



CITY COUNCIL MEETING

Monday, March 21, 2022 at 6:00 PM

Council Chambers - City Hall, 3rd Floor
1717 E. Park Street, Two Rivers, WI 54241

MINUTES

1. CALL TO ORDER

The meeting was called to order by Council President Wachowski at 6:01 PM.

2. PLEDGE OF ALLEGIANCE LEAD BY HARPER WACHOWSKI

(City will be inviting a local elementary or pre-school student to lead the Pledge of Allegiance once monthly)

To nominate a student to lead the Pledge of Allegiance at the second Council meeting of the month contact Lisa Kuehn in the City Manager's office at 920-793-5532 or lkuehn@two-rivers.org.

3. ROLL CALL BY CITY CLERK

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

ALSO PRESENT: Ross Blaha, Water Utility Director; Dave Buss, Finance Director; Jeff Dawson, Library Director; Steve Denzien, Fire Chief; Rebecah Hansen, Recreation Supervisor; Brian Kohlmeier, Police Chief; Jim McDonald, Public Works Director; Ben Meinnert, Assistant Police Chief; Rick Powell, IT Supervisor; Andrew Sukowaty, Water Utility Director; Elizabeth Runge, Community Development Director/City Planner; Greg Buckley, City Manager; and Jack Bruce, City Attorney.

4. CONSIDERATION OF ANY COUNCIL MEMBER REQUESTS TO PARTICIPATE IN THIS MEETING FROM A REMOTE LOCATION

Motion to allow remote participation in this meeting by Councilmember D. LeClair.

Motion carried with voice vote.

Motion made by Thomas, Seconded by B. LeClair.

Voting Yea: Wachowski, B. LeClair, Shimulunas, Dahlke, Remiker, Thomas, Bittner, Koach

5. PUBLIC HEARING

A. Public Hearing on Zoning Code Ordinance Change to Planned Unit Development (PUD) for the Construction of Multi-Family Residential Development at 3000 Forest Avenue

Recommended Action:

Motion to waive reading and adopt the ordinance

Council President Wachowski opened the public hearing and made three calls for public input. There were no members of the public present and wishing to comment during the public hearing. The public hearing was closed.

Motion carried unanimously by roll call vote.

Motion made by B. LeClair, Seconded by Bittner.

Voting Yea: Wachowski, B. LeClair, Shimulunas, D. LeClair, Dahlke, Remiker, Thomas, Bittner, Koach

6. INPUT FROM THE PUBLIC

None.

7. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

None.

8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

Councilmember Bittner reported that the Room Tax Commission meets on Tuesday, March 22, at 10:00 AM.

9. CITY MANAGER'S REPORT

A. Invited Guests

1. Two Rivers Business Association - Central Park West Donation

Representatives of the Two Rivers Business Association were in attendance to present a check for \$10,000 to the City for the Central Park West 365 project.

2. Two Rivers School District Facility Assessment and Survey on Community Input From All Stakeholders

Diane Johnson, Two Rivers Public School District Superintendent, was present to provide a report on the Two Rivers School District facility assessment and survey on community input. Also present to assist in the presentation were Mary Kay Slattery, Finance Director, and Jaimie Salta, School Board President. The presentation included an overview of where the district gets their funding, how the dollars are spent, enrollment numbers, history of the school district mill rate, and a review of the facility study including the prominent needs at LB Clarke and proposed additions and renovations for that facility to help meet the needs of the district.

B. Status Update/Reports

1. Sale of 606 Parkway Boulevard, Former Paragon Property

Mr. Buckley reported that the sale of 606 Parkway Boulevard to Trivers, LLC, an entity controlled by Oshkosh developer Art Dumke, closed on March 17. The net proceeds to the City's Economic Development Fund were \$1,197,031 (\$1.2 million purchase price less the title insurance and closing costs).

The new owner plans to rehabilitate the facility for lease as manufacturing and warehouse space. The City has applied for a WEDC Idle Sites Grant of \$500,000 to assist the project with improvements as the estimated cost for planned work on the facility is over \$6,000,000.

2. Sandy Bay Highlands Home Construction

Mr. Buckley reported that plans for two new homes at the City-developed conservation subdivision were approved by the Architectural Review Committee on March 14. One basement is poured, and the other is being poured this week. At least two other homes are in the planning and cost quoting stages for construction this year.

3. Pine Tree Lift Station Project
Mr. Buckley reported that the construction of Pine Tree Lift Station on the east side is underway.
4. Winter Parking Ban Has Ended
Mr. Buckley reported that due to a relatively snow-free winter, the overnight parking ban was enforced on only 6 of 103 total days, December 1 through March 15.
5. Personnel Updates:
Mr. Buckley reported on the following personnel updates:
 - Heather Ihlenfeldt has accepted the position of Senior Center Supervisor and will begin on Monday, April 25th. Heather currently serves as Marketing and Activity Director at the Manitowoc Health and Rehab Center.
 - Certified Water Operator and Water Distribution Foreman/Operator Vacancy– Interviews have been completed and an offer will be made to a candidate in the next few weeks
 - Parks & Recreation Director - Initial interviews were conducted on March 18 and March 21
6. Central Park West 365 Update
Mr. Buckley reported that since the last Council meeting, total donations committed to the Central Park West 365 Project have increased to just over \$450,000, 56.25% of the goal of \$800,000.
7. In Person Absentee Voting
Mr. Buckley reported that in person absentee voting for the April 5, 2022 Spring Election will begin March 22 and runs through April 1, Monday through Friday between the hours of 8:00 AM and 4:30 PM at City Hall
8. Upcoming Events:
Mr. Buckley reported on the following upcoming events:
 - a. Two Rivers Rotary Annual Dinner and Auction, April 2, 2022, to Benefit Central Park West 365
Proceeds of this event will benefit the Skating Loop of the Central Park West 365 Project in downtown Two Rivers. A silent auction and social hour with cash bar starts at 5:00 PM. Dinner is catered by the Courthouse Pub and is served at 6:30 PM to be followed by a live auction.
 - b. Rockin' for the Park, Dinner, Auction, and Music, April 21, 2022, to Benefit Central Park West 365
The event offers an evening of dinner and music to raise funds for the Central Park West 365 Project.
 - c. Two Rivers Water & Light Department Sponsors Two \$500 Scholarships, Deadline for Application is April 1, 2022
 - d. Two Rivers Kids' Run and 10-Mile Run/Walk, March 26 & 27, 2022, Two Rivers High School
 - e. Senior Center Breakfast for Dinner Fundraiser on Wednesday, April 13, 2022 from 4:00-6:00 PM
 - f. Two Rivers Fire Department 10th Annual Fish Boil on Friday, April 15, 2022 from 3:00-7:00 PM
9. Other
Mr. Buckley reported that the Two Rivers Business Association and League of Women Voter's City Council candidate forums are available for viewing on the City's YouTube channel.

Final 2021 room tax collections were \$261,161, an increase of \$119,261, or 84%, over 2020.

Two Rivers logowear is available for purchase at Schoeder's Department Store, Lighthouse Inn, Fatzo's, Woodland Dunes, and Renee's Chocolates.

C. Legislative Update

1. Law Enforcement Grants to Local Agencies Announced by Governor Evers

Mr. Buckley reported that the Governor announced grants totaling \$19 million, to police department across the state. Distribution was reportedly predicated on population and violent crime statistics. Two Rivers will receive \$31,719.02.

While more details may be forthcoming, Chief Kohlmeier reports the funds can be used for training, recruitment bonuses, technology investments, and meeting community policing needs.

2. Conclusion of Recent Legislative Session in Madison

Mr. Buckley reported that Senate Bill 692 has passed which makes various changes to the property assessed clean energy (PACE) program, including expanding the types of projects eligible for PACE financing and changes to the requirements for accessing that financing.

The League of Wisconsin Municipalities has also worked hard to halt the fast-tracking of AB 608/SB 840, imposing one-size fits all zoning for workforce housing, and AB 610/SB 630, related to prohibiting certain property tax assessment practices.

Also, what once was a good piece of legislation which the League supported, ended up with an amendment that excluded local government from participating in the EV infrastructure build out. It started as a bill that would allow the sale of power from EV charging infrastructure without categorizing the seller as a public utility in the state. Unfortunately, the end result had all three local government groups (the League, Counties, and Towns) in opposition.

3. Funding for Determination of Federal Interest in Two Rivers Harbor Study

Mr. Buckley reported the Omnibus Appropriations Bill that passed the Congress earlier this month includes \$20,000 in funding for the Army Corps of Engineers to assess the Federal interest in a Design Deficiency Study of the Two Rivers Harbor.

This activity must precede the Corps seeking funding for the study, estimated to cost \$200,000. Such a study could in turn be the basis for Federal investment in structural modifications to the harbor entrance, to mitigate both storm surge and shoaling issues.

4. Confirmation of State Safe Drinking Water Funding for 2022 Lead Service Lateral Replacement

Mr. Buckley reported Wisconsin's Safe Drinking Water Loan Program has confirmed 2022 funding for Two Rivers of \$207,500. This funding will cover principal forgiveness grant for 83 private side laterals at \$2,500 each, 33 laterals on 17th Street and 50 laterals at scattered locations.

5. Other

Mr. Buckley reported the Wisconsin Department of Natural Resources has issued a permit to allow grooming of the "new beach" area, south of Neshotah Beach to the north pier. This permit, good for 5 years, allows the City to "dredge" the area below the ordinary high water mark to remove debris.

10. CONSENT AGENDA

A. Presentation of Minutes

1. Regular City Council - March 7, 2022 and Special City Council - March 15, 2022

Recommended Action:

Motion to waive reading and adopt the minutes

B. Minutes of Meetings

1. Committee on Aging, February 7, 2022
2. Lester Public Library, February 8, 2022
3. Advisory Recreation Board, February 8, 2022
4. Community Development Authority/Business and Industrial Development and Committee, March 1, 2022
5. Plan Commission, March 14, 2022
6. Architectural Control Committee, March 14, 2022

Recommended Action:

Motion to receive and file

C. Department Reports March, 2022

1. City Clerk
2. Community Development
3. Electric
4. Fire
5. Inspections
6. Library
7. Parks & Recreation
8. Police
9. Public Works
10. Safety
11. Water

Recommended Action:

Motion to receive and file

D. Applications and Petitions

1. Application for Temporary Class "B"/"Class B" Retailer's License for Heart-A-Rama, for the period of April 28-30, 2022 at J.E. Hamilton Community House, 1710 W. Park Street
2. Application for Temporary Class "B"/"Class B" Retailer's License for Heart-A-Rama, for the period of May 5-7, 2022 at J.E. Hamilton Community House, 1710 W. Park Street

Recommended Action:

Motion to approve the application and authorize issuance of the licenses

E. Zoning Change From B-1 Business District to R-3 Single and Double Family Residence District for 2910 Lincoln Avenue

Recommended Action:

Motion to schedule public hearing for April 4, 2022 at 6:00 PM, as recommended by the Plan Commission meeting on March 14, 2022

F. Ordinance to Amend the Side Yard Requirements in Residential Zoning Districts

Recommended Action:

Motion to schedule public hearing for April 4, 2022 at 6:00 PM, as recommended by the Plan Commission meeting on March 14, 2022

RECOMMENDED ACTION FOR CONSENT AGENDA

Motion to approve the Consent Agenda with the various actions recommended

Motion carried by voice vote.

Motion made by Dahlke, Seconded by Remiker.

Voting Yea: Wachowski, B. LeClair, Shimulunas, D. LeClair, Dahlke, Remiker, Thomas, Bittner, Koach

11. CITY COUNCIL - FORMAL ITEMS

- A. TID 15 Cash Grant and Developer's Performance Agreement with 3000 Forest Avenue, LLC, Providing for Cash Grant Assistance to Redevelopment Project

Motion to move Item 11A to immediately follow Item 5.

Motion carried with voice vote.

Motion made by Dahlke, Seconded by Remiker.

Voting Yea: Wachowski, B. LeClair, Shimulunas, D. LeClair, Dahlke, Thomas, Bittner, Koach

Recommended Action:

Motion to authorize the City Manager and City Clerk to execute the agreement on behalf of the City

Motion to table to March 28 Work Session meeting for review of the final development agreement.

Motion carried with voice vote.

Motion made by Remiker, Seconded by Thomas.

Voting Yea: Wachowski, B. LeClair, Shimulunas, D. LeClair, Dahlke, Thomas, Bittner, Koach

- B. Authorize Contract for Completion of Design Services and Bid Documents, Central Park West 365 Project

Recommended Action:

Motion to authorize the City Manager to execute the design services contract with Parkitecture + Planning, with services to be billed on a time and materials basis, total cost not to exceed \$78,120

Motion carried with roll call vote.

Motion made by Thomas, Seconded by B. LeClair.

Voting Yea: Wachowski, B. LeClair, Shimulunas, D. LeClair, Dahlke, Remiker, Thomas, Bittner, Koach

- C. Ordinance to Amend Municipal Code Sections 6-4-4 Entitled Applicants for Registration Fees and 6-4-9 Entitled Vendors From Special Vehicles Regarding Direct Sellers

Recommended Action:

Motion to waive reading and adopt the ordinance

Motion made by B. LeClair, Seconded by Shimulunas.

Motion amended to add 21st Street from Garfield Street to Pierce Street and all of Pierce Street in the Limitations section of the ordinance.

Motion carried by roll call vote.

Motion made by B. LeClair, Seconded by Shimulunas.

Voting Yea: Wachowski, B. LeClair, Shimulunas, D. LeClair, Dahlke, Remiker, Thomas, Bittner, Koach

- D. Discussion of Ordinance Related to Non-Vehicular Travel, such as E-bikes, Motorized Gas-Powered Bikes, and Various Types of Scooters; Citizens and Staff of the City of Two Rivers have Recognized a Gap in Regulation and Enforcement of Issues Relating to These New Devices

Assistant Police Chief Meinnert provided an overview of the proposed ordinance related to non-vehicular means of transportation such as e-bikes, motorized gas powered bikes, and various types of scooters.

Recommended Action:

Motion to place on April 4, 2022 City Council agenda for action

Motion carried with voice vote.

Motion made by Shimulunas, Seconded by Thomas.

Voting Yea: Wachowski, B. LeClair, Shimulunas, D. LeClair, Dahlke, Remiker, Thomas, Bittner, Koach

- E. Discussion of Ordinance to Amend Municipal Code Section 1-2-1 Entitled "License, Permit and Other Fees Established" Associated with Direct Sellers, Taxi and Taxi Driver Fees

Assistant Police Chief Meinnert provided overview on the proposed fee structure changes related to direct sellers, taxi, and taxi driver fees. Any fee increases that are proposed are intended to more fully recover the City's cost for review of license/permit applications.

Recommended Action:

Motion to place on April 4, 2022 City Council agenda for action

Motion carried with voice vote.

Motion made by Dahlke, Seconded by Thomas.

Voting Yea: Wachowski, B. LeClair, Shimulunas, D. LeClair, Dahlke, Remiker, Thomas, Bittner, Koach

12. FOR INFORMATION ONLY

- A. City Council Work Session, Monday, March 28, 2022, 6:00 PM
- B. City Council Regular Meeting, Monday, April 4, 2022, 6:00 PM
- C. In-Person Absentee Voting for the Spring 2022 Election will be held Monday-Friday March 22-April 1 at the Customer Service Window at City Hall from 8:00 AM to 4:30 PM
- D. Spring Election, April 5, 2022, 7:00 AM - 8:00 PM, to find your polling place go to myvote.wi.gov or call City Clerk's Office at 920-793-5526

13. CLOSED SESSION

Motion enter into Closed Session at 7:45 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 Tax Incremental Financing Grant to Assist Redevelopment Project on the City-

Owned Former Eggers East Plant Site; Discuss Terms of TID 15 Cash Grant and Developer's Performance Agreement Listed as Agenda Item 11A (If Closed Session Discussion is Needed)

Motion carried by roll call vote.

Motion made by Koach, Seconded by Thomas.

Voting Yea: Wachowski, B. LeClair, Shimulunas, D. LeClair, Dahlke, Remiker, Thomas, Bittner, Koach

14. RECONVENE IN OPEN SESSION

To consider possible actions in follow-up to closed session discussions: Possible Action on TID 15 Cash Grant and Performance Agreement with 3000 Forest Avenue, LLC

Motion to reconvene in open session at 9:23 PM.

Motion carried with voice vote.

Motion made by Bittner, Seconded by Thomas.

Voting Yea: Wachowski, B. LeClair, Shimulunas, D. LeClair, Dahlke, Remiker, Thomas, Bittner, Koach

15. ADJOURNMENT

Motion to dispense with the reading of the minutes of this meeting and adjourn at 9:23 PM.

Motion carried with a voice vote.

Motion made by Remiker, Seconded by Dahlke.

Voting Yea: Wachowski, B. LeClair, Shimulunas, D. LeClair, Dahlke, Remiker, Thomas, Bittner, Koach

Respectfully Submitted,

Jamie Jackson
City Clerk