



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

1. Call to Order
2. Roll Call
3. Staff Report on Compensatory Time Off (Comp time)
4. Discussion Regarding Park Shelter Fees and Consistency of Charges
5. Staff Report on Recent Electric Work at Vietnam Veterans Park
6. Update on Board and Commission Vacancies Requiring Appointments
7. Discussion of Concerns About Intersection Safety--Traffic Markings at 22nd and Washington and Other Locations
8. Consider Improvements to East River Street/ Lower Jefferson Street Corridor--2020 Capital Budget Item
9. Closed Executive 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 investing of public funds, or conducting other specified public business, whenever competitive or bargaining reason require a closed session.

--Discuss Matters Pertaining to Assistance to Economic Development Projects:
Redevelopment of Proposed Culver's Site, Former Paragon Property

And Wis. Stat. Sec. 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.

--Regarding Proposal by Prime Shares to Purchase City's Claim in Bankruptcy Proceeding Filed by Frontier Communications

10. Reconvene in Open Session

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

11. 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.

--MEMORANDUM--

MEMO TO: City Council

FROM: Gregory E. Buckley
City Manager



DATE: July 23, 2020

SUBJECT: Comp Time

Councilmember Wachowski recently requested an explanation of how comp time works. I received his e-mail during the evening hours of Thursday, July 16. In that e-mail he stated, among other things, that I had once said that the City does not allow comp time. He further contended that my statement to that effect was contradicted by a more recent statement by Chief Kohlmeier, when the Chief reported to Council that, during the COVID-19 emergency, the Police Department was not allowing use of vacation time or comp time by its officers.

Adam's exact quote:

"I remember and can ask people to verify, but I do recall Greg saying the city doesn't have comp pay. Right? But then in our special meeting on the pond issue the chief talked about comp pay? I'm confused, which is it, we have it or we don't? We call some out on it (make examples of them) and let others slide? Is that it?"

My text reply to Adam on this issue, about 36 hours later on the morning of Saturday, July 18, was as follows:

"The City, by policy and by union contracts, allows for comp time, which is compensatory time off, earned at time and a half rate, in lieu of paid overtime. There are caps on much comp time an individual employee can bank—after that, overtime has to be in the form of paid overtime. Comp time earned or used is reported on payroll forms and tracked by the City's payroll system. I have never stated that the City does not offer comp time.

I expect, when you say 'call some out on it (make examples of them)' that you are referring to a situation where two Rec Department employees (as supervisor and a subordinate) were disciplined for entering hours on an official time sheet as "hours worked" when the employee in question was actually off work. The employees then contended that the time taken off was "banked time" that was earned previously and tracked outside of the City's payroll system by the supervisor—off the books, as it were. THAT is not allowed."

Councilmember Wachowski has since asked that a further explanation of comp time be included on a City Council agenda, so it is on the agenda for Monday night's work session meeting.

Attachment: Comp Time (2848 : Comp Time)

Compensatory time off, or comp time, is allowed under the City's Personnel Policy and longstanding practices. Comp time for overtime hours worked can be banked by employees for later use, as an alternative to paid overtime. Just like earned/paid overtime pay, comp time is tracked on the payroll system when earned and when used. I have attached a couple of different employee timesheets—one used by City Hall employees, the other by full-time Parks and Rec employees, to illustrate this.

For general employees, up to 160 hours of overtime work may be accrued as comp time (up to 240 hours off).

For Police command officers (lieutenants, but not the Chief or Assistant Chief, who are eligible for neither overtime pay nor comp pay), up to 240 hours of overtime work may be accrued as comp time (up to 360 hours off).

For Police union employees, up to 80 hours of overtime work may be accrued as comp time (up to 120 hours off), per the union contract with the City. This provision has been in the contract since 2010; prior to that, patrol officers were only eligible for paid overtime.

The Fire union contract does not provide for comp time accrual by fire union employees; likewise, no Fire command staff receive comp time.

Comp time in many instances saves the City money, as employees are able to take time off in lieu of overtime pay and scheduling their use of comp time off is subject to the discretion of their department head or supervisor. It is, of course, a sort of "contingent expense" for the City, as it is money owed to these employees upon separation from service, or other request for comp time payout.

As of today's date, the total for all City employees' accrued comp time is \$169,407. To put that sum in perspective, it is equal to about 1.9 percent of total annual City payroll (which was \$8,992,122 in 2019).

It is also worth noting that the City in its annual financial statements reports the amount owed to employees for "compensated absences" earned but not used at year-end. That number includes both accrued comp time and unused vacation carryover. For 2019 year-end, that number was \$236,945.

FILE NUMBER

TOTAL	CODE
0.00	
0.00	
0.00	V
0.00	S
0.00	C
0.00	N
0.00	I
0.00	
0.00	

Sick	Date(s)	Reason for Request	Comp	Date(s)	Reason	Compensation Time Earned

11 DOUBLETIME

Name _____

[illegible]

Sign: Employee

Supervisor

Date _____

3.A.a

Packet Pg. 6

Attachment: Comp Time (2848 : Comp Time)

--MEMORANDUM--

MEMO TO: City Council

FROM: Gregory E. Buckley
City Manager



DATE: July 24, 2020

SUBJECT: Shelter Rental Fees

Councilmember Wachowski has requested that Monday's agenda include a discussion of park shelter rental fees. As I understand it, there is some concern regarding inconsistency in the amount charged for various shelters.

The attached e-mail dialogue between Adam and me, along with related attachments, may be helpful as background for this discussion.

One of the fees referenced in our dialogue—\$200 per day for use of the concession stand that is attached to the shelter at Vietnam Veterans Park—is indeed a charge that was not established through action of the Advisory Recreation Board or City Council. As I addressed in my e-mail dialogue with Adam, I came up with that charge back in June, based on a request from the Appleton Heat group that has been holding tournaments at that park. There had been no such fee established in past years, as there was a concession operator at that location and the kitchen/concession stand was not available for rental.

The fee for that facility, along with any other fees that the Council feels warrant review, can be placed on the August Advisory Recreation Board agenda for its recommendations, then brought back to City Council later in August.

Fees to be aware of for this discussion:

- Park Picnic Shelters: \$50 resident, \$60 non-resident per day
- Rotary Pavilion at Neshotah Beach: \$250 per day (no resident/non-resident distinction)
- Vietnam Vets Concession Stand, along with connected shelter: \$200 per day

Attachment: Shelter Rental Fees (2849 : Discussion Regarding Park Shelter Fees and Consistency of Charges)

Re: Question from Monday

Greg Buckley <grebuc@two-rivers.org>

Wed, Jul 22,
3:15 PM (2
days ago)

to Adam, Terri, Curt

Fee was \$200, inclusive of the shelter that is attached to the concession stand.

I came up with the number in order to answer the tournament organizer's request, which came up shortly before their first tourney of the summer. The number struck me--and still strikes me--as a good number for the City. I did not pursue at ARB or City Council, due to the need to give a timely reply. I am more than happy to take to ARB/Council now, to make sure we are consistent on this charge in the future. It is not inconsistent with any past charge for this facility, as we were "breaking new ground." And, it has resulted in \$1,800 in revenue to the City from three events (each a three day rental at \$200 per day). Just was trying to use my best judgement, in the City's interest.

Greg

On Wed, Jul 22, 2020 at 2:52 PM Adam Wachowski <awachowski@two-rivers.org> wrote:

Yes that's what I'm trying to clarify is what the tournament paid versus the campers at the beach. It was said fir the campers during the meeting it was essentially a shelter fee. I am referring to your email of concessions stand for the 200 as for why the big increase? Do they rent the pavilion at Vietnam and concessions as a total to come to \$200? Or is 200 just for concessions and pavilion is separate fee? I know from my time on here we didnt talk about that at council or ARB. So did you just come up with a number? Why not ask ARB or council as you stated you did with others in 2019?

On Wed, Jul 22, 2020, 2:15 PM Greg Buckley <grebuc@two-rivers.org> wrote:
Adam--

The fee for the Rotary Pavilion was addressed by the ARB in May 2019 (minutes attached) and a fee for use of the Pavilion and half of lot 3 was established at \$250. I was not there for the discussion, and the minutes from that meeting do not address why/how that fee was arrived at. For my part, I would assume it was because the Rotary Pavilion is a prime location, and any event there also makes use of prime parking. But I don't know for sure if that was the ARB's reasoning.

There is a form for rental of the Rotary Pavilion (copy attached) on the City website under Parks and Rec; there is also a form for rental of other park shelters, which go for \$50/\$60 (resident/non-resident) per day, depending on the location. These are also fees that were established by the ARB, at some point in time.

Attachment: Shelter Rental Fees (2849 : Discussion Regarding Park Shelter Fees and Consistency of Charges)

I am not sure what you mean when you say that you "saw one for \$200"-- another rental form for the Rotary Pavilion, the fee for another shelter? If you are addressing the fee of \$200 per day that I cited in an email to you last week, regarding use of the concession stand at Vietnam Vets Park, that is a fee that I directed Parks and Rec staff to communicate to the Appleton Heat tournament organizer when he had asked about rental of that concession stand. I did so because there was not an established fee for rental of that facility, which was operated by private concession operators through 2019. (As you are aware, there is no concession operator at Vietnam for this season.) I am asking Terri to place this fee on the August ARB agenda, for action by that body.

As you

On Wed, Jul 22, 2020 at 9:07 AM Adam Wachowski <awachowski@two-rivers.org> wrote:

To make clear, Mondays question wasn't if the increased, the question was why is it 250 when I saw one for \$200. Are there different fees for different shelters. So do we have different fees on all shelters? I'm not sure, but I believe all shelters have electric so they should be the same. Some have bathrooms, but those are still public restrooms they aren't rented, at least to my knowledge. So again do we have different fees on different shelters. If so, why? That would have been the follow up question if I had the answer on the first question at Monday nights council meeting.

Adam

--

Greg Buckley
City Manager
City of Two Rivers
Telephone 920.793.5532
Fax 920.793.5563

Check out our new [HarborCam](#), for great live views of the Two Rivers waterfront, at www.two-rivers.org

RESULT: ACCEPTED AS AMENDED [UNANIMOUS]
MOVER: Erin Gonnerman, Council Rep
SECONDER: Kathy Peterson, Board Member
AYES: Powalisz, Gonnerman, Casavant, Peterson
ABSENT: Walesh, Cortte, Reed, Gallagher, Klinkner

5. Correspondence

A. Press Coverage

Reviewed

B. Thank You's

Reviewed

6. Comments from the Public (limited to 3 minutes each)

Mark Grams noted that the dog signs in the parks and along the trails do not match the city ordinances. The signs are confusing to the public. The signs should be removed until new signs with the correct ordinances are available. Discussion. Kevin noted new ordinances are being presented to City Council on Monday, May 20, 2019. Park and trail signs will be replaced after the ordinances are defined and approved by City Council.

Mark Grams would also like the board to check into the requirements to change the ordinance and provide people the opportunity to drive golf carts in city limits (legalize golf carts).

Kathy Peterson noted that the TRHS School Board is in the process of creating a fund for the little boy that was murdered recently. They want the funds to go to playground equipment in his name.

Other questions posed: Snowfest is not a city event. Those in charge of that event are fundraising. 4th of July fireworks will not be over Lake Michigan, however, family activities are being added this year.

7. New Business

None

8. Old Business

A. Beach Fees

Groups were requesting to section off areas of the beach for a private party (wedding). This would block the area off for 3 days: Set up Friday, Wedding Saturday, Cleanup Sunday.

After much discussion. The Recreation Department will rent the Rotary Pavillion, with electric and 1/2 of a Parking lot for \$250.00 per day for an event. It would not be feasible to section off areas of the beach and keep public out of the area.

RESULT: RECEIVED AND FILED

B. Food Truck Vendors/Vending at Community Events



Parks & Recreation Department
 1520 17th Street, Two Rivers, WI 54241
 Phone 920-793-5592 Fax 920-793-5529
Park Host 920-323-2670 -- Sat & Sun Only 7 AM – 1 PM

Date: _____ Day of the Week: _____ Start Time: _____ End Time: _____

SHELTER: ☐ Neshotah Park ☐ Neshotah Beach ☐ Neshotah Jaycee ☐ Neshotah Horseshoe ☐ Vet's
☐ Washington ☐ Zander ☐ Vietnam ☐ Walsh ☐ Central Park ☐ Riverside ☐ Harbor Park

Name of Group _____ Person in charge _____

Address: _____ City, State, Zip _____

Day phone: _____ E-mail address: _____

Serving alcohol? ☐ Yes ☐ No Type of event: _____ **How many people will attend?** _____

Selling alcohol? ☐ Yes ☐ No (You are responsible for determining whether or not your group needs a Class B permit, which is available through City Hall). Glass containers are not permitted in public parks. Ordinance 7-1-10.

Amplified sound? ☐ Yes ☐ No If yes, Type? _____ Hours: Start _____ End _____

I understand and agree that the issuance of this Park Shelter Reservation is subject to the accuracy of the information supplied on this form, and the adherence to all City of Two Rivers ordinances, policies, and regulations of the Parks & Recreation Department and that the City of Two Rivers retains the right to revoke this permit anytime prior to or during this event.

DAMAGE: I also understand the conditions of this application and agree to pay for any damage arising from use of this City facility.

GARBAGE: It is further understood and agreed that each group or individual is responsible for cleaning the shelter and surrounding area, with debris put in garbage cans and facilities and grounds left without damage. Please do not leave bagged garbage outside the receptacle for wildlife to explore. Please recycle your cans and plastic bottles to ensure all garbage goes in the receptacle. Renter will be responsible for cleanup costs (\$35 per hour) over the amount of the rental fee in the event user fails to clean up properly.

DIGGER'S HOTLINE: I agree to call Digger's Hotline prior to pounding stakes for tents or any other temporary structure.

REFUND POLICY: I understand and agree that refund requests **received in writing (30) full days prior to the reservation date**, will receive a refund minus a \$15.00 administrative fee or 100% credit on account to be used for a future rental or program (*excludes attraction tickets*).

Less than (30) full days notice prior to the reservation date, will receive a 50% refund minus a \$15.00 administrative fee. No account credit given.

Less than (10) full days notice - No refunds or account credit are given.

Cost incurred by the City for delivery & pick up of rental items such as picnic tables or any other special request items for the rental will be deducted prior to issuing a refund.

No refunds given for circumstances beyond the control of the Parks & Recreation Department (ie: weather).

Deposits – will automatically be mailed to the address on the reservation form, unless arrangements have been made for pick up at the Parks & Recreation Office. Renter agrees to abide by the rules and regulations contained in this agreement. **My signature and/or payment indicates my agreement with these terms.**

Fee Description	Resident ~ Non-Resident	Total Due
Shelter Rental (requires \$100 refundable deposit)	\$50 ~ \$60	
Ball diamond (per hour)	# @ \$5.50 / \$11 =	
P.A. Rental (additional \$100 refundable deposit)	\$25 ~ \$50	
Extra picnic tables	# @ \$10 =	
Tax (5%)		
Payment Type	<input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> CHARGE	\$
\$100 Deposit(s) Date Paid	<input type="checkbox"/> CASH <input type="checkbox"/> CHECK	

Signature

Date

Park & Recreation Director's Signature

Date



Parks & Recreation Department
1520 17th Street, Two Rivers, WI 54241
Phone 920-793-5592 Fax 920-793-5529
Park Host 920-323-2670 -- Sat & Sun Only 7 AM – 1 PM

Date: _____ Day of the Week: _____ Start Time: _____ End Time: _____

SHELTER: ☐ Rotary Pavilion + ½ Parking Lot #3

Name of Group _____ Person in charge _____

Address: _____ City, State, Zip _____

Day phone: _____ E-mail address: _____

Serving alcohol? ☐ Yes ☐ No Type of event: _____ How many people will attend? _____

Selling alcohol? ☐ Yes ☐ No (You are responsible for determining whether or not your group needs a Class B permit, which is available through City Hall). Glass containers are not permitted in public parks. Ordinance 7-1-10.

Amplified sound? ☐ Yes ☐ No If yes, Type? _____ Hours: Start _____ End _____

Electrical needed? ☐ Yes ☐ No If yes, Type? _____ Hours: Start _____ End _____

I understand and agree that the issuance of this Park Shelter Reservation is subject to the accuracy of the information supplied on this form, and the adherence to all City of Two Rivers ordinances, policies, and regulations of the Parks & Recreation Department and that the City of Two Rivers retains the right to revoke this permit anytime prior to or during this event.

DAMAGE: I also understand the conditions of this application and agree to pay for any damage arising from use of this City facility.

GARBAGE: It is further understood and agreed that each group or individual is responsible for cleaning the shelter and surrounding area, with debris put in garbage cans and facilities and grounds left without damage. Please do not leave bagged garbage outside the receptacle for wildlife to explore. Please recycle your cans and plastic bottles to ensure all garbage goes in the receptacle. Renter will be responsible for cleanup costs (\$40 per hour) over the amount of the rental fee in the event user fails to clean up properly.

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Less than (10) full days notice - No refunds or account credit are given.

Cost incurred by the City for delivery & pick up of rental items such as picnic tables or any other special request items for the rental will be deducted prior to issuing a refund.

No refunds given for circumstances beyond the control of the Parks & Recreation Department (ie: weather).

Deposits – will automatically be mailed to the address on the reservation form, unless arrangements have been made for pick up at the Parks & Recreation Office. Renter agrees to abide by the rules and regulations contained in this agreement. My signature and/or payment indicates my agreement with these terms.

Fee Description	Resident ~ Non-Resident	Total Due
Shelter Rental (requires \$100 refundable deposit)	\$250	
Tax (5%)		
Payment Type	<input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> CHARGE	\$
\$100 Deposit(s) Date Paid	<input type="checkbox"/> CASH <input type="checkbox"/> CHECK	

Signature _____

Date _____

Park & Recreation Director's Signature _____

Date _____

--MEMORANDUM--

MEMO TO: City Council

FROM: Gregory E. Buckley
City Manager



DATE: July 23, 2020

SUBJECT: Recent Electric Work at Vietnam Veterans Park

Councilmember Wachowski last week Thursday (July 16) requested information on work being done by an electrical contractor at Vietnam Veterans Park. I was aware from conversations with Parks and Rec staff that the work involved running power to a new scoreboard. Adam requested additional information on the work done, so here it is:

1. Scope of Work:

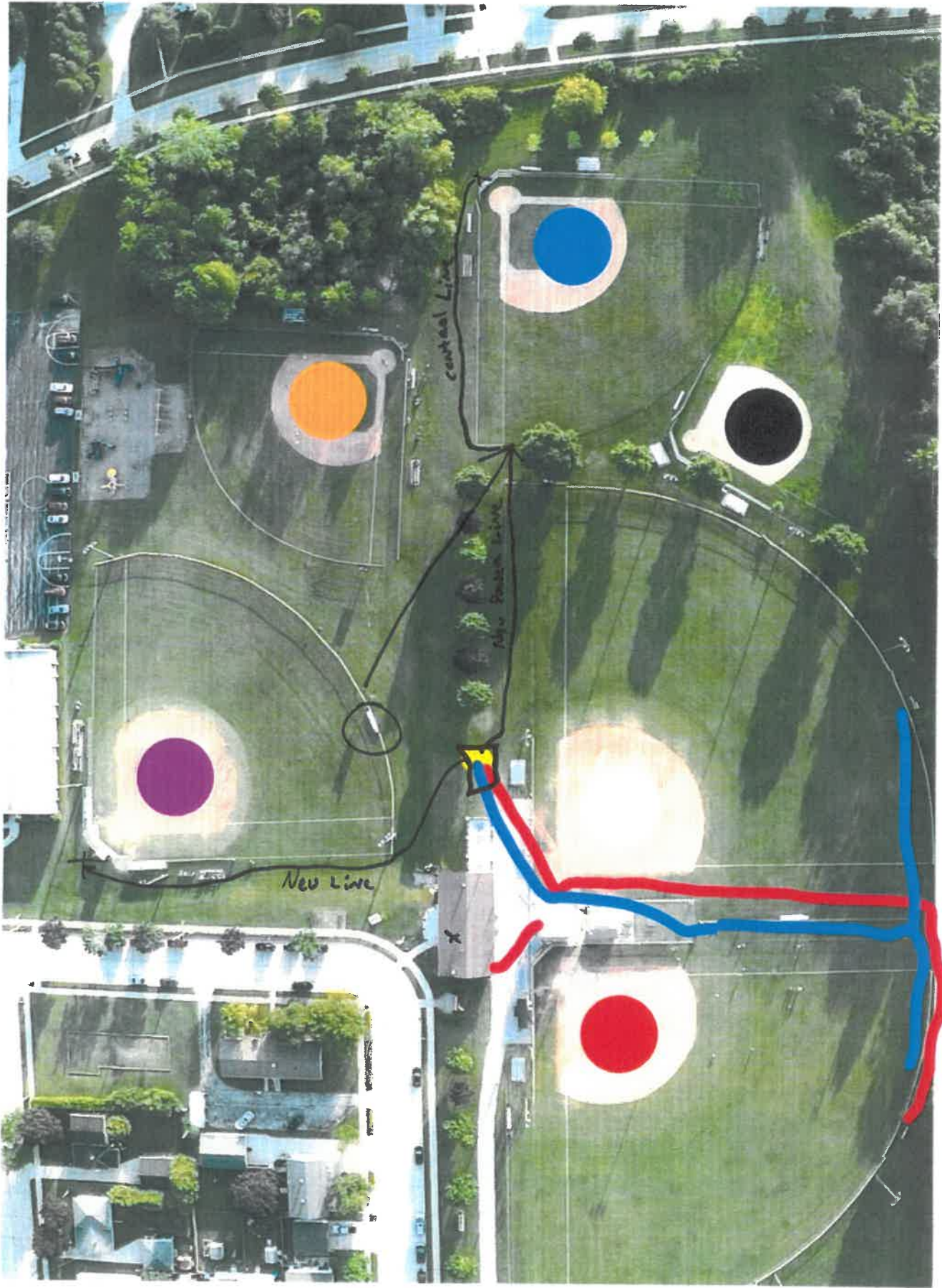
Move existing, older scoreboard from Purple field to Blue field; trench-in power supply line and control panel wire for scoreboard at Blue field.

Install new transformer and trench-in control panel wire for new scoreboard at Purple field. (Note: "New" scoreboard at Purple field was installed in 2018, but never supplied with power.)

2. Contractor Cost: Quote from Hubbart Electric was \$8,700; final bill pending, should be a lesser amount, as quote included running new power supply line to yellow field and that work was not done.
3. Funding Source: Funding for this work came from 2020 Parks and Recreation capital budget, which included \$15,000 in funding for capital projects at athletic fields (account 454-55400-8840, Field Renovation). A similar amount has been provided in the capital budget each year for the past several years.

Map showing approximate locations of work is attached. Areas where work was done are shown in black. Also attached is a copy of the Hubbart Electric quote.

Attachment: Electric Work Vietnam Veterans Park (2847 : Recent Electric Work at Vietnam Veterans Park)



Attachment: Electric Work Vietnam Veterans Park (2847 : Recent Electric Work at Vietnam Veterans Park)

Hubbatt Electric Inc.

1334 S. 15th St
Manitowoc, WI 54220

sperry@hubbarttelectric.com

Phone: 920-686-1180

Fax: 920-686-1181

Cell: 920-973-5109

Attn: Jared Roher
Parks and Recreation Dept.
1520 17TH St.
Two Rivers, WI 54241

Date: 6/25/20

Quote: SP310

Budgetary pricing for the electrical work to install for score board wiring at Vietnam Park per customer's request:

120/240 panel for scoreboards:

- Furnish and install (1) 20 space 120/240-volt single phase 60-amp panel on back side of existing 480-volt service.
- Furnish and install (1) 15kva transformer.
- Furnish and install breakers need for installation.
- Includes conduit and wiring connections.

Time and material not to exceed-----\$3,000.00

Wiring to new scoreboard:

- Provided trenching and backfilling from new scoreboard to little league press box.
- Install PVC conduit and (1) 3-wire cable from scoreboard to press box for controller.
- Install conduit and wiring connections from scoreboard to new 120/240-volt panel located behind scoreboard.

Time and material not to exceed pricing-----\$2,500.00

Extend wiring to far west scoreboard:

- Provide trenching and backfilling from new 120/240 panel to west upper diamond score board.
- Provide trenching and backfilling to reroute power to lower wets diamond scoreboard out of new 120/240 panel.
- Install conduit and 120-volt wiring connections to both scoreboards.
- Assumes no control wire and conduit needed for these score boards. (Wireless control)

Time and material not to exceed-----\$3,200.00

Notes:

- Work done during normal business hours.
- Electrical permit included.
- Not responsible for buried private lines or irrigation.
- Diggers hotline coordinated for all utilities.

Attachment: Electric Work Vietnam Veterans Park (2847 : Recent Electric Work at Vietnam Veterans Park)

July 24, 2020

City Manager's Appointments Still Needed to Citizen Boards and Commissions 2020 - 2021

Vacancies

- Community Development Authority (1)
- Business Improvement District Board (5)
- Community Development Block Grant Housing Committee (4)
- Commission for Equal Opportunities in Housing (5)
- Environmental Advisory Board (5)
- Zoning Board of Appeals Alternate (2)