

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
REGULAR MEETING
Monday, August 3, 2020 – 6:00 PM
Council Chambers – City Hall
MINUTES**

Note: To better accommodate public input during the Governor's Emergency Mask Order, citizens may call 920-793-5534 when the Council President requests public input (meeting can be viewed on City Website, www.two-rivers.org, on Two Rivers City Hall Face book page or Spectrum Two Rivers cable channel 993)

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

2. **PLEDGE OF ALLEGIANCE**

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	Vice-President	Present	
Jack Powalisz	Councilmember	Present	
Jay Remiker	Councilmember	Present	
John Casavant	Councilmember	Present	
Mark Bittner	Councilmember	Present	

Also present were Jeff Dawson, Library Director; Steve Denzien, Fire Chief; Brian Dellemann, Head Lineman; 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. **CONSIDERATION OF ANY COUNCIL MEMBER REQUESTS TO PARTICIPATE IN THIS MEETING FROM A REMOTE LOCATION**

None.

5. **PUBLIC HEARING**

- A. **2020-159** Ordinance to Change Zoning from R-3 Single and Double Family Residence District to B-1 Business for the Property Known as Lenny's II, 2113 Jefferson Street, Submitted by Mark Henrickson (owner)

Recommended Action:

Motion to waive reading and adopt the Ordinance as recommended by the Plan Commission

President Andrews opened the first call.

Dorthory Tinkham Delo addressed the Council, stating that is opposed to spot zoning and did not want another residential area turned into a bar area.

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

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]

MOVER: Adam Wachowski, Councilmember

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

A. Lift Station Issue--Representatives of Washington Highlands Condo Association

James Brotke, 2707 River Lane addressed the Council regarding concerns about the lift station serving their condominiums being property of the sixteen condo owners who reside in that area. He noted that the City monitors and maintains 19 other lift stations and that his association wishes the City would take over the Washington Highlands lift station. He feels they aren't receiving the same services as others in the City.

Mr. Buckley stated that this concern will be addressed at the August 4 Public Utilities Committee meeting, he suggested that the committee look at a special meeting on this issue with the condo owners' group.

B. Other

1. Dorothy Tinkhan Delo, 2100 Garfield Street stated that Frontier is in bankruptcy and the City should provide everyone with Charter/Spectrum internet services.

2. Ann Knapp, 2101 East River stated that dogs are running loose on the beach and the need to reinforce the requirement that people clean up after their dogs. Mr. Buckley stated that the Advisory Recreation Board will look into this concern.

3. Jeff Dahlke, 3727 Adams Street asked for an update at the next council meeting regarding handicap access to the North Pier.

7. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

Council President Andrews stated that he received a letter regarding mask requirement coverage. He stated that the City has no authority to overturn the Governor's order on masks.

Mr. Buckley stated that he had received an e-mail from a concerned citizen, who felt that the City should shut down Neshotah Beach due to COVID-19 concerns. He stated that he responded to this concern by saying that the City is keeping outdoor facilities open and relying on people judgment when it comes to social distancing at the beach, parks and trails.

Councilmember Wachowski received a concern about the signage on dogs at the beach.

8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

Councilmember Bittner, Chairperson of the Personnel & Finance Committee stated that the committee is working on a report for tracking progress on the City's goals and expect s to report back next month with a standard format for such reports.

9. CITY MANAGER'S REPORT

A. Invited Guests

1. Introduction and Swearing in New Part-Time Police Officer Casey Clarksen

Brian Kohlmeier, Police Chief introduced Part-Time Police Officer Casey Clarksen and City Clerk Graves administered the Oath of Office.

2. Maxwell Tegen, Blood Drive Friday, August 7, Behringer Room

Mr. Buckley introduced Maxwell Tegen, Two Rivers Eagle Scout. Max is planning his seventh annual blood drive to be held from 9 a.m. to 2 p.m. Friday, August 7, in the Behringer Room at the Two Rivers Community House.

B. Status/Update Reports

1. City Actions Related to Governor's Mask Order (Executive Order 82, Emergency Order 1)

Mr. Buckley reported signage was installed at City buildings, advising the public of the need to wear masks and that employees at indoor locations are required to wear masks when away from their work stations.

2. Selection of New Communication Coordinator--Whitney Froelich (contract position)

Mr. Buckley stated Whitney Froelich is the new Communication Coordinator, a contracted position.

3. Recent Personnel Changes

Mr. Buckley reported that Customer Service Supervisor, Jane Marcelle, who held the position since January 2019, recently announced her resignation and Melissa Tadych, Customer Service Billing Clerk since 2006 has been promoted to Customer Service Supervisor.

He then reported that the police lieutenant promotional process to fill the vacancy created by the promotion of Ben Meinnert to Assistant Chief that was completed last week. Patrol Officer Robert Strandt (hired January 2019) will soon begin his duties as lieutenant.

Mr. Buckley reported on other recent personnel changes. Part-time police officer Casey Clarkson was sworn-in tonight, a part-time police clerk position was vacated due to a resignation in mid-June and the vacancy is on-hold pending more information on the 2021 Budget. Also, Parks and Recreation Department Recreation Supervisor, Emma Aumiller, is the position since August 2019, recently resigned to take another position, this vacancy is on-hold pending more information on the 2021 Budget.

4. Downtown Hotel Development Project

Mr. Buckley reported the new downtown Cobblestone Hotel opened July 31 and ribbon-cutting event is planned for August 20.

5. City Work in East River Street/Jefferson Street Corridor--2020 Capital Budget Item

Mr. Buckley reported City crews last week stripped gravel from City property across the city-owned lots across Jefferson Street from the hotel and installed topsoil, grass seed and mulch. A contractor set the large stones along the harbor side of East River Street dead end sections. The stones placed along the west side are just stored there temporarily.

6. Culver's Project Cancellation

Mr. Buckley stated City staff learned on July 23 that the developer/franchisee Aaron Abt would not be moving forward with the project at the SE corner of 22nd and Washington Streets. He added that the City remains committed to working with property owners in this area who are still interested in selling their properties for redevelopment. Noting recent social media comments on this matter, the City Manager stated that the developer's decision to not proceed with the project had nothing to do with timeliness on the City's part, the terms for redevelopment agreement were finalized in March and all zoning approvals were completed in May. No public funds were paid out to the Developer; the City borrowed \$250,000 for its funding commitment per the Development Agreement, but still hold those funds.

7. Corps of Engineers Harbor Dredging/Beach Nourishment Project

Mr. Buckley reported on the Corps of Engineers dredging/beach nourishment project taking place.

8. New Signage for Spirit of the Rivers Wayside

Mr. Buckley reported the planned new signage, to be installed at either end of the wayside opposite Woodland Drive, has been approved by the SOTR Committee and the artist. The signs should be installed within two weeks.

9. Recent Events--Crazy from the Heat Softball Tournament, Beach Concerts

Mr. Buckley reported on the successful Crazy from the Heat Softball Tournament that was held July 31-August 2 at Vietnam Vets Park and on Nash Vegas Concert on August 1.

10. Upcoming Events--Outdoor Movies, Beach Concerts, Car Show and Cruise

Mr. Buckley reported on the 2020 Two Rivers Central Park Concert Series, Bands on the Beach and the Outdoor Movies schedules.

He also mentioned the Catamaran Racing Association of WI Two Rivers Regatta on August 8-9 Neshotah Beach and on Lake Michigan. Celebrate Two Rivers will be held Saturday, August 29, Walsh Field from 4-10 PM. The next Recycle Event will be Tuesday, August 25 at Two Rivers Water & Light, 1415 Lake Street from 8 AM-4:30 PM.

11. Dedication of Library/Lakeshore Park Trail in Memory of Patrick Gagnon--Sunday, August 16 at 1:30 PM

Mr. Buckley reported the Library/Lakeshore Park Trail will be dedicated to the memory of Patrick Gagnon, along with a bench dedication and awarding of the Leonard Stangel Community Service Award, at a ceremony to be held Sunday, August 16 at 1:30 PM.

12. Other

Mr. Buckley stated that he is aware of citizen concerns about repair of streets following lead lateral replacement and other utility work. 40 locations around the City were left graveled over the Winter, from lead lateral replacements in 2019. As of today, 30 permanent repairs have been completed, with a total investment of 740 person hours by DPW crews.

In 2020, there have been several (about 10) additional utility excavations to replace lead laterals or do repairs to water services. There is a total of about 20 locations that still need to be addressed.

Work on the east side, where lateral replacements first started last year, was completed in mid-July, except for one location. Crews are now completing repairs on the north side-that area should be done by Friday, August 14. Repairs on the south side should begin the third week in August and be completed by mid-September.

C. Legislative/Intergovernmental Update

10. CONSENT AGENDA

A. Presentation of Minutes

1. **2020-160** Regular City Council Minutes-July 6, 2020

Recommended Action:

Motion to waive reading and adopt the minutes

B. Applications and Petitions

1. Application for Temporary Class B License

- a. Manitowoc County Mariners, Football Game, Walsh Field, August 8, 2020, 4:00-10:00 PM

Recommended Action:

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

2. Application for Taxi Driver License

- a. Dwight R. Gibson, 2615 Forest Avenue, Two Rivers

Recommended Action:

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

3. Application for New Landscape/Tree Removal License -Recommended for Approval

- a. B&B Tree Service, LLC, 6815 E Hillcrest Road, Two Rivers

Recommended Action:

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

C. Reports

1. **2020-161** Minutes of Meetings

- a. Business & Industrial Development Committee/Community Development Authority, June 30

Recommended Action:

Motion to receive and place on file

2. **2020-162** Finance Reports

- a. Debt Service, June 2020
- b. General Fund, June 2020
- c. Lester Library, June 2020
- d. 2nd Quarter Utilities

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: Jay Remiker, Councilmember

SECONDER: Jack Powalisz, 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. **2020-163** Noise Ordinance Waiver Request for Wedding at Whisky D's, August 8, 2020 2:00 - 9:00 PM, 1215 26th Street in Beer Garden (to allow Business District Sound Limit of 70db)

Recommended Action:

Motion to approve the request as submitted

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]

MOVER: Jay Remiker, Councilmember

SECONDER: Darla LeClair, Vice-President

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

- B. **2020-164** Board and Commission Vacancies Requiring Appointments

- 1. Community Development Authority
 - a. Tracey Koach, term to expire May 1, 2024
- 2. Business Improvement District Board

- a. Chow Chong, Unique Flying Objects term to expire May 1, 2021
 - b. Bill Kiel, Carron Net Company term to expire May 1, 2023
 - c. Marv Moore, The Medicine Shoppe term to expire May 1, 2023
 - d. Amy MacMillin, First Anderson Real Estate term to expire May 1, 2023
3. Zoning Board of Appeals
- a. David England as Alternate, term expiring May 1, 2023
 - b. Greg Erickson as Alternate, to a term expiring May 1, 2021

Recommended Action:

Motion to approve the various appointments as recommended by the City Manager

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

C. **2020-165** Resolution Regarding Membership of Environmental Advisory Board

Recommended Action:

Motion to waive reading and adopt the Resolution

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

D. **2020-166** Resolution Dissolving Community Development Block Grant Housing Committee and Transferring Responsibilities to the Community Development Authority

Recommended Action:

Motion to waive reading and adopt the Resolution

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

ACTIONS PERTAINING TO THE CITY'S COMMITMENT TO FAIR HOUSING

E. **2020-167** Ordinance to Repeal Section 3-6-1 and Renumber Section 3-6-2 of the Municipal Code Regarding Fair and Open Housing

Recommended Action:

Motion to waive reading and adopt the Ordinance

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

- F. **2020-168** Resolution Regarding Appointments to the Commission for Equal Opportunities in Housing

Recommended Action:

Motion to waive reading and adopt the Resolution

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

12. FOR INFORMATION ONLY

- A. In Person Absentee Voting for the August 11, 2020 Partisan Primary is available Monday through Friday at City Hall between the hours of 8:00 AM and 4:30 PM and on Friday, August 7, 8:00 AM - 5:00 PM
- B. Music in the Park Series, Thursday, August 6, 2020, 6-8 PM, Dorf Kapelle, Central Park
- C. Bands on the Beach-Honeygoats, Sunday, August 9, 2020, 2-5 PM, Rotary Pavilion Neshotah Beach
- D. 2020 Partisan Primary on Tuesday, August 11, 2020. Polling Hours of 7 AM - 8 PM at the four Polling Locations--Grace Congregational Church, St. Peter the Fisherman Parish Center, City Hall and Koenig School
- E. Sundae Thursday, Thursday, August 13, 2020, Central Park, 5:30 - 7:30 PM
- F. Outdoor Movie on the Big Screen: Field of Dreams, Friday, August 14, 6:00 PM, Walsh Field
- G. Cool City Classic Car Cruise, Friday, August 14, 2020, 4-9 PM; Downtown Two Rivers
- H. Cool City Annual Car Show, Saturday, August 15, 2020, Central Park, 10 AM – 4 PM
- I. City Council Regular Meeting, Monday, August 17, 2020, 6:00 PM
- J. City Council Work Session Meeting, Monday, August 31, 2020, 6:00 PM

13. CLOSED SESSION

At 7:53 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, Others. Discuss Status of Negotiations Regarding Former Hamilton Property. Discuss Status of Negotiations Regarding Sale or Lease of Former Paragon Property.

RESULT: **APPROVED ROLL CALL [8 TO 1]**
MOVER: Jack Powalisz, Councilmember
SECONDER: Darla LeClair, Vice-President
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla
 LeClair, Jack Powalisz, John Casavant, Mark Bittner
NAYS: Jay Remiker

Motion to allow Councilmember Wachowski to participate via phone in Closed Session.

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

14. RECONVENE IN OPEN SESSION

At 8:45 PM, a motion to reconvene in open session and consider possible actions in follow-up to closed session discussions.

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

15. ADJOURNMENT

At 8:45 PM, a motion to dispense with the reading of the minutes of the meeting and adjourn.

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

Kim M. Graves
City Clerk