

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
REGULAR MEETING
Monday, May 17, 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
Adam Wachowski	Vice-President	Late	7:03 PM
Bill LeClair	Councilmember	Remote	
Bonnie Shimulunas	Councilmember	Present	
Curt Andrews	President	Present	
Darla LeClair	Councilmember	Present	
Jeff Dahlke	Councilmember	Present	
Jay Remiker	Councilmember	Absent	
Tracey Koach	Councilmember	Present	
Mark Bittner	Councilmember	Present	

Also present were Ross Blaha, Water Utility Director; Dave Buss, Finance Director; Jeff Dawson, Library Director; Brian Dellemann, Electric Utility Director; Steve Denzien, Fire Chief; Susie Griepentrog, Police Secretary; Brian Kohlmeier, Police Chief; Jim McDonald, Public Works Director; Rick Powell, EDP Supervisor; Elizabeth Runge, Community Development Director/City Planner; Gina Sampe, Utility Administrative Assistant; 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**

A. **2021-089** Public Hearing on Zoning Code Ordinance Text Amendment to add Limited Production and Processing as a Conditional Use in certain Business Districts

Recommended Action:

Motion to waive reading and adopt the ordinance

Elizabeth Runge, Community Development Director/City Planner, explained the requested ordinance text amendment to add limited production and processing as a conditional use in business districts B-1, B-2, and B-3.

Three calls for public input by those attending in person were made and there was no one wishing to comment during the public hearing.

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

RESULT:	APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER:	Mark Bittner, Councilmember
SECONDER:	Jeff Dahlke, Councilmember
AYES:	Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT:	Adam Wachowski, Jay Remiker

6. INPUT FROM THE PUBLIC

A request for public input by those in attendance in person was made and there was no one wishing to comment.

A request for public input via telephone was made and there were no callers.

7. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

Councilmember Shimulunas reported that she received a letter from someone about Zander dog park indicating that several park benches are in need of repair.

Councilmember B. LeClair reported that he received a call from a citizen concerned that the City was going to allow UTV and ATVs. Council President Andrews added that he also received three similar calls from citizens.

Councilmember Dahlke reported that he received a complaint about the vacant property at 1208 Lowell Street with concern that wild animals and feral cats are inside the building. City Manager Buckley indicated that the condition of the property is being re-examined this week.

Councilmember D. LeClair reported that she received a call from a resident on Jackson Street regarding the cross-connection control program information residents were sent. The caller indicated that the appointment time slots do not work for people who work until the evening. Water Utility Director Blaha indicated that he has been in contact with this person and is working to meet the needs of the citizen.

Mr. Buckley reported that there have been multiple complaints about a residence on 38th Street with a lot of clutter in the yard. The City has gone to court to get an order to allow City crews to go onto the property to clean it up and bill the property owner.

Council President Andrews reported that there are a lot of residences that leave their free newspapers in the bag at the street. He also reported on a letter received requesting that a discussion be held at a future meeting to look at allowing businesses to utilize golf carts to transport patrons, for example from a hotel to the beach.

Councilmember Dahlke reported that he received a question asking how much longer the mask mandate would be in effect at the library. Jeff Dawson addressed the Council and stated that the library is strongly recommending that visitors wear masks, but not mandating it.

8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

Councilmember Bittner reported that the Room Tax Commission recently met and the revenues for room tax receipts are exceeding 2020 year to date. Mr. Buckley added that 2020 was a record year for room tax receipts and reiterated that the numbers are looking very good for 2021.

9. CITY MANAGER'S REPORT

A. Invited Guests

1. LouAnn Smith--Recognition of Ms. Smith's Donation in Support of the Police Department Canine Program

Police Chief Kohlmeier introduced LouAnn Smith and thanked her for her generous donation of \$10,000 in support of the Police Department Canine Program.

Others interested in donating can do so at the Police Department or arrangements can be made by calling the Police Department. Future fundraising events will also be held.

2. Pamela Stephens, Vice-Commander American Legion Post 165 Regarding Memorial Day Plans

Pamela Stephens, Vice-Commander of American Legion Post 165, addressed the Council regarding plans for Memorial Day in Two Rivers. Memorial Day activities will begin at Central Park at 8:30 am. There will be a presentation of names of those who have passed along with ringing of the bell for each name. Honor guard will then move to Pioneer Rest Cemetery and perform a three volley salute, and finish up at Forest View/Holy Cross Cemetery with a final three volley salute at the flag pole. The address of the American Legion is PO Box 11 and the address of the Auxiliary is PO Box 165.

Terri Vosters, Parks & Recreation Director, spoke in regards to the luminaria kits that will be on display for 24 hours for Memorial Day. They are available for purchase from the Parks & Recreation Department for \$5.

3. New Employee Introductions

--Gina Sampe, Water & Light Utility Administrative Assistant

Brian Dellemann, Electric Utility Director, introduced Gina Sampe as the City's recent hire in the position of Utility Administrative Assistant. Gina comes to the City of Two Rivers with 7 years of experience in the field having previously worked at Manitowoc Public Utilities. She is very qualified in both water and electric and was hired as a replacement for Kay Nooker, who is retiring in June.

--Susie Griepentrog, Police Clerk

Brian Kohlmeier, Police Chief, introduced Susie Griepentrog as the City's recent hire in the position of Police Secretary. Susie is a graduate of Reedsville High School and UW-Oshkosh and comes to the City of Two Rivers with nearly 20 years of service at Manitowoc County having worked in both dispatch and the Sheriff's Department.

Adam Wachowski arrived at 7:03 PM.

B. Status/Update Reports

1. Update on Capital Projects Financing and Refinancing Authorized by the City Council on April 19

Mr. Buckley reported on the capital projects financing and refinancing authorized by the City Council on April 19. Rates were secured on May 17. The General Obligation Promissory Notes to fund 2021 capital projects were issued for \$1,915,000 with a final interest rate of 1.67% resulting in debt service costs approximately \$40,000 less than anticipated.

The Taxable General Obligation Promissory Notes to refinance an existing State Trust Fund Loan with 4% interest rate from the TID 12 grant to the hotel project was issued for \$775,000 with a final taxable interest rate of 2.96%. Total debt service savings will be \$51,796.

2. Update on Discussion With City of Manitowoc, Regarding Tourism Services Agreement

Mr. Buckley provided an update on the continued discussion with the City of Manitowoc regarding the tourism services agreement with the Manitowoc Area Visitor Convention Bureau. City room tax revenues collected as of April 30, 2021 totaled \$37,056. For the same period last year, room tax revenues were \$19,739.

3. Mariners Trail Pavement Rehabilitation Project

Mr. Buckley reported that Northeast Asphalt completed a contract on May 14 to finish a 1.5 mile resurfacing project of Mariners Trail within the City Limits. The project was funded in part by a state grant and Friends of the Mariners Trail.

4. Funding Application for Additional Rehabilitation Work on Mariners Trail

Mr. Buckley reported that an application was submitted for a grant to cover the resurfacing of the remaining portion of Mariners Trail within the City limits.

5. Update on Mariners Trail Pergola/Furnishings Project by Local Eagle Scout Candidates

Mr. Buckley reported on the Mariners Trail Pergola/Furnishings Project. The City crew has laid the concrete base. Eagle Scout candidate Colman Slattery will construct the pergola with furnishings to be constructed by Eagle Scout candidate Joaquin Guynes.

6. Splash Pad/Ice Rink Planning

Mr. Buckley reported on another successful meeting of the Splash Pad/Ice Rink Planning Committee on May 6. The Committee reviewed three conceptual designs at the meeting and expressed strong preference for the most ambitious concept plan. The next meeting of the newly renamed Central Park West 365 Planning Committee is scheduled for Thursday, June 3 at 6:00 PM. The Committee will review a refined concept plan and preliminary cost estimates at that time.

7. 24th Street Reconstruction Project

Mr. Buckley reported on the progress of the 24th Street Reconstruction Project. Water and sewer main installations are complete throughout the project except for the area from Adams Street to Jefferson Street. Most sanitary and water service laterals are now complete and paving is expected to start in late June.

8. 25th and Madison Street Reconstruction Project

Mr. Buckley reported that the 25th and Madison Streets Reconstruction Project has been pushed back one week and is expected to start next week.

9. City Staffing Updates

Mr. Buckley reported on recent staffing updates. Justin Meyer started in the position of Wastewater Treatment Plant Operator on May 17, the Recreation Clerk recruitment generated 18 applications with a top candidate identified and expected to start on June 1, and the Police Department is actively recruiting for a full-time Police Officer with an application deadline of June 7.

10. Upcoming Events:

Mr. Buckley reported on the upcoming "Healing the Community: Manitowoc Symphony Orchestra Honors Our Caregivers and First Responders" event on Saturday, May 22.

Parks and Recreation is organizing a luminaria event to honor fallen service members, veterans, and active duty military members with proceeds benefitting the American Legion and VFW. Cost is five dollars per luminaria.

On Monday, May 31, Local Honor Guard Legion Post 165 will hold a Bell Ceremony at Central Park East then proceed to the old and new cemeteries.

11. Other

Mr. Buckley reminded viewers that the most up to date source of information for events in the City of Two Rivers is www.exploretworivers.com.

C. Legislative/Intergovernmental Update

Mr. Buckley reported that the City continues to monitor the State Budget process. More information on the American Rescue Plan is expected soon, but there have been no more details on the inequities of the distribution of funds. The City expects to receive half of the projected \$1.1 million balance soon.

The preliminary draft on the latest version of the dredging bill was shared with City Staff and feedback is due back to Representative Sortwell by Monday, May 24.

10. CONSENT AGENDA

Motion to approve the Consent Agenda with the various actions recommended to include a possible change to the location for Manitowoc County Mariners Temporary Class B application for their game on July 17.

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, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT:	Jay Remiker

A. Presentation of Minutes

1. **2021-090** Regular City Council Minutes April 19, 2021 and May 3, 2021; Re-Organizational April 20, 2021; Work Session April 26, 2021

Recommended Action:

Motion to waive reading and adopt the minutes

B. Applications and Petitions

1. Applications for Temporary Class B Licenses

- a. Manitowoc County Mariners, Football Game, May 22, June 12, 26, July 10, 17, 2021, Noon - 10:00 PM, Walsh Field
- b. Two Rivers Fish Derby Inc., Two Rivers Fish Derby, July 16-18, 2021, 9:00 AM-11:30 PM, Walsh Field
- c. Friends of Two Rivers Snowfest, Snowfest 2021, July 23-25, 2021, 12:00 PM-12:00 AM, 2111 Pierce Street and 2201 Polk Street

Recommended Action:

Motion to approve the applications and authorize the City Clerk to issue the licenses

2. Application for Operator License-Recommended for Denial

Rosa E. Guerette, 2218 Adams Street, Two Rivers

Recommended Action:

Motion to deny her application, based on the recommendation of the Chief of Police

C. Reports

1. **2021-091** Minutes of Meetings

- a. Public Utilities, May 4, 2021
- b. Public Works, May 5, 2021
- c. Plan Commission, May 10, 2021
- d. Library Board, April 13, 2021
- e. Community Development Authority and Business and Industrial Development Committee, April 27, 2021
- f. Committee on Aging, March 1, 2021
- g. Branding and Marketing Committee, March 4, 2021
- h. Central Park West 365 Planning Committee, May 6, 2021
- i. Police & Fire Commission, May 10, 2021

Recommended Action:

Motion to receive and place on file

2. **2021-092** Department Reports for April 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. **2021-093** Summary of Verified Bills for the Month of April 2021 for \$3,633,357.61

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. **2021-094** Resolution Adopting 2022-2024 Commercial Port Annual Statement of Intentions for Submittal to Wisconsin Department of Transportation Harbor Assistance Program

Recommended Action:
Motion to waive reading and adopt the resolution

Motion to waive reading and adopt the resolution changing the order of the priorities with the harbor entrance first, the seawall second, and the dredging third.

RESULT:	APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER:	Jeff Dahlke, Councilmember
SECONDER:	Bill LeClair, Councilmember
AYES:	Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT:	Jay Remiker

B. Ordinance to Amend Municipal Code Section 1-2-1, Entitled "Fees" to Amend the Code Sections for Tower Fees, the Code Sections Were Incorrectly Listed During the 2020 Code Codification Process

Recommended Action:
Motion to waive reading and adopt the ordinance

RESULT: TABLED [UNANIMOUS] **Next: 5/24/2021 6:00 PM**
MOVER: Tracey Koach, Councilmember
SECONDER: Mark Bittner, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT: Jay Remiker

- C. **2021-095** Noise Ordinance Waiver Request for Two Rivers Snowfest, Friday, July 23, until 11:30 PM on Saturday, July 24 Until Midnight--Waive the Provisions of Sections 9-2-5B(2)(b) Regarding Noise Audible Within an Enclosed Structure Used for Residential Purposes and Section 9-2-5D, Pertaining to Vibration

Recommended Action:

Motion to approve the request as submitted

RESULT: APPROVED WITH VOICE VOTE [7 TO 1]
MOVER: Adam Wachowski, Vice-President
SECONDER: Jeff Dahlke, Councilmember
AYES: Adam Wachowski, Bill LeClair, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
NAYS: Bonnie Shimulunas
ABSENT: Jay Remiker

- D. **2021-096** Noise Ordinance Waiver Request for Two Rivers Fish Derby, Walsh Field Friday, July 16 through Sunday, July 18, 2021 until 11:30 PM on Friday and Saturday--Waive the Provisions of Sections 9-2-5B(2)(b) Regarding Noise Audible Within an Enclosed Structure Used for Residential Purposes and Section 9-2-5D, Pertaining to Vibration

Recommended Action:

Motion to approve the request as submitted

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: Jeff Dahlke, Councilmember
SECONDER: Adam Wachowski, Vice-President
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT: Jay Remiker

- E. **2021-097** Permission for Overnight Camping in Parking Lot 5 and on Beach, Use of Portable Fire Pits on Parking Lot 5, Catamaran Racing Association of Wisconsin at Neshotah Beach, August 6-8

Recommended Action:

Motion to authorize request by the Catamaran Racing Association

Councilmembers also indicated their support for the City Manager approving use of the City Parks beyond park closing hours per Municipal Code Section 7-1-6 in addition to the noise waivers above and the overnight camping.

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: Bill LeClair, Councilmember
SECONDER: Tracey Koach, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT: Jay Remiker

- F. **2021-098** Resolution for Budget Amendment to 2021 Police and Fire Capital Budgets to Account for Planned Investment of Bequest from Former Councilmember James Taddy

Recommended Action:

Motion to waive reading and approve the budget amendment

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: Adam Wachowski, Vice-President
SECONDER: Darla LeClair, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT: Jay Remiker

- G. **2021-099** Resolution Declaring May 16-22, 2021 as Emergency Medical Services Week

Recommended Action:

Motion to read and adopt the resolution

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: Darla LeClair, Councilmember
SECONDER: Bill LeClair, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT: Jay Remiker

- H. **2021-100** Resolution Expressing Appreciation for Members of Committees, Commissions and Boards Who Retired as of April 2021 or Ended Their Service During the Past Year

Recommended Action:

Motion to waive reading and adopt the resolution

RESULT: APPROVED WITH ROLL CALL [UNANIMOUS]
MOVER: Mark Bittner, Councilmember
SECONDER: Jeff Dahlke, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT: Jay Remiker

- I. **2021-101** City Manager's Appointments and Re-Appointment to Boards, Committees and Boards

Recommend Action:

Motion to approve the appointments as recommended by the City Manager

Motion to approve the appointment of Jack Gadzala to the Police and Fire Commission and Jeff Dawson and Elizabeth Runge to the Branding and Marketing Committee.

RESULT: **APPROVED WITH ROLL CALL [UNANIMOUS]**
MOVER: Tracey Koach, Councilmember
SECONDER: Mark Bittner, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla
 LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT: Jay Remiker

RECOMMENDATIONS FROM THE PLAN COMMISSION MEETING OF MAY 10, 2021

- J. **2021-102** Resolution Approving the Project Plan for Tax Incremental District No. 14 at the Woodland Industrial Park

Recommended Action:

Motion to waive reading and adopt the resolution

RESULT: **APPROVED WITH ROLL CALL [UNANIMOUS]**
MOVER: Bill LeClair, Councilmember
SECONDER: Bonnie Shimulunas, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla
 LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT: Jay Remiker

- K. **2021-103** Resolution Creating Tax Incremental District No. 14

Recommended Action:

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

RESULT: **APPROVED WITH ROLL CALL [UNANIMOUS]**
MOVER: Jeff Dahlke, Councilmember
SECONDER: Tracey Koach, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla
 LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT: Jay Remiker

- L. Schedule Public Hearings for:

1. Application for a Conditional Use Permit to Operate a Small Wind Energy System in the I-2 Industrial District in the Woodland Industrial Park, submitted by Ian Sleger, Sleger Holdings, LLC d/b/a All Energy Management (buyer) and the City of Two Rivers (property owner)
2. Zoning Code Text Amendment Regulating Storage Canopies
3. Zoning Code Text Amendment related to boat sales, service and storage in the B-3 Business District
4. Application for Conditional Use Permit Related to Continued Operation of "Patsy's

- Mobil Hwy 42 Mart" in the B-1 Business District at 816 - 22nd Street, Submitted by Patsy Walesh (property owner) and Lekha Timilsaina, Lipulake LLC, (buyer)
5. Zoning Code Text Amendment Related to Permitted Signs in Business and Industrial Districts

Recommended Action:

Motion to set the various public hearings for Monday, June 7, 2021 at 6:00 PM, as recommended by the Plan Commission

RESULT:	APPROVED WITH VOICE VOTE [UNANIMOUS]
MOVER:	Bonnie Shimulunas, Councilmember
SECONDER:	Darla LeClair, Councilmember
AYES:	Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT:	Jay Remiker

12. FOR INFORMATION ONLY

- A. City Council Work Session, Monday, May 24, 2021, 6:00 PM, due to Memorial Day on May 31
- B. Board of Review Meeting, Wednesday, May 26, 2021 at 5:00 PM, Council Chambers
- C. City Council Regular Meeting, Monday, June 7, 2021, 6:00 PM

13. CLOSED SESSION

The City Council reserves the right 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 Possible City Assistance to Economic Development Projects
- Discuss Matters Pertaining to Services Agreement with Progress Lakeshore

Motion to enter into closed session at 8:23 PM, 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 possible city assistance to economic development projects and discuss matters pertaining to services agreement with Progress Lakeshore.

RESULT:	APPROVED ROLL CALL [UNANIMOUS]
MOVER:	Darla LeClair, Councilmember
SECONDER:	Bill LeClair, Councilmember
AYES:	Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT:	Jay Remiker

14. RECONVENE IN OPEN SESSION

Motion to reconvene in open session at 9:03 PM and consider possible actions in follow-up to closed session discussions.

RESULT: APPROVED VOICE VOTE [UNANIMOUS]
MOVER: Mark Bittner, Councilmember
SECONDER: Darla LeClair, Councilmember
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT: Jay Remiker

15. ADJOURNMENT

Motion to dispense with the reading of the minutes of the meeting and adjourn at 9:04 PM.

RESULT: APPROVED VOICE VOTE [UNANIMOUS]
MOVER: Tracey Koach, Councilmember
SECONDER: Adam Wachowski, Vice-President
AYES: Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
ABSENT: Jay Remiker

Jamie Jackson
City Clerk