

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
REGULAR MEETING
Monday, August 17, 2020 – 6:00 PM
Council Chambers – City Hall
MINUTES**

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, Lester Library Director; Jim McDonald, Public Works Director; Steve Denzien, Fire Chief; Ken Kozak, Electric Director; Brian Delleman, Electric; 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**

Motion to allow Councilmember Wachowski to participate remotely by phone.

RESULT: APPROVED VOICE VOTE [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

5. **PUBLIC HEARING**

None.

6. INPUT FROM THE PUBLIC (PERMITTED BY PHONE DURING GOVERNOR'S MASK ORDER)

Jayne Rulseh, 1409 24th Street addressed the Council by phone regarding the cost of repairs on the 2021 Street and Utility Improvement Project on 24th, 25th and Madison Street. She stated Public Works Committee should take a look at the City's assessment policy with possibly using tools for pursuing other options or funds from borrowing or creating a TID.

7. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

Councilmember Bittner stated that he received a letter regarding the recently filled communication position. He stated the position is a part-time, contracted position. Two persons were interviewed with the hiring of Whitney Froelich for 20-25 hours per week.

Council President Andrew stated that he received a concern from Peter Becker about parking problem at the new beach area. He suggested limiting parking to one side of the street to eliminate congestion on Zlatnik Drive.

8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

None.

9. CITY MANAGER'S REPORT

A. Invited Guests

1. Introduction and Swearing in Police Lieutenant--Robert Strandt

Brian Kohlmeier, Police Chief introduced Police Lieutenant Robert Strandt and City Clerk Graves administered the Oath of Office.

B. Status/Update Reports

1. Parks and Recreation Department Temporary Curtailment of Services and Activities

Mr. Buckley reported that in the interest of protecting the health and safety of our residents and employees and following the guidance of the Manitowoc County Health Department, the City has closed public access to the J.E. Hamilton Community House from Friday, August 14 through at least Sunday, August 23, 2020. Outdoor activities remain ongoing. This follows the exposure of several employees to COVID-19.

2. Cobblestone Hotel Ribbon-Cutting: Thursday, August 20 at 12:00 Noon

Mr. Buckley reported the downtown Cobblestone Hotel grand opening event is Thursday, August 20, 2020 from 12:00 PM - 2:00 PM.

3. State Department of Revenue Report on 2020 Equalized Valuations

Mr. Buckley reported the City's Equalized Valuation is up 4 percent over 2019. Residential values are up 5%, with existing residential up 4%, commercial values up 1%, manufacturing values up 4%.

4. Status of City's Active Tax Incremental Districts--2020 Equalized Valuations from Department of Revenue

Mr. Buckley reported on the status of the City's active tax incremental districts.

5. 2020 Budget: YTD Statistics for Room Tax Proceeds, Launch Ramp Fees

Mr. Buckley reported the 2019 room tax was \$44,450 through the end of July and 2020 through that to date is \$44,445. The 2019 launch ramp fees were \$3,564 and 2020 year to date fees year to date is \$7,624. Also, the 2019 beach concession revenue was \$1,791 and 2020 year to date is \$2,058.

6. Recent Event: Lakeshore Park Trail and Bench Dedication in Memory of Patrick Gagnon

Mr. Buckley stated the Sunday, August 16 Lakeshore Park Trail and bench dedication ceremony was attended by over 60 people and livestreamed on the City's Face book page.

7. Recent Event: Catamaran Association of Wisconsin (CRAW) Two Rivers Regatta

Mr. Buckley reported he received a thank you email from the Catamaran Racing Association of Wisconsin for hosting their event on Neshotah Beach. They plan to return in the future.

8. Recent Event: Simple Sundae Thursday and Cool City Car Cruise and Show

Mr. Buckley reported on Super Simple Sundae Thursday and the Cool City Car Cruise and Show events.

9. Upcoming Event: Two Rivers Water & Light Recycle Event, Tuesday, August 25, 7:30 AM - 5:00 PM

Mr. Buckley stated Two Rivers Water & Light Recycle event is Tuesday, August 25, from 7:30 AM - 5:00 PM. This will be the only recycling event in 2020 due to COVID. He reminded citizens to stay in your vehicle and the staff will do the unloading.

10. Upcoming Event: Celebrate Two Rivers, August 29, 4:00 to 10:00 PM

Mr. Buckley encouraged people to find out about upcoming events by going to exploretworivers.com for a complete up-to-date detailed listing for Bands on the Beach, Kites Over Lake Michigan, Celebrate Two Rivers and more.

11. Other

Mr. Buckley gave an update from the joint City Council and BIDC/CDA meeting regarding lot sales at Sandy Bay Highlands Conservation Subdivision and the interest in the former Paragon property.

C. Legislative/Intergovernmental Update

1. State Budget Update
2. 2020-169 Resolution Urging Congress to Support Emergency Funding to Sustain State and Local Services

Recommended Action:

Motion to read and adopt the Resolution

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: Mark Bittner, 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

3. Other

10. CONSENT AGENDA

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

A. Presentation of Minutes

1. **2020-170** Regular City Council Minutes-July 20, 2020 and August 3, 2020

Recommended Action:

Motion to waive reading and adopt the minutes

B. Applications and Petitions

1. Application for Operator License-Recommended for Denial

Briana L. Williams, 1013 20th Street, Two Rivers

Recommended Action:

Motion for the City Clerk to notify applicant of the City Council's intent to deny her license, based on the recommendation of the Chief of Police, and to advise applicant of her right to a hearing before the City Council

2. Application for Landscaping/Tree Removal License, Kupla's Trees, for the period August 18, 2020 to June 30, 2021

Recommended Action:

Motion to approve the application and authorize the City Clerk to issue the license for the period of August 18, 2020 to June 30, 2021

C. Reports

1. **2020-171** Minutes of Meetings

- a. Library Board, July 14, 2020
- b. Public Works, August 3, 2020
- c. Public Utilities, August 4, 2020
- d. Plan Commission, August 10, 2020

Recommended Action:

Motion to receive and place on file

2. **2020-172** Department Reports for July 2020

- a. City Clerk
- b. Community Development
- c. Electric
- d. Fire
- e. Inspections
- f. Library
- g. Parks & Recreation-June, July
- h. Public Works
- i. Safety Program
- j. Water

Recommended Action:

Motion to receive and file

3. **2020-173** Summary of Verified Bills for the Month of July 2020 for \$2,178,292.02

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

11. CITY COUNCIL - FORMAL ITEMS

- A. **2020-174** Project Acceptance Certification for 2018 Headworks Improvements at Wastewater Treatment Plant

Recommended Action:

Motion to approve the project acceptance certifications and authorize signature by the City Manager

RESULT: APPROVED WITH VOICE VOTE [UNANIMOUS]

MOVER: Bonnie Shimulunas, Councilmember

SECONDER: Bill LeClair, Councilmember

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

- B. **2020-175** Resolution Adopting Updated Manitowoc County Multi-Hazard Mitigation Plan, 2020-2025

Recommended Action:

Motion to waive reading and adopt the Resolution

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]

MOVER: Bonnie Shimulunas, 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

- C. Report on Possible Accessibility Improvements at North Pier (U.S. Army Corps of Engineers Property)

Recommended Action:

Discussion Only

Mr. Buckley informed the Council the City was submitting a grant application for major improvements at the North Pier (U.S. Army Corps of Engineers Property) to the Coastal Management Group and will report back with regard to the application process at the first regular meeting in September.

- D. Letter to Property Owners on Those Sections of 24th Street, 25th Street and Madison Streets Planned for Reconstruction in 2021

Recommended Action:

Discussion Only

Mr. Buckley stated the engineering department mailed out letters to the owner of 24th between Forest Avenue and Jefferson Street, 25th between West Rivers Street and Forest Avenue, Madison Street between 19th and 22nd Streets regarding the street and utility project that is planned for reconstruction in 2021. This letter was communicated to the owners regarding plans for special assessment and lateral replacement charges that will be associated with the street and utility projects.

- E. Notice/Request for Feedback Sent to Property Owners Within 250 Feet of Existing Licensed Taverns, Seeking Feedback on Possible Changes to Beer Garden Regulations (Set for Further Discussion at September 8 Meeting)

Recommended Action:

Discussion Only

Mr. Buckley stated the police department mailed out over 400 letter requesting feedback on possible changes to the beer garden regulations. This matter will be brought back to the City Council at its meeting on September 8.

- F. Report on Existing City Tax Incremental Financing Districts; Opportunities for Funding Additional Projects

Recommended Action:

Discussion Only

Mr. Buckley stated he will add this item to the August 31 Work Session meeting agenda. No action taken on this item.

- G. Permission for Fireworks to be Shot from Beach adjacent to North Pier or the Pier Itself with Safety Precautions--Kites Over Lake Michigan, Saturday, September 5

Recommended Action:

Motion to approve the request, contingent on fireworks contractor (Spielbauer Fireworks) obtaining Fire Department permit and providing certificate of liability insurance in the amount of \$5 million for public liability and property damage

RESULT: APPROVED WITH VOICE VOTE [UNANIMOUS]

MOVER: Mark Bittner, Councilmember

SECONDER: Bill LeClair, Councilmember

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

RECOMMENDATION FROM THE PLAN COMMISSION MEETING AUGUST 10, 2020

- H. Schedule Public Hearing Regarding Ordinance Change to Zoning Code Text Amendments in the Waterfront Business District Related to Restaurants with Indoor or Outdoor Seating

Recommended Action:

Motion to schedule a Public Hearing on September 8, 2020

RESULT: APPROVED WITH VOICE VOTE [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

- I. Schedule Public Hearing to Designate 0.18 Acres of Land Adjacent to Lot 16, Block 2 in Sandy Bay Highland Subdivision No. 2 as Conservation Subdivision District as a Conditional Use in the R-1 Single and Double Family Residence District, Submitted by the City of Two Rivers (owner)

Recommended Action:

Motion to schedule a Public Hearing on September 8, 2020

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

- J. Schedule Public Hearing on Zoning Code Text Amendment to Repeal and Recreate the City's Floodplain Ordinance

Recommended Action:

Motion to table to the September 20 Council meeting, in order for staff to do additional research on the potential impacts of this ordinance change

RESULT: APPROVED WITH VOICE VOTE [UNANIMOUS]
MOVER: Jay Remiker, Councilmember
SECONDER: Mark Bittner, 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. Music in the Park Series, Thursday, August 20, 2020, 6-8 PM, Tony Rucker-Elvis, Central Park
- B. Bands on the Beach-Copperbox, Saturday, August 22, 2020, 6-10 PM, Rotary Pavilion Neshotah Beach

- C. Two Rivers Water & Light Recycle Event, Tuesday, August 25, 2020, 7:30 AM to 5:00 PM, 1415 Lake Street (Next Door to McDonalds)
- D. Central Park Concert Series, Thursday, August 27, 2020, 6:00-8:00 PM, Jerry Voelker and the Jolly Gents, Two Rivers Central Park
- E. Movie on the Beach: Pirates of the Caribbean - Dead Man's Chest, Friday, August 28, 2020, 7:30 PM, Neshotah Beach
- F. Celebrate Two Rivers, Saturday, August 29, 2020, 4-10 PM, Walsh Field, Music from Nettle Hill, food trucks, beer, concessions and more
- G. Kites Over Lake Michigan, Saturday, September 5 and Sunday, September 6, 2020, Two Rivers High School, 11:00 AM - 4:00 PM

13. CLOSED SESSION

At 7:48 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.

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. Discuss matters pertaining to City Manager's performance evaluation

RESULT: APPROVED ROLL CALL [7 TO 2]

MOVER: Jack Powalisz, Councilmember

SECONDER: John Casavant, Councilmember

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

NAYS: Adam Wachowski, Jay Remiker

14. RECONVENE IN OPEN SESSION

At 8:49 PM, motion reconvene in open session and to consider possible actions in follow-up to closed session discussions.

RESULT: APPROVED VOICE VOTE [UNANIMOUS]

MOVER: Jack Powalisz, Councilmember

SECONDER: John Casavant, Councilmember

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

ABSENT: Adam Wachowski

15. ADJOURNMENT

At 8:49 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: Bill LeClair, Councilmember
AYES: Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz,
 Jay Remiker, John Casavant, Mark Bittner
ABSENT: Adam Wachowski

Kim M. Graves
City Clerk