

Two Rivers City Hall
1717 East Park Street
Council Chambers
Two Rivers, WI 54241
(920) 793-5532
www.two-rivers.org



**CITY OF TWO RIVERS
CITY COUNCIL AGENDA
Monday, January 27, 2020
Council Chambers – City Hall – 6:00PM
Special Meeting/Work Session**

1. Call to Order
2. Roll Call
3. Consideration of Any Council Member Requests to Participate in This Meeting from a Remote Location
4. Formal Items
 1. Ordinance to Amend Section 9-6-6(b) of the Municipal Code, Regarding Public Nuisances Affecting Health, Specifically Unburied Animal Carcasses (Failed on a 4-1 Affirmative Vote at January 20, 2020 City Council Meeting)
Recommended Action:
Motion to waive reading and adopt the Ordinance
 2. Ordinance to Amend Section 2-5-2 of the Municipal Code, Entitled "Board of Appeals" to Allow the Zoning Board of Appeals to Specify the Time Period Within Which a Building Activity or Use That is the Subject of a Zoning Variance Must be Commenced (Tabled from January 20, 2020 City Council Meeting)
Recommended Action:
Plan Commission: Adopt an ordinance amendment that sets a three-year maximum for such period

City Manager: Adopt an ordinance amendment that does not set a maximum length for such period--allow greater discretion to the Zoning Board of Appeals
 3. Advisory Recreation Board Recommendation to Adopt an Ordinance Amendment Banning Smoking "at or within 50 feet of any Youth Sporting Event, or within any Park or Playground Structure Area (referred from staff report at December 16, 2019 Council meeting)
Recommended Action:
Staff recommends either adopting a total ban on smoking in City parks, or keeping the status quo

4. City Manager's Appointment of David F. Schmaling to the Committee on Aging to a Term Expiring May 1, 2021.

Recommend Action:

Motion to authorize the appointment, as recommended by the City Manager

5. Closed Executive Session

The City Council reserves the right 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: Riverside Foods Expansion; Proposed Culver's; Other
- Discuss Possible Property Acquisition--2023 Washington Street Through Assignment of Tax Foreclosure by Manitowoc County
- Discuss Status of Negotiations Regarding Former Hamilton Property

And per Wisc. 19.85(1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved

- Confer with Legal Counsel Regarding Property Acquisition Matters Likely to be the Subject of Litigation: Former Hamilton Property
- Confer with Legal Counsel on Matters Pertaining to Outstanding City Loan and City TIF Grant to Michael and Rebecca Schwarz, Anchors Away, LLC and Windella, LLC for Restaurant Property at 1509 Washington Street

6. Reconvene in Open Session

To consider possible actions in follow-up to closed session discussions

7. Adjournment

Motion to dispense with the reading of the minutes of the meeting and adjourn

Please note, upon reasonable notice, efforts will be made to accommodate the needs to disabled individuals through appropriate aids and services. For additional information or to request this service, please contact the Office of the City Manager by calling 793-5532.

It is possible that members of and possibly a quorum of governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

ORDINANCE

AN ORDINANCE to amend Section 9-6-6(b) of the Municipal Code of the City of Two Rivers, Wisconsin, regarding public nuisances affecting health, specifically unburied animal carcasses.

The Council of the City of Two Rivers does hereby ordain as follows:

SECTION 1. That Section 9-6-6(b) of the Municipal Code is hereby amended to read as follows:

(b) **UNBURIED CARCASSES.** Carcasses of animals, birds or fowl not intended for human consumption or food which are not buried or otherwise disposed of in a sanitary manner within 24 hours after death. Carcasses of animals, birds or fowl intended for human consumption or food may be dismembered, displayed, eviscerated, hung or skinned in the rear yard of private property or in an enclosure on private property that will prevent such activity from being viewed by the public.

and to renumber subsequent sections as appropriate.

SECTION 2. This ordinance shall take effect and be in force from and after its date of passage and publication of same.

Dated this 3rd day of February, 2020.

Patrick J. Gagnon
President, City Council

Gregory E. Buckley
City Manager

Attest:

Kim M. Graves
City Clerk

Approved as to form and legality:

John M. Bruce
City Attorney

Attachment: 9-6-6.carcasses.ord (2408 : deer carcasses)

ORDINANCE

AN ORDINANCE to amend Section 2-5-2, entitled "Board of Appeals" to allow the Zoning Board of Appeals to specify the time period within which a building activity or use that is the subject of a zoning variance be commenced.

The Council of the City of Two Rivers do ordain as follows:

SECTION 1. That Section 2-5-2 of the Municipal Code shall hereby be amended as follows:

(f) **EXPIRATION.** No order of the Board of Appeals granting a variance shall be valid for a period longer than twelve (12) months from the date of such order unless a permit is obtained within such period and the erection or alteration of a building or structure is started or the use is commenced within such period. Provided, however, upon the written request of the applicant for a variance, the Board may authorize such period to be longer than 12 months, but in no case longer than 36 months.

(g) **CONDITIONS ON DEVELOPMENT.** The Board may impose conditions on development to eliminate or substantially reduce adverse impact of a project under consideration for a variance. Conditions may relate to project design, construction activities, or operation of a facility and must address and be commensurate with project impacts.

and to renumber subsequent sections as appropriate.

SECTION 2. This ordinance shall take effect and be in force from and after its date of passage and publication of same.

Dated this 3rd day of February, 2020.

Patrick J. Gagnon
President, City Council

Gregory E. Buckley
City Manager

Attest:

Kim M. Graves
City Clerk

Approved as to form and legality:

John M. Bruce
City Attorney



Committee Volunteer Application City of Two Rivers

If you reside in the City of Two Rivers and wish to be appointed to a citizen committee, commission or board, please complete the following application and return to the City Manager's Office, Post Office Box 87, Two Rivers, Wisconsin 54241-0087. Forms can also be returned via fax to 920-793-5563 or e-mailed to grebuc@two-rivers.org.

Name (Last, First, Middle initial): Schmaling, David, F

Home Address: 1405 20th

Home Telephone: 920 242-9558

Employer/Business: _____

Employer Address: _____

Occupation: _____

On which committees, commissions or boards would you like to serve?

ADR, Opened

Do you have any special skills, knowledge, experience or interest that relate to the above committee, commission or board?

President of Triad, Also on Main Street

Do you have any conflict of interest related to the committee for which you are applying (such as employed relatives, business or financial conflicts, etc)?

U/A

Signature: David Schmaling

Date: 12-5-19