

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
REGULAR MEETING
Monday, December 7, 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	Absent	
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; Brian Kohlmeier, Police Chief; Dave Buss, Finance Director; Elizabeth Runge, Economic Development Director/City Planner; Dave Dassey, IT Assistant; Jack Bruce, City Attorney; and Greg Buckley, City Manager.

President Andrews read a resignation letter received from Councilmember Jack Powalisz on 12/7/2020 effective immediately. Council will consider whether or not to fill the position at their December 21st meeting due to Powalisz's term coming to an end in April 2021.

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

None.

5. **PUBLIC HEARING**

- A. **2020-236** Public Hearing on Conditional Use Permit for a Drive-Thru Service Window at the Lester Public Library 1001 Adams Street, in the B-1 Business District, City of Two Rivers (property owner)

Recommended Action:

Motion approve the Conditional Use Permit, as recommended by the Plan Commission

President Andrew opened the public hearing and made 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: Jay Remiker, 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

- B. Ordinance to Amend the District Map of the City of Two Rivers, Wisconsin, Change in Zoning for Parcel 053-116-005-002.08, Vacant Parcel at the Intersection of West River and 27th Streets, from R-1 Single Family Residence District to I-2 Industrial District

Recommended Action:

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

President Andrew opened the public hearing and made 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: 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

6. INPUT FROM THE PUBLIC

Kathy Dahlke, 3727 Adams Street, addressed the Council to recognize the Fire Department for a job well done during a recent vehicle vs. pedestrian accident in the downtown area.

Additionally, Ms. Dahkle offered her support of the City's effort to establish a permanent Branding and Marketing Committee and questioned how the proposed members were decided upon along with term length and the process for getting involved with the Committee in the future. Mr. Buckley provided a copy of the proposed committee structure to be acted on later in the meeting and referred her to the Committee Volunteer Application found on the City's website.

7. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

Councilmember B. LeClair stated he received concerns of overgrown trees and shrubbery along the Mariners Trail blocking the beautiful views of Lake Michigan.

8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

Councilmember Bittner stated that the Personnel & Finance Committee will have a meeting on Wednesday, December 9th at 5:00 p.m. Progress on the goals and objectives of the City will be evaluated.

Council President Andrews stated that the Committee on Branding and Marketing will have a meeting on Thursday, December 10th at 5:30 p.m.

Council Vice-President D. LeClair stated that the Environmental Advisory Board will have a meeting on Tuesday, December 8th at 5:30 p.m.

9. CITY MANAGER'S REPORT

A. Invited Guests

1. Introduction and Swearing in of City Clerk Jamie Jackson

Mr. Buckley recognized City Clerk/Human Resources Director, Kim Graves, for 22 years of service to the City and congratulated her on her upcoming retirement. Ms. Graves thanked the Council and Staff for a wonderful 22 years and called special attention to the City's poll workers for their hard work and dedication in keeping Two Rivers' elections secure and transparent.

Incoming City Clerk/Human Resources Director, Jamie Jackson, was introduced to the City Council and Ms. Graves conducted the Oath of Office.

B. Status/Update Reports

1. Christmas at the Beach, December 12, 2020, Sponsored by Two Rivers Fire Department and Fox Communities Credit Union, Supported by Generous Community Donations

Mr. Buckley reported on Christmas at the Beach scheduled for December 12th sponsored by the Two Rivers Fire Department and Fox Communities Credit Union and supported by generous community donations.

Fire Chief Denzien elaborated on the planned events including Christmas lights, visits with Santa and Mrs. Clause, cookies and hot chocolate all following COVID-19 protocols. He thanked his team for their enthusiasm and efforts to organize this event.

2. Enforcement of Winter Parking Ban Delayed, Pending Arrival of Snow

Mr. Buckley reported that enforcement of the winter parking ban that is effective December 1st to March 15th is delayed pending the arrival of snow. Residents are asked to begin complying with the winter parking ban at the first sight of snow.

3. City Named Beneficiary of Life Insurance Policy from Long-Time Council Member Jim Taddy

Mr. Buckley reported that the City is the named beneficiary of a \$43,629 life insurance policy from long-time Council Member Jim Taddy. The funds were not designated for a specific use or project and will be used at the direction of the Council.

4. Update on Possible Paragon Building Sale

Mr. Buckley reported that the company that held a purchase agreement for the Paragon property has informed the City that it will not proceed with the purchase, citing the cost to adapt the building to its needs. The City will continue to market the building and consider options for the 27-acre site.

5. Update on Proposed Commercial Development in the Area of Washington and 12th Streets

Mr. Buckley reported that the City has received an application for TIF funding assistance of \$415,000 for a \$3.2 million project. Staff is pursuing a possible amendment to Tax Increment District 12 (Hotel TID, created in 2018) to assist the project.

6. Lester Public Library Carpet and Technology Project

Mr. Buckley reported on a carpet and technology upgrade project underway at the Lester Public Library. This project was made possible solely by a fundraising effort and generous donations.

7. Construction Activity at Washington Highlands

Mr. Buckley reported on construction activity at Washington Highlands for three new duplex condominium structures.

8. City Submittals for Reimbursement of COVID-Related Expenses Through "Routes to Recovery" Program

Mr. Buckley reported on the City's final submittal for reimbursement of COVID-related expenses through the Routes to Recovery program. The total submission of \$202,577.42 was \$16,493.42 in excess of the City's initial allocation of \$186,084.00. Submissions in excess of the initial allocation may be eligible for reimbursement depending on the availability of additional funding.

9. City Filing of Intent to Apply for Special CBBG-CV COVID-Related Grant Funding for Drive-Through Window and Related Improvements at Senior Center

Mr. Buckley reported on the City's filing of an Intent to Apply for Special CBBG-CV COVID-Related Grant Funding for a drive-through window and related improvements at the Senior Center. The City is expected to find out in February if an application will be accepted.

10. Christmas Decorations Are Up: Thanks Again to the 2019 Donors Who Made the New Decorations Possible

Mr. Buckley reported that Christmas decorations are up throughout downtown and thanked the 2019 donors who made the new decorations possible.

11. Update on Repairs to Fabric Awning for Rotary Pavilion

Mr. Buckley reported that the repairs to the fabric awning for the Rotary Pavilion have been completed and at no cost to the City. He thanked Wisconsin Nationwide for transporting the awning material to the repair facility in Missouri at no charge, and John Finn of Reese Recreation Products for covering return shipping costs.

12. Other

- C. Legislative/Intergovernmental Update
None.

10. CONSENT AGENDA

RESULT: APPROVED WITH VOICE VOTE [UNANIMOUS]
MOVER: Adam Wachowski, 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

A. Presentation of Minutes

1. Regular City Council Minutes-November 16, 2020, Special Meeting-November 23, 2020 and Special Meeting-November 30, 2020

Recommended Action:

Motion to waive reading and adopt the minutes

B. Reports

1. Minutes of Meetings

- a. Public Utilities, December 1, 2020
- b. Public Works, December 2, 2020

Recommended Action:

Motion to receive and place on file

2. Finance Reports

- a. Debt Service, October 2020
- b. General Fund, October 2020
- c. Lester Library, October 2020

Recommended Action:

Motion to receive and place on file

3. Summary of Verified Bills for the Month of November for \$1,415,919.98

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. Supplemental Agreement No. 1 to Department of the Army Easement No, DACW35-2-15-3001 located at the Two Rivers Harbor Federal Navigations Project, Wisconsin (Related to City Harbor Park Seawall Tie-in with Federal Revetment and City Utility Easement)

Recommended Action:

Motion to authorize City Manager to sign the supplemental agreement and the Certificate of Authority

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

- B. Ordinance Establishing Branding and Marketing Committee as a Permanent Committee of Two Rivers City Government

Recommended Action:

Motion to waive reading and adopt the Ordinance.

RESULT: **APPROVED WITH ROLL CALL [6 TO 2]**
MOVER: Bill LeClair, Councilmember
SECONDER: Darla LeClair, Vice-President
AYES: Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, John Casavant, Mark Bittner
NAYS: Adam Wachowski, Jay Remiker
ABSENT: Jack Powalisz

- C. Appointment of Members to Branding and Marketing Committee

Recommended Action:

Motion to approve appointments

RESULT: **APPROVED WITH ROLL CALL [6 TO 2]**
MOVER: Bonnie Shimulunas, Councilmember
SECONDER: Darla LeClair, Vice-President
AYES: Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, John Casavant, Mark Bittner
NAYS: Adam Wachowski, Jay Remiker
ABSENT: Jack Powalisz

- D. Resolution of Intent to Pursue Splash Pad/Ice Skating Rink Facility as a Joint City-Community Project and to Appoint a Splash Pad and Ice Rink Planning Committee to Guide the Planning and Design Process and to Advise the City Council on this Project

Recommended Action:

Motion to read and adopt the Resolution

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

- E. Agreement Between the City of Two Rivers, City of Manitowoc and the Lakeshore Humane Society, Pertaining to the Housing and Care of Stray Animals from the Cities (Agreement for Three Years, to December 31, 2023; Current Agreement Expires December 31, 2020)

Recommended Action:

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

RESULT: APPROVED WITH VOICE VOTE [UNANIMOUS]
MOVER: Adam Wachowski, 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

- F. 2019 Sanitary Sewer Main and Lateral Replacement Projects DNR Plan and Specification Approval Number S-2018-0703 Financed Through the Clean Water Fund Loan Program Loan 4107-44

Recommended Action:

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

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

- G. 2019 Water Main and Lateral Replacement Projects DNR Plan and Specification Approval Number W-2018-0714 Financed Through the Safe Drinking Water Loan Program Loan 4920-33

Recommended Action:

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

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, Jay Remiker, John Casavant, Mark Bittner
ABSENT: Jack Powalisz

- H. Review Proposed Amendment to Development Agreement for Washington Highlands/TID 8

Recommended Action:

Discussion only, propose action at December 21 meeting

Mr. Buckley reviewed the proposed amendment to the development agreement for Washington Highlands/TID 8 including provisions for penalty reductions and forgiveness if the developer Abbey Ridge III, LLC would complete additional condominiums by specified dates set forth in the agreement. The finalized amendment will be before the Council on December 21st for action.

- I. Authorization for 2021 Fleet Leasing Program with Enterprise Fleet Leasing

Recommended Action:

Motion to authorize the City Manager and City Clerk to sign all documents associated with the capital leasing program as described in the Enterprise proposal for up to 21 vehicles in 2021 contingent upon language in the initial leasing document being acceptable to the City Manager and City Attorney.

RESULT: APPROVED WITH ROLL CALL [7 TO 1]
MOVER: Adam Wachowski, Councilmember
SECONDER: John Casavant, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker, John Casavant
NAYS: Mark Bittner
ABSENT: Jack Powalisz

RECOMMENDATION FROM PUBLIC WORKS COMMITTEE MEETING OF NOVEMBER 3, 2020

- J. Revise Special Assessment Policy to Include Revisions Addressing Cost of Deferred Assessments

Recommended Action:

Motion to approve the revision as recommended by the Public Works Committee

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: Adam Wachowski, Councilmember
SECONDER: John Casavant, 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. Enforcement of Winter parking restrictions delayed. Enforcement will begin when accumulating snow is being forecast. (Municipal Ordinance 8-2-4)
- B. Nomination Papers for City Council Candidates in the April 2021 election are available starting December 1, 2020 and must be filed on or before Tuesday, January 5, 2021 at 5:00 PM in the City Clerk's Office. Notification of Non-Candidacy by current Council Members must be filed by Monday, December 28, 2020 at 5:00 PM in the City Clerk's Office
- C. Cut-out Christmas Cookie Sale, frosted or unfrosted, December 10 & 11 2020 at the Senior Center, while supplies last
- D. Christmas at the Beach, Saturday, December 12, 5:00 - 7:00 PM
- E. City Council Regular Meeting, Monday, December 21, 2020, 6:00 PM
- F. City Council Work Session, December 28, 2020, 6:00 PM
- G. First Regular City Council Meeting in 2021 is Monday, January 4, 2020 at 6:00 PM

13. CLOSED SESSION

Motion

At 8:33 p.m., 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 status of negotiations regarding former Hamilton property, and discuss proposed sale of former Paragon property, 606 Parkway Boulevard.

RESULT: **APPROVED [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

14. RECONVENE IN OPEN SESSION

At 8:55 p.m., a motion to reconvene into open session and to consider possible actions in follow-up to closed session discussions.

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

15. ADJOURNMENT

At 8:56 p.m., a motion to dispense with the reading of the minutes of the meeting and adjourn.

Jamie Jackson
City Clerk