Boards, Committees and Commissions

Recommended Action:

Motion to open June 15, 2020

RESULT: **APPROVED WITH VOICE VOTE [UNANIMOUS]**
MOVER: Jay Remiker, Councilmember
SECONDER: Bonnie Shimulunas, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla
 LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

- J. **2020-131** Adoption of 2020-2021 Goals for the City and City Manager--Recommended for Approval by Personnel and Finance Committee at Its Meeting of April 15; Distributed to City Council with April 20 Agenda; Referred to May 27 Work Session, Where They Were Reviewed in Detail

Recommended Action:

Motion to adopt the 2020-2021 Goals

Discussion took place asking what happens when the goals are not met. Councilmember Bittner stated the Personnel & Finance Committee will evaluate and ask why they weren't met and report to the City Council. The goals will move the City forward.

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: Mark Bittner, Councilmember
SECONDER: Bill LeClair, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

- K. Consider the Possibility of Removing a Parking Lot or Portion of a Parking Lot at Neshotah Beach, to Create More Room for Beach Activities in Light of Record-High Lake Michigan Water Levels

Recommended Action:

Motion to barricade certain areas of parking lots for people to recreate and move parking to ball diamond at Neshotah Lots 1, 4 and 5, starting with spaces closes to the beach.

Discussion took place with Councilmember B. LeClair suggesting we barricade certain sections and use the parking lots to set up tents, tables and chairs instead of ripping out the parking lot. He also suggested using the ball diamond on Pierce Street for parking.

Councilmember Bittner stated the need to do something for tourism and accomplish objectives.

Staff will come up which parking lots to barricade, starting with Lot 1 to make best accommodations with the handicap parking spaces.

RESULT: APPROVED WITH VOICE VOTE [UNANIMOUS]
MOVER: Bill LeClair, Councilmember
SECONDER: Mark Bittner, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

- L. Correspondence from Rogers Street Fishing Village, Pertaining to Agreement of Sale/Redevelopment of Former Rogers Street Motel Property

Recommended Action:

Motion to refer to the June 29, 2020 Work Session

RESULT: APPROVED WITH VOICE VOTE [UNANIMOUS]
MOVER: Jay Remiker, Councilmember
SECONDER: Adam Wachowski, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

12. FOR INFORMATION ONLY

- A. City Council Meeting, Monday, July 6, 2020, 6:00 PM
- B. City Council Work Session Meeting, Monday, June 29, 2020, 6:00 PM

13. CLOSED SESSION

No closed session.

14. ADJOURNMENT

At 10:06 PM, a motion to dispense with the reading of the minutes of the meeting and adjourn.

RESULT:	APPROVED VOICE VOTE [UNANIMOUS]
MOVER:	Darla LeClair, Councilmember
SECONDER:	Adam Wachowski, Councilmember
AYES:	Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker, John Casavant, Mark Bittner
ABSENT:	Jack Powalisz

Kim M. Graves
City Clerk