

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
REGULAR MEETING
Monday, March 15, 2021 – 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
Kay Koach	Commissioner	Present	
Adam Wachowski	Councilmember	Present	
Bill LeClair	Councilmember	Present	
Bonnie Shimulunas	Councilmember	Present	
Curt Andrews	President	Present	
Darla LeClair	Vice-President	Present	
Jay Remiker	Councilmember	Excused	
John Casavant	Councilmember	Excused	
Mark Bittner	Councilmember	Present	

Also present were Dave Buss, Finance Director; Jeff Dawson, Library Director; Brian Dellemann, Electric Utility Director; Steve Denzien, Fire Chief; Brian Kohlmeier, Police Chief; Jim McDonald, Public Works Director; Rick Powell, EDP Supervisor; Elizabeth Runge, Community Development Director/City Planner; Terri Vosters, Parks & Recreation Director; 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**

None.

6. **INPUT FROM THE PUBLIC**

The first call for public input was made.

Ned Guyette - 2501 Washington Street - Stated he is the Lester Public Library Board President and shared that the Lester Public Library is scheduled to re-open in phase one of the Library's re-opening plan on May 3. The re-opening date was unanimously agreed upon by the Board of Trustees and is subject to revision if COVID situations warrant a change. Masks will be mandatory when in-person services resume.

Stanley Palmer - 331 23rd Street - Stated he is a member of the Library Board of Trustees and he endorses the positive behavior of the Library Director and employees in helping curb the spread of COVID while continuing to provide library services during the past year.

Mary Dawson - 4314 Tannery Road - Stated that mask wearing should be encouraged and indicated the wrong message was sent by many people not wearing masks at the last City Council meeting.

The second and third calls for public input were made and there were no additional comments.

Three calls for public input via telephone were made and there were no callers.

7. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

Councilmember Kay Koach reported on three separate complaints she received regarding speeding at the intersection of 34th Street and Forest Avenue.

Councilmember Kay Koach also stated that she wanted to commend Marv Moore at the Medicine Shoppe for offering the COVID vaccine in a convenient location that is accessible to many residents.

Councilmember Bonnie Shimulunas reported on complaints received by Councilmembers about the Library not being open for in person services. She indicated that the Council allows the department heads to run their departments and if a resident doesn't like how things are run, they should consider volunteering to be on a Board.

8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

Councilmember Darla LeClair reported that Julia Noordyk, Water Quality and Coastal Communities Outreach Specialist from the Sea Grant Program at UW-Green Bay was present at the most recent Environmental Advisory Board meeting to talk about green infrastructure. All meetings of the Environmental Advisory Board are recorded and will be available for those wishing to view the meeting after it takes place.

Councilmember Bill LeClair reported that the Public Utilities Committee had a discussion regarding who is responsible for the trees in the terraces and informed the City Council and members of the public that the terrace trees are the responsibility of the City.

Council President Curt Andrews reported that the Branding and Marketing Committee has a marketing plan in the works on how to promote City activities in the summer. A Committee is being formed for Celebrate Two Rivers, to be held on Saturday, August 28, 2021.

Andrews also reported on a visit he and Councilmember Wachowski had at the Library with Library Director Jeff Dawson. He stated that he wanted to recognize the Library Director and staff for the impressive adjustments made during the COVID pandemic. He noted that a high level of service has been sustained while using outside-the-box ideas to continue serving patrons during the building closure.

9. CITY MANAGER'S REPORT

A. Invited Guests

None.

B. Status/Update Reports

1. Bequests to Police Department and Fire Department from Long-Time Two Rivers City Council Member Jim Taddy
Mr. Buckley reported on two bequests of \$73,898.54 each to the Two Rivers Fire Department and Two Rivers Police Department by long-time Two Rivers Council Member Jim Taddy.
2. Next meeting of the Splash Pad/Ice Skating Rink Planning Committee Will be on Thursday, April 8 at 6:00 PM
Mr. Buckley reported that the next meetings of the Splash Pad and Ice Rink Planning Committee will be on Thursday, April 8 and Thursday, May 6, each at 6:00 PM.
3. Lester Public Library Board Plans to Re-Open Library Building for Inside Services on May 3
Mr. Buckley reported that the Lester Public Library Board unanimously decided to re-open the Library building for inside services on Monday, May 3.

Library Director Jeff Dawson shared the Library Board's guidelines upon re-opening including open hours of Monday through Friday 10:00 a.m. to 5:00 p.m. and Saturdays 10:00 a.m. to 2:00 p.m. Face masks will be mandatory for all patrons ages 3 and up with staff reserving the right to not serve anyone without a face mask. Computer usage will be limited to one hour per day per patron, patrons are to limit library visits to one hour per day, library capacity will be limited to 45 patrons, group gathering and meetings will not be allowed, seating will be limited and physical distancing will be required. In person programming and meeting room use will not be happening. Soft seating, toys, games, youth computers, jigsaw puzzles, and coffee will be removed. One-on-one computer assistance will be available for no longer than 5 minutes per patron. Curbside services will continue as they have been during the closure.
4. Hamilton Wood Type and Printing Museum Re-Opened to the Public on March 13
Mr. Buckley reported that the Hamilton Wood Type and Printing Museum re-opened last week.
5. Winter Parking Ban Has Ended
Mr. Buckley reported that the winter parking ban is officially over. During the 105-day period from December 1 to March 15, enforcement was suspended for a total of 45 days, due to lack of snow.
6. Made In Two Rivers: Basketball nets from Carron Net to be Used at all Tournament Venues for Upcoming NCAA Men's Basketball Tournament
Mr. Buckley reported that all basketball nets used for the upcoming NCAA Men's Basketball Tournament were made in Two Rivers at Carron Net.
7. Personnel Updates

Mr. Buckley reported that recruitments are underway to fill openings for a full-time Police Secretary, full-time Utility Administrative Assistant, and part-time Cemetery & Parks Maintenance position. Retirements for the month of March include the retirement of Phil Dassey after serving 13 years as the Wastewater Mechanic.

8. Comprehensive Plan Update

Mr. Buckley reported that the Plan Commission reviewed the Economic Development Information section of the Comprehensive Plan update in conjunction with a representative from Bay-Lake Regional Planning at their March 8th meeting. The next section to be discussed at the April 12th Plan Commission meeting is Transportation and Utilities.

9. City Manager's Recent Discussions With Representatives of National Ice Age Scenic Trail

Mr. Buckley reported on recent discussions with representatives of the National Ice Age Scenic Trail that will identify the South Breakwater Trail as a "spur trail" off the Ice Age Trail in their guides and publications. Maps of the Manitowoc/Two Rivers/Point Beach segment of the Ice Age Trail will be added to signage along the South Breakwater Trail and at other locations.

Mr. Buckley also reported on discussions with WisDOT to direct motorists to the new historic marker at the Spirit of the River Wayside along Memorial Drive. WisDOT will install signage, at no expense to the City, hopefully by early Summer 2021.

10. EXPLORETWORIVERS.COM

Videos promoting Two Rivers will be released on FaceBook, Exploretworivers.com, and the City's website. The first informational video on City services, "Where Our Water Comes From," was recently released and can be viewed on the City Hall or Two Rivers Water and Light FaceBook Pages, or on the City's website, www.two-rivers.org.

11. Upcoming Events:

Mr. Buckley reported on upcoming events in Two Rivers including the following:

--St. Patrick's Day Corned Beef & Cabbage Dinner To Go, Wednesday, March 17, 2021, 4:00-6:00 PM, Senior Center Koska Room

--Two Rivers Water & Light Department Sponsors Two \$500 Scholarships, Deadline for Application is April 1, 2021

--Easter Cookie Sale, April 1-2, 2021, 9:00 AM-3:00 PM, Two Rivers Senior Center

--9th Annual Two Rivers Fire Department Drive-thru Fish Boil, April 2, 2021, 3:00 PM - 7:00 PM

--Drive up Pancakes with the Easter Bunny, Saturday, April 3, 2021, 8 AM-10 AM, Parks and Recreation, Pick up on Adams Street

--Two Rivers Optimist Club Easter Egg Hunt, Saturday, April 3, 2021, 11:00 AM - Noon, Neshotah Park

12. Other

Mr. Buckley reported that all four polling locations will be open from 7:00 AM to 8:00 PM for the April 6 Spring Election. As a reminder, the voting location for Wards 7 & 8 has been permanently moved from Koenig School to the J.E. Hamilton Community House, Behringer Room. Absentee ballots have been mailed to 670 of the City's 6,663 registered voters.

C. Legislative/Intergovernmental Update

1. Testimony in Support of SB 93, relating to Sediment Removed from Lake Michigan or Lake Superior to the Senate Labor and Regulatory Reform Committee on March 10, 2021

Mr. Buckley reported that he, along with Councilmembers Bill LeClair and Darla LeClair, testified at a hearing by the Wisconsin Senate Labor and Regulatory Reform Committee in Madison on March 10 regarding Senate Bill 93 relating to sediment from Lake Michigan and Lake Superior.

Mr. Buckley reported on the American Rescue Plan Act which has allocated \$132 billion for Wisconsin counties and municipalities, of which \$19.6 billion is earmarked for municipalities with population under 50,000. Funds will be distributed based on population and more details will be shared as they become available.

10. CONSENT AGENDA

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

A. Presentation of Minutes

1. **2021-046** City Council - Regular Meeting March 1, 2021

Recommended Action:

Motion to waive reading and adopt the minutes.

B. Reports

1. **2021-047** Minutes of Meetings

- a. Business and Industrial Development Committee/Community Development Authority, February 23, 2021
- b. Committee on Aging, December 7, 2020
- c. Public Utilities, March 2, 2021
- d. Public Works, March 3, 2021
- e. Branding & Marketing Committee, March 4, 2021
- f. Plan Commission, March 8, 2021
- g. Advisory Recreation Board, January 12, 2021
- h. Library Board, February 9, 2021

Recommended Action:

Motion to receive and place on file

2. **2021-048** Department Reports for February 2021

- a. Clerk
- b. Community Development
- c. Electric
- d. Fire
- e. Inspections
- f. Library
- g. Parks & Recreation
- h. Police
- i. Public Works
- j. Safety
- k. Water

Recommended Action:
Motion to receive and file

3. **2021-049** Summary of Verified Bills for the Month of February for \$3,866,951.39

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. Acknowledge Two Bequests of \$73,898.54, to the Police Department and the Fire Department from Former City Council Member Jim Taddy

Recommended Action:
Motion to deposit the funds in the Police and Fire Capital Funds--with the understanding that Police and Fire Chiefs will provide further direction in the future regarding projects to be funded and proper recognition for Mr. Taddy's bequest

RESULT:	APPROVED WITH VOICE VOTE [6 TO 0]
MOVER:	Bill LeClair, Councilmember
SECONDER:	Mark Bittner, Councilmember
AYES:	Kay Koach, Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Mark Bittner
EXCUSED:	Jay Remiker, John Casavant
AWAY:	Darla LeClair

- B. **2021-050** Resolution Authorizing Submittal of a Wisconsin Assessment Money (WAM) Grant Application to the Wisconsin Department of Natural Resources for 606 Parkway Boulevard (former Paragon Electric Building)

Recommended Action:
Motion to waive reading and adopt the resolution authorizing staff to submit the application to the Wisconsin Department of Natural Resources

Community Development Director Elizabeth Runge reported that the match for this grant is being sought from the WEDC's Site Assessment Grant (SAG) program.

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

- C. **2021-051** Project Acceptance Certification for 2019 Environmental improvement Fund Project: 14th Street Between Lowell Street and Hawthorne Avenue, DNR Plan and Specification Approval Number S-2018-0703

Recommended Action:

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

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

- D. **2021-052** Project Acceptance Certification for 2019 Environmental Improvement Fund Project: Digester and Return Activated Sludge System (RAS) Improvements at the Wastewater Treatment Plant, DNR Plan and Specification Approval Number S-2018-0682

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: Mark Bittner, Councilmember
AYES: Kay Koach, Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Mark Bittner
EXCUSED: Jay Remiker, John Casavant

- E. **2021-053** Purchase Authorization for Replacement Front-end Loader for Public Works Department (2021 Budget Item, Budgeted at \$260,000)

Recommended Action:

Motion to authorize the purchase of a Volvo Model L120H from Airing Equipment Company, in the amount of its quoted price of \$245,750, inclusive of accessories as identified, and inclusive of a \$31,000 trade-in allowance for the 1999 Volvo loader being replaced

Mr. Buckley reviewed the three quotes received for this piece of equipment.

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

- F. **2021-054** Ordinance to Repeal and Re-create Section 4-1-6 of the Municipal Code, “Snow and Ice Removal,” to Clarify Property Owner Responsibilities for the Removal of Snow and Ice from Public Sidewalks Adjoining Their Property and to Provide for a Forfeiture of \$150.00 for the Second and any Subsequent Violations of the Same Subsection of that Ordinance in any Winter Season

Recommended Action:

Motion to waive reading and adopt the Ordinance

Councilmember Wachowski expressed concern that some property owners might be contacted by the Police Department and given the opportunity to clear their sidewalk without a billing or forfeiture, while others would have their sidewalks plowed without advance notice, and be subject to a billing and forfeiture.

RESULT: APPROVED WITH ROLL CALL [6 TO 1]
MOVER: Kay Koach, Commissioner
SECONDER: Darla LeClair, Vice-President
AYES: Kay Koach, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Mark Bittner
NAYS: Adam Wachowski
EXCUSED: Jay Remiker, John Casavant

RECOMMENDATIONS FROM THE PLAN COMMISSION MEETING OF MARCH 8, 2021

- G. Public Hearing to Consider Zoning Code Ordinance Text Amendment to Allow Small Wind Energy Systems in Interior Side Yards and Yards as Conditional Use in the I-2 Industrial District (Already a Conditional Use in Rear Yards in that District)

Recommended Action:

Motion to set the hearing for Monday, April 5, 2021 at 6:00 PM

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

- H. Public Hearing to Consider Zoning Code Text Amendment to Add Commercial Kennels as a Conditional Use in the B-2 Business District

Recommended Action:

Motion to direct staff to schedule a public hearing, following receipt of an application from the interested party

Mr. Buckley noted that staff had not yet received an application for this Zoning Code text amendment from the party pursuing a new kennel facility, but that staff would like to be in a position to schedule the hearing as soon as possible, if and when an application is received. In the discussion that followed, it was noted that, even if the Zoning Code amendment is approved, that party will still need to apply for a conditional use permit, which will require a separate hearing before Council.

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

12. FOR INFORMATION ONLY

- A. Absentee Ballots for April 6, 2021 Spring Election can be requested on-line at myvote.wi.gov City Clerk's Office or by mail with an acceptable photo ID
- B. In Person Absentee Voting for the April 6, 2021 Spring Election will begin Tuesday, March 23 through April 2 between the hours of 8:00 AM - 4:30 PM in the lobby at City Hall
- C. City Council Work Session, Monday, April 26, 2021, 6:00 PM
- D. City Council Regular Meeting, Monday, April 19, 2021, 6:00 PM

13. CLOSED SESSION

At 7:44 PM, a motion to enter into Closed Session, per Wisc. Stats 19.85(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 Contractual Relationship With Progress Lakeshore
- Discuss Possible City Assistance to Economic Development Projects
- Discuss Purchase of Former Hamilton Property
- Discuss Redevelopment of City-Owned Paragon Property

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

14. RECONVENE IN OPEN SESSION

At 8:30 PM a motion to reconvene in open session to consider possible actions in

follow-up to closed session discussions

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

Motion to reaffirm the Council's direction at the March 1 meeting that payment for 2021 services of \$24,700 be made to Progress Lakeshore, but that the City also give notice with that payment that the City of Two Rivers will not be participating beyond the 2021 calendar year.

RESULT: APPROVED VOICE VOTE [6 TO 1]
MOVER: Adam Wachowski, Councilmember
SECONDER: Bill LeClair, Councilmember
AYES: Kay Koach, Adam Wachowski, Bill LeClair, Curt Andrews, Darla LeClair, Mark Bittner
NAYS: Bonnie Shimulunas
EXCUSED: Jay Remiker, John Casavant

15. ADJOURNMENT

At 8:32 PM a motion to dispense with the reading of the minutes of the meeting and adjourn

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

Jamie Jackson
 City Clerk