



**TWO
RIVERS**
WISCONSIN

CITY COUNCIL MEETING

Monday, April 04, 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 6:00 PM.

2. PLEDGE OF ALLEGIANCE

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: Sara Backhaus, Municipal Court Clerk/Police Secretary; 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; Rebecca Hansen, Recreation Supervisor; Brian Kohlmeier, Police Chief; Jim McDonald, Public Works Director; Ben Meinnert, Assistant Police Chief; Jared Rohrer, Parks Maintenance 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 a roll call 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 Regarding Ordinance to Amend the District Map Section 10-1-3(a)(1) Zoning from B-1 Business District to R-3 Single and Double Family Residence District for 2910 Lincoln Avenue

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.

Recommended Action:

Motion to waive reading and adopt the ordinance

Motion carried with a roll call vote.

Motion made by Dahlke, Seconded by Remiker.

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

- B. Public Hearing Regarding Ordinance to Amend Municipal Code Sections 10-1-20, 10-1-21 and 10-1-22, the R-1, R-2, R-3 and R-4 Residential Zoning Districts to Amend the Regulations Related to Side Yard Requirements

Community Development Director Elizabeth Runge shared background information and a visual for the elimination of percentages from the ordinances related to side yards.

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.

Recommended Action:

Motion to waive reading and adopt the ordinance

Motion carried with a roll call vote.

Motion made by Thomas, Seconded by Remiker.

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

Councilmember Dahlke reported he received requests for the City to have at least one week of spring cleanup. He also had a request for Work Session meetings to be televised.

Mr. Buckley indicated that the issue of spring cleanup should be referred to the Public Utilities meeting for consideration and determination of the budget impact. He will also place the televising work session meetings on a future agenda for Council discussion.

8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

None.

9. CITY MANAGER'S REPORT

A. Invited Guests

1. Introduction of New Hire: Sara Backhaus, Municipal Court Clerk.
Chief Kohlmeier introduced Sara Backhaus as the new full-time Municipal Court Clerk/Police Secretary. Sara was previously employed by the Police Department as a Police Secretary in a part-time capacity.

- B. Resolution Upon Retirement for Dawn Hilliker, Completing a Nineteen Year Career with the City of Two Rivers

Recommended Action:

Motion to read and adopt the resolution

The resolution was read by Chief Kohlmeier.

Motion carried unanimously upon a roll call vote.

Motion made by Bittner, Seconded by Thomas.

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

C. Status Update/Reports

1. Spring Election, April 5, 2022, 7:00 AM - 8:00 PM
Mr. Buckley reported that the Spring Election is on Tuesday, April 5. The polls will be open at the City's two polling locations from 7:00 AM to 8:00 PM. As of the time of the meeting, 797 absentee ballots were issued and 546 of them had been returned to the City Clerk.
2. Moratorium on Utility Disconnections for Non-Payment of Bills Ends on April 15, Disconnects will begin April 18
Mr. Buckley reported that the moratorium for disconnection of residential utility services for non-payment ends April 15. Customers with past due balances can avoid disconnection by making payments to clear the past due amounts or by entering into written payment agreements. Customers can call Customer Service at 920-793-5523 during business hours of 8:00 AM to 4:30 PM.
3. Cemetery Clean Up: Remove Winter Decorations by April 15, New Summer Decorations may be placed after May 15
Mr. Buckley reported that all winter decorations at the cemeteries must be removed by April 15 for the cemetery clean up and new decorations can be placed after May 15.
4. Public Hearing on Special Assessments for 17th Street Reconstruction Project: Monday, April 18, 2022 at 6:00 PM
Mr. Buckley reported that a public hearing on special assessments for the 17th Street reconstruction project will take place at the April 18 City Council meeting at 6:00 PM in the Council Chambers.
5. Applications to WisDOT for Funding Assistance (Federal Infrastructure Bill Monies) to Resurface the Following Streets in 2023:
Mr. Buckley reported that per Council action at the March 28 Work Session meeting, the Engineering Department has submitted applications to WisDOT for 80% funding to resurface the following streets in 2023:
 - Jefferson Street from 22nd to 25th
 - Pierce Street from 22nd to Zlatnik
 - School Street from 10th to 14th
 - Neshotah Road from Zlatnik to CTH O
 - Several streets connecting to or located just off Memorial Drive: Taylor, Jessie, Lakeview, Eleonor, Woodland Shores, Florence, Gardner, Davis, McKinley and Turner
6. Restore Our Great Lakes Grant
Mr. Buckley reported that based on a pre-application submitted in February, the City has been invited to apply for a Restore Our Great Lakes Grant to address City-owned Lake Michigan shoreline along Memorial Drive. The proposed activities include plantings for shoreline stabilization, pollinator-friendly plantings, invasive species abatement and control, green infrastructure, and environmental restoration.

7. City Facade Improvement Grants are Available; Deadline for First Round of Applications is April 15

Mr. Buckley reported the deadline for the first round of applications for the City's Facade Improvement Grants is April 15. The program's goal is to encourage investment in the facades of commercial buildings. Eligible improvements include but are not limited to masonry repair, or exterior painting, to be made on buildings located within identified areas in the City.

The program offers 50% reimbursement up to \$10,000 of actual cost of the facade rehabilitation. Applications must match the grant amount with funding from other sources. More information is available at www.two-rivers.org or by contacting the Community Development Office at 920-793-5564.

8. Central Park West Fund-Raising Update

Mr. Buckley reported that since the last Council meeting, total donations committed to the project have increased to just over \$500,000, 62.5% of the \$800,000 fundraising goal.

Recent commitments by area businesses include: Carron Net Company, \$15,000; Susie Q Fish Company, \$10,000; and Kahlenberg Industries, \$10,000.

The annual Two Rivers Rotary dinner and auction was held at Sepia Chapel on April 2 to raise money for Rotary's pledge to the Central Park West 365 Project.

9. A Delegation from Two Rivers' Sister City of Domazlice in the Czech Republic Will be Visiting Two Rivers

Mr. Buckley reported that a delegation from Two Rivers' Sister City of Domazlice in the Czech Republic will be visiting Two Rivers from May 28 to June 4 and will participate in the Memorial Day observances and other activities.

10. Staffing Updates

Mr. Buckley reported that the second round of interviews for the Parks and Recreation Director position will be held on Friday, April 8.

11. Job Well Done

Mr. Buckley reported on a job well done by members of the Two Rivers Public Works Staff: Darryl Hassemer, Jim Anderson, and Travis Christensen in their quick response to a complaint about a pothole.

12. Upcoming Events:

Mr. Buckley reported on the following upcoming events:

- a. Breakfast for Dinner Fundraiser, Senior Center, April 13, 2022, 4:00-6:00 PM
- b. 10th Annual Fish Boil, Fire Station, April 15, 2022, 3:00-7:00 PM
- c. Pancakes with Easter Bunny, Community House, April 16, 2022, 9:00-11:00 AM
- d. Easter Egg Hunt, Neshotah Park, April 16, 2022, 11:00 AM-Noon

13. Other

Mr. Buckley reported that R.W. Baird sold the City's 10-year notes for financing of 2022 capital projects on April 4. The interest rate obtained was 3.03 percent, within the maximum of 3.25 percent allowed under the parameters resolution approved by City Council on March 7.

Mr. Buckley reported that the City's application for Idle Sites grant funding to assist developer Art Dumke/TRivers, LLC in renovating the former Paragon property (purchased on March 17, 2022) is being reviewed by the Wisconsin Economic Development Corporation. Staff is

currently working on a Development Agreement related to this funding assistance, for which the City is the pass-through. Such an agreement is required for an Idle Sites grant award. TRivers, LLC plans to invest more than \$7 million in the property, which it will offer for lease for manufacturing and/or warehousing uses. A special Council meeting may be required for action on the Development Agreement.

Mr. Buckley reported that Two Rivers logowear is available for purchase at Schroeder's Department Store, Lighthouse Inn, Fatzo's, Woodland Dunes, and Renee's Chocolates. The net proceeds benefit City marketing and promotion.

D. Legislative/Intergovernmental Update

1. Corps of Engineers "Determination of Federal Interest" in Possible Harbor Entrance Modification

Mr. Buckley reported that he has initiated discussions with the U.S. Army Corps of Engineers Chicago District Office about the funding recently approved for a "Determination of Federal Interest" in further study and possible capital investment in the Corps' Lake Michigan harbor infrastructure at Two Rivers, specifically a study and capital investment in the harbor entry structures to mitigate storm surge and shoaling in the harbor channel. Corps representatives will be visiting the area in late April or May, and will meet with City representatives and harbor users to discuss this issue.

10. CONSENT AGENDA

A. Presentation of Minutes

1. City Council Meeting - March 21, 2022
2. City Council Work Session - March 28, 2022

Recommended Action:

Motion to waive reading and adopt the minutes

B. Minutes of Meetings

1. Public Utilities Committee, March 1, 2022
2. Public Works Committee, March 2, 2022
3. Personnel & Finance Committee, March 15, 2022

Recommended Action:

Motion to receive and file

C. Applications and Petitions

1. Application for Class "B" Beer/"Class B" Liquor License for the Period of April 5, 2022 to June 30, 2022 for Submariners Pub, LLC, 4220 Memorial Drive - Jeffrey P. Tess, Agent (Property is currently licensed to Sandpiper Bar & Grill, Inc.)

Recommended Action:

Motion to approve the application and authorize issuance of the license

D. Schedule a Public Hearing Regarding Special Assessments on Properties Fronting 17th Street, from East Park Street to Jefferson Street & 17th Street, from East Street to Zlatnik Drive

Recommended Action:

Motion to schedule a public hearing for April 18, 2022 at 6:00 PM

RECOMMENDED ACTION FOR CONSENT AGENDA

Motion to approve the Consent Agenda with the various actions recommended

Motion carried upon a 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. Fair Housing Declaration Resolution Awarding Community Development Block Grant-COVID (CDBG-CV) Funds to Modify the Senior Center Building and Parking Lot

Recommended Action:

Motion to waive reading and adopt the resolution

Motion made by B. LeClair, Seconded by Thomas.

Motion amended to waive reading and adopt the resolution with an adjustment to the wording of the final "be it resolved" line.

Motion carried with a roll call vote.

Motion made by B. LeClair, Seconded by Thomas.

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

- B. 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 information on the ordinance related to non-vehicular travel.

Recommended Action:

Motion to waive reading and adopt the ordinance

Motion made by Remiker, Seconded by Koach.

Motion amended to waive reading and adopt the ordinance with liability insurance language added similar to that of the City's ordinance regulating the rental of golf carts.

Motion carried with a roll call vote.

Motion made by Remiker, Seconded by Koach.

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

- C. 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 presented the ordinance and indicated that the change is to better align the fees for direct sellers and taxis to the fees charged for golf carts and to better reflect the staff cost of reviewing applications for such licenses and permits.

Recommended Action:

Motion to waive reading and adopt the ordinance

Motion carried with a roll call vote.

Motion made by B. LeClair, Seconded by Koach.

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

- D. Ordinance to Amend Sections 9-9-2 (D.) Definitions and 9-9-3 (A.) Domicile Restrictions of the Municipal Code Regarding Sexual Offender Residency Restrictions

Police Chief Kohlmeier provided an overview of the ordinance amendment and the circumstances that presented the need for the amendment based on old language that could present a loophole for an offender to reside within the City following their conviction.

Recommended Action:

Motion to waive reading and adopt the ordinance

Motion to waive reading and adopt the ordinance with the change of one word from "as" to "in".

Motion carried upon a roll call vote.

Motion made by Shimulunas, Seconded by Koach.

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

- E. Cooperative Arrangements for Parking and Related Matters: Community House and Cool City Brewing Company

Recommended Action:

Motion to authorize City Manager to finalize an agreement consistent with the terms presented and to authorize the City Manager and City Clerk to sign the cooperative agreement

Motion made by B. LeClair, Seconded by Bittner.

Mr. Buckley reviewed the revisions to the proposed cooperative agreement with Cool City Brewing Company following the discussion at the March 28 Work Session meeting. The Council discussed areas of contention and Gina Krahn, a partner in Cool City Brewing Company, was present to answer some questions the Council had regarding the terms of the agreement.

Motion amended to authorize City Manager to finalize an agreement consistent with the terms presented with the omission of splitting the cost of signage as recommended by Mr. Buckley and to authorize the City Manager and City Clerk to sign to cooperative agreement.

Motion carried with roll call vote.

Motion made by B. LeClair, Seconded by Bittner.

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

Voting Nay: Wachowski, Dahlke, Remiker

12. FOR INFORMATION ONLY

- A. City Council Regular Meeting, Monday, April 18, 2022, 6:00 PM
- B. City Council Re-Organization Meeting, Tuesday, April 19, 2022, 6:00 PM
- C. City Council Work Session Meeting, Monday, April 25, 2022, 6:00 PM

13. ADJOURNMENT

Motion to dispense with the reading of the minutes of this meeting and adjourn at 8:17 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