

**CITY OF TWO RIVERS
COUNCIL PROCEEDINGS
REGULAR MEETING
Monday, June 21, 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**

Councilmembers: Curt Andrews, Mark Bittner, Jeff Dahlke, Tracey Koach, Bill LeClair, Darla LeClair, Jay Remiker, Bonnie Shimulunas, Adam Wachowski

Attendee Name	Title	Status	Arrived
Adam Wachowski	Vice-President	Present	
Bill LeClair	Councilmember	Present	
Bonnie Shimulunas	Councilmember	Present	
Curt Andrews	President	Present	
Darla LeClair	Councilmember	Present	
Jeff Dahlke	Councilmember	Present	
Jay Remiker	Councilmember	Present	
Tracey Koach	Councilmember	Present	
Mark Bittner	Councilmember	Present	

Also present were Ross Blaha, Water Utility Director; Dave Buss, Finance Director; Dave Dassey, IT Assistant; Jeff Dawson, Library Director; Brian Dellemann, Electric Utility Director; Steve Denzien, Fire Chief; Brian Kohlmeier, Police Chief; Jim McDonald, Public Works Director; Elizabeth Runge, Community Development Director/City Planner; 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. Public Hearing to Amend Municipal Code Section 10-1-25B(2) to Allow Commercial Kennels as a Conditional Use in the B-2 Business District

Recommended Action:

Motion to waive reading and adopt the ordinance

Council President Andrews opened the public hearing and made three calls for input by those in attendance in person. There was no one wishing to comment on the matter.

Three calls were then made for input by telephone. There were no callers and the public hearing was closed.

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

6. INPUT FROM THE PUBLIC

Dean LaRose - 1629 Hawthorne Avenue - Questioned if there is anyway to get bicyclists off the sidewalks due to safety concerns. Chief Kohlmeier commented on the matter and indicated that it is generally against City ordinances for bicycles to be on the sidewalks, although there are some instances when they are allowed. Council President Andrews requested that information be put out on Facebook to remind residents of the ordinance.

7. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

Councilmember Bittner reported that he also received a call from a citizen concerned about bicycles on sidewalks.

Councilmember Shimulunas reported that she received a phone call from Mr. LaRose about bicycles on sidewalks. She also received a call from someone with concerns about passenger safety while riding on golf carts.

Police Chief Kohlmeier commented that the Police Department hasn't received any complaints on golf carts and the ordinance currently has no prohibition on the age of passengers, but passengers are expected to ride according to manufacturer recommendations. Golf carts are supposed to yield the right of way and allow vehicles to pass if needed. He requested that the concerned citizens get the license number from the golf cart so they can be reported to the Police Dept.

Councilmember Dahlke reported that he received feedback from citizens on the audio and video quality of Council recordings. He also questioned if handicap scooters are allowed on the sidewalks.

Police Chief Kohlmeier responded to the question regarding scooters and indicated that they are considered assisted mobility vehicles and currently allowed on sidewalks and trails.

Councilmember Dahlke reported that he received an inquiry from someone on Golfview Drive asking if the street will be renamed since there is no longer a golf course there. He also reported on a call he received about suspicious activity on 18th Street. Police Chief Kohlmeier suggested that all suspicious activity be reported to the Police Department so it can be properly investigated.

Councilmember Koach reported that she received a complaint from a citizen about pets riding as passengers on golf carts.

Councilmember Wachowski reported that he received a complaint about limited options for paying utilities bills. He also received a complaint regarding the proposed downtown location of the splash pad and ice rink.

Council President Andrews reported on a complaint he received about the availability of the archived meeting recordings online with the new Granicus meeting program. He also received a complaint about boats being parked on lawns and the grass not being maintained where the boats are parked.

8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

Councilmember Bittner reported that the Room Tax Commission is still reviewing options for contract revisions for the joint tourism agreement between the City of Two Rivers, City of Manitowoc, and the Manitowoc Area Visitor and Convention Bureau. The next Room Tax Commission meeting is on Thursday, June 24th at 10:00 a.m.

9. CITY MANAGER'S REPORT

A. Invited Guests

None.

B. Status/Update Reports

1. Street and Utility Construction Projects

Mr. Buckley reported that the sanitary sewer and water utilities are complete on 24th Street. The contractor is now working on storm sewer main and lateral installation with grading and gravelling scheduled for the week of June 28th.

The contractor for 25th and Madison Streets is working on the 25th Street sanitary sewer and water main. The work began at the west end of the project at West River Street and is working east toward Forest Avenue. Sewer and water lateral work will begin the week of June 28th. Work is not expected to begin on Madison Street until the utility work on 25th Street is complete, likely to be early July.

2. Staffing Updates

Mr. Buckley reported that the recruitment period for the Police Officer vacancies closed June 7th with 26 applications received. There are vacancies for a Head Cook at the Senior Center and a Head of Building and Grounds Maintenance at City Hall.

3. Vehicle Leasing Program with Enterprise

Mr. Buckley reported that the vehicle leasing program with Enterprise is off to a slow start due to supply issues. Of 21 vehicles ordered, 5 have been delivered.

4. New Play Equipment Being Installed at Neshotah & Riverside Parks

Mr. Buckley reported that installation of new playground equipment at Neshotah and Riverside Parks will take place on Tuesday, June 22nd. Woodchips will be installed later in the week with the hope that the playgrounds will be ready for public use by the end of the week. Security cameras are also being installed to deter vandalism.

5. Year-to-Date Room Tax Revenues

Mr. Buckley reported that following a record year in 2020, year-to-date room tax revenues for 2021 are out pacing last year. As of April 2021, YTD revenues were

\$18,477. For the same period in 2021, YTD revenues are at \$43,985.

6. Upcoming Event: Sundae Thursday, June 24
Mr. Buckley reported that Sundae Thursday will take place on June 24th in Central Park beginning at 5:30 p.m. There will be 25 cent ice cream sundaes, inflatables, kids games, family entertainment, an ice cream eating contest, and a performance by the Two Rivers Community Band at 7:00 p.m.
7. Upcoming Event: Beach Bash, June 25-26
Mr. Buckley reported that Beach Bash will take place June 25 and 26 at Neshotah Beach. The event will feature live bands, carnival rides, games, food, and drinks both days and bean bag and garbage ball tournaments on Saturday.
8. Upcoming Event: Cool City Classic Car Cruise and Show, June 25-26
Mr. Buckley reported that the 21st Annual Cool City Classic Car Cruise and Show will take place on June 25 and 26 in downtown Two Rivers. There will be food trucks and beverage stands both days. The cruise will take place on Friday evening and bands will begin at 4:00 p.m. The car show will be on Saturday from 10:00 a.m. to 4:00 p.m.
9. Upcoming Events: July 4 Weekend
Mr. Buckley reported that the 18th annual community sponsored fireworks show will take place on July 4. Activities will begin at 3:00 p.m. at Walsh Field with a performance by the Two Rivers Community Band at 7:25 p.m.
10. Summer 2021 Downtown Concerts and Bands on the Beach
Mr. Buckley reported on the 2021 Music in the Park and Bands on the Beach events for 2021. A complete listing of dates and times can be found at www.exploretworivers.com.
11. WFRV "Our Town" Segment on Two Rivers -- Monday, June 21
Mr. Buckley reported that he and Council President Andrews made an appearance on WFRV's "Our Town" segment on Monday, June 21 to shared information about upcoming events in Two Rivers.
12. ExploreTwoRivers.com
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

1. City Funding Assistance from American Rescue Plan Act
Mr. Buckley reported that the City's request for funding assistance from the American Rescue Plan Act was submitted by Finance Director Dave Buss on June 10. The City's total allocation is \$1,155,645 with half to be distributed in 2021 and the other half in 2022. Funds can be used to make up for lost revenues due to COVID, extraordinary expenses due to COVID, or for investment in water, sewer, or broadband infrastructure and must be spent by the end of 2024.
2. Request for Direct Appropriation, Harbor Design Deficiency Analysis

Mr. Buckley reported that he submitted a funding request for \$250,000 to fund a harbor design deficiency analysis with work to be performed by the Chicago District of the U.S. Army Corps of Engineers.

3. National Marine Sanctuary Designation
Mr. Buckley reported that an update will likely be shared this week on the status of the proposed Wisconsin Shipwreck Coast National Marine Sanctuary.
4. Tourism Joint Services Agreement with City of Manitowoc and Manitowoc Area Visitor and Convention Bureau
Mr. Buckley reported that negotiations for a new tourism services agreement continue with the next meeting of the City of Two Rivers Room Tax Commission taking place on Thursday, June 24 at 10:00 a.m.

10. CONSENT AGENDA

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

A. Presentation of Minutes

1. Regular City Council Minutes June 7, 2021

Recommended Action:

Motion to waive reading and adopt the minutes

B. Applications and Petitions

1. Applications for Temporary Class "B" Licenses
 - a. Two Rivers Main Street, Inc., Bryan Lee Day, July 10, 2021, Central Park West and West Park Street
 - b. Rotary Club of Two Rivers, Neshotah Beach Volleyball Open, July 16-18, 2021, Neshotah Beach

Recommended Action:

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

2. One Renewal Application for Class "A" Beer License for the period of July 1, 2021 to June 30, 2022

Recommended Action:

Motion to approve the application and authorize the City Clerk to issue the license for the period of July 1, 2021 to June 30, 2022.

3. Eight Renewal Applications for Combination Class "A" Beer/"Class A" Liquor Licenses for the period of July 1, 2021 to June 30, 2022

Recommended Action:

Motion to approve the applications and authorize the City Clerk to issue the licenses for the period of July 1, 2021 to June 30, 2022

4. Twenty-five Renewal Applications for "Class B" Malt & Liquor Licenses for the period of July 1, 2021 to June 30, 2022

Recommended Action:

Motion to approve the applications and authorize the City Clerk to issue the licenses for the period of July 1, 2021 to June 30, 2022

5. Twelve Renewal Applications for Beer Garden Permits for the Period July 1, 2021 to June 30, 2022

Recommended Action:

Motion to approve the applications and authorize the City Clerk to issue the licenses for the period of July 1, 2021 to June 30, 2022

6. Nine Renewal Applications for Cigarette Licenses for the period July 1, 2021 to June 30, 2022, all Over-the-Counter Sales

Recommended Action:

Motion to approve the applications and authorize the City Clerk to issue the licenses for the period of July 1, 2021 to June 30, 2022

7. Fifteen Renewal Applications for Landscaping/Tree Removal Licenses for the period July 1, 2021 to June 30, 2022

Recommended Action:

Motion to approve the applications and authorize the City Clerk to issue the licenses for the period of July 1, 2021 to June 30, 2022

8. Two Applications for Commercial Garbage Hauler's License – Recommended for Approval

- a. Pozorski Hauling & Recycling LLC, 2515 Viebahn Street, Manitowoc
- b. Manitowoc Disposal Inc., 1800 Johnston Drive, Manitowoc

Recommended Action:

Motion to approve the applications and authorize the Engineering Department to issue the licenses

C. Reports

1. Minutes of Meetings

- a. Lester Public Library, May 11, 2021
- b. Public Utilities Committee, June 1, 2021
- c. Public Works Committee, June 2, 2021
- d. Personnel & Finance Committee, June 10, 2021
- e. Plan Commission, June 14, 2021

Recommended Action:

Motion to receive and place on file

2. Department Reports for May 2021

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

Recommended Action:
Motion to receive and file

RECOMMENDED ACTION FOR CONSENT AGENDA

Motion to approve the Consent Agenda with the various actions recommended

11. CITY COUNCIL - FORMAL ITEMS

- A. Resolution Proclaiming July 10 as Bryan Lee Day

Recommended Action:
Motion to read and adopt the resolution

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

- B. Consideration of Proposed 2021-22 Strategic Goals and Objectives

Recommended Action:
Motion to Adopt the Proposed 2021-22 Strategic Goals and Objectives, as Recommended by the Personnel and Finance Committee

<p>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, Jay Remiker, Tracey Koach, Mark Bittner</p>
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- C. Follow-Up to Action at June 7 Council Meeting, Regarding Areas of the Downtown to be Utilized for Car Cruise and Car Show, June 25-26--Police Department and Other City Staff Recommend Allowing Use of the 2100 Block of Washington Street (Including Allowing Beer in Open Containers) on Friday Night, June 25 Only; on Saturday, Car Show Will Make Use of East and West Park Streets for Additional Show Car Parking (Those Areas Were Previously Approved for Street Closures and Allowing Beer in Open Containers)

Recommended Action:

Motion to allow beer in open containers on Washington Street, in the 2100 block, on Friday, June 25, during the time that the street is closed to traffic

Police Chief Kohlmeier reported that he was approached by members of Two Rivers Main Street to re-consider allowing beverages to be consumed Friday, June 25 only in the 2100 block of Washington Street. Various departments were consulted and the Police Department has indicated that they would be okay with it. Conversations were had to ensure there is proper communication and a coordinated effort at the end of the night to take down the barricades and allow for a safe traffic flow.

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

- D. Discuss Citizen Concern Regarding Water Utility Cross Connection Control Program
1. Background on Cross Connection Control Program--Basis in Ordinance and Statutes, City Inspections Conducted by HydroCorp Since 2012
 2. J.J. Lukas--Concerns Regarding Cross-Connection Control Program; Follow-Up to E-Mail Sent to City Council on June 7, 2021

Recommended Action:

Council Discretion; staff recommends referring to Utilities Committee if further follow-up is needed

City Manager Buckley provided some background on the cross connection control program and indicated that the City has contracted with HydroCorp for these services since 2012. Residential properties are to be inspected on a 20-year cycle which is tied to the 20-year cycle required by the PSC for water meter replacement. Nearly 2,800 residential inspections have been completed since 2012. HydroCorp also handles commercial and industrial connections in the City. Handouts were provided regarding state statutes and City ordinances in regards to this process.

Mr. J.J. Lukas was present to discuss his concerns with Council. He indicated his support for the cross connection control program and making public drinking water safer. His concerns are about the process the City follows to schedule the inspections. He received notices dated April 12, April 29, and a final notice on May 11 threatening disconnection. He has experienced scheduling issues, misinformation, and frustration while dealing with both the City and HydroCorp and thinks the program could be handled better locally without involving an outside contractor. He suggested moving the cross connection control program to an in-house program citing the possibility for the City to perform the services cheaper and with more consistent information.

Councilmember Bittner voiced his support of a review of the cross connection control program to analyze the cost-effectiveness of hiring out for the service.

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

- E. Ordinance to Amend Municipal Code Section 9-6-4G, entitled "Responsibilities of Owners" to Include Provisions Prohibiting a Person From Discharging Water From a Swimming Pool Onto Property Not Owned by that Person

Recommended Action:

Motion to waive reading and adopt the ordinance

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

- F. Ordinance to Amend Municipal Code Title 8, Chapter 9, Pertaining to the Operation of Golf Carts on City Streets

Recommended Action:

Motion to waive reading and adopt the ordinance

Police Chief Kohlmeier provided an overview of the changes being recommended to the current golf cart ordinance.

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

- G. Review of Developer Responsibilities Per Amendment 5 to Redevelopment Agreement for Washington Highlands/TID 8 Redevelopment Project--Waiver of Additional Penalty to Apply if Three Duplex Condominium Structures Not Completed by June 15

Recommended Action:

Motion to extend the completion deadline of June 15, 2021 to September 30, 2021, due to supply chain issues impacting the construction industry, as recommended by the Personnel and Finance Committee, and to direct the City Manager to prepare an amendment for Council action

RESULT: APPROVED WITH VOICE VOTE [7 TO 2]
MOVER: Bill LeClair, Councilmember
SECONDER: Jeff Dahlke, Councilmember
AYES: Adam Wachowski, Bill LeClair, Curt Andrews, Darla LeClair, Jeff Dahlke, Tracey Koach, Mark Bittner
NAYS: Bonnie Shimulunas, Jay Remiker

- H. Resolution Appointing Authorized Representative to File Applications for Financial Assistance from the Wisconsin Environmental Improvement Fund - Safe Drinking Water Loan Program and Clean Water Fund Program for Prospective 2022 Water Main, Sewer, and Lateral Replacement Projects

Recommended Action:

Motion to waive reading and adopt the Resolution

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

- I. Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing, Prospective 2022 Water Main, Sewer, and Lateral Replacement Projects

Recommended Action:

Motion to waive reading and adopt the Resolution

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

- J. City Manager's Appointments and Re-Appointment to Boards, Committees and Commissions

1. Jay Orvis, Environmental Advisory Board, to a term expiring May 1, 2022
2. Randy Ammerman, Zoning Board of Appeals, to a term expiring May 1, 2024

Recommend Action:

Motion to approve the appointments as recommended by the City Manager

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

12. FOR INFORMATION ONLY

- A. City Council Work Session, Monday, June 28, 2021, 6:00 PM -- Could Council Meeting Start at 5:00 PM for Joint Session with Central Park West 365 Committee?
Council agreed on a 5:00 p.m. start time for the June 28th Work Session meeting.
- B. City Council Regular Meeting, Tuesday, July 6, 2021, 6:00 PM

13. CLOSED SESSION

Motion to enter into closed session at 8:12 p.m., 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 possible property sale.

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

14. RECONVENE IN OPEN SESSION

Motion to reconvene in open session at 8:54 p.m. to consider possible actions in follow-up to closed session discussions.

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

Motion to reject the offer to purchase presented and direct staff and the City Attorney to prepare an alternative proposal to be reviewed at the June 28th Work Session meeting.

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

15. ADJOURNMENT

Motion to dispense with the reading of the minutes of the meeting and adjourn the meeting at 8:56 p.m.

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

Jamie Jackson
 City Clerk