



# CITY COUNCIL MEETING

Monday, March 04, 2024 at 6:00 PM

Common Area - City Hall, 2nd Floor 1717 E.  
Park Street, Two Rivers, WI 54241

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## MINUTES

### 1. CALL TO ORDER

Council President Wachowski called the meeting to order at 6:02 PM

### 2. PLEDGE OF ALLEGIANCE

### 3. ROLL CALL BY CITY CLERK

Councilmembers: Jeff Dahlke, Bill LeClair, Darla LeClair, Tracey Koach, Tim Petri, Bonnie Shimulunas, Scott Stechmesser, Adam Wachowski. There is one vacancy on the Council at this time.

**ALSO PRESENT:** Matthew Heckenlaible, Public Works Director; Jeff Dawson, Library Director; Joe Metzen, Tourism Director; Brian Dellemann, Electric Utility Director; Andrew Sukowaty, Water Director; Chad Kakes, Assistant Fire Chief; Mike Mathis, Parks and Recreation Director; Elizabeth Runge; Community Development Director/City Planner; Ben Meinnert, Police Chief; Rick Powell, IT Supervisor; and Greg Buckley, City Manager

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

### 5. PUBLIC HEARING

- A. Public Hearing on Conditional Use Permit Application by Hawk Battery Energy Storage System Project Proposed for a Parcel located in the I-2 Zoning District at the Woodland Industrial Park (Parcel 053-233-404-010.01, Located on the West Side of Woodland Drive Approximately 1,000 Feet North of STH 310)

Recommended Action:

Motion to approve the conditional use permit application, as recommended by the Plan Commission

City Manager Greg Buckley provided background on the conditional use permit.

The first call of the public hearing for public input was opened by Council President Wachowski.

Kenton Langman, 4505 Browns Drive, expressed his concerns about the possible decrease of property values around the facility, an increased cost of insurance for adjacent businesses and safety of the facility, including asking if there is a proposed evacuation radius around the facility if there would be an emergency.

Mark Gordon, 3708 Bellevue Place, questioned what type of energy supports these batteries, and if the company is working with the City on providing proper training to the Fire Department. He also questioned if there would be an EV charging station on the property.

A letter from Scott Anhalt was received prior to the meeting expressing his support of the

conditional use permit.

The second call of the public hearing for public input was opened by Council President Wachowski. No one addressed the Council.

The third and final call of the public hearing for public input was opened by Council President Wachowski. No one addressed the Council. Council President Wachowski closed the public hearing.

Council President Wachowski allowed the applicant for the Conditional Use Permit to answer questions from the public hearing. Jarrod Pitts of Tenaska, representing Hawk Energy Storage, LLC stated they are following all national fire regulations and working with the Fire Department on creating an Emergency Response Plan. The company will provide training to the Fire Department annually. They will be charging the batteries with electricity off the grid, from the Shoto Substation and discharging electricity to the grid via the Shoto Substation.

Council President Wachowski suspended the rules and allowed the two individuals with the initial concerns to ask the applicant follow up questions.

Mark Gordon asked the follow up question if there is a limit to businesses or residential properties being added in the area.

Assistant Fire Chief Kakes expressed that the Fire Department is not concerned about safety. They are currently learning about the systems by attending in-person classes and webinars. This type of technology is becoming more common and it will continue to expand around the Country. He stated it would not be possible to create a radius for evacuation since it depends on many environmental factors.

Motion made by Koach, Seconded by B. LeClair to approve the Conditional Use Permit with the proposed conditions.

Motion carried with a roll call vote.

Voting Yea: Dahlke, Koach, B. LeClair, D. LeClair, Petri, Stechmesser, Shimulunas, Wachowski

B. Public Hearing on Roosevelt Avenue Special Assessments; Consideration of Final Resolution Authorizing Special Assessments

Recommended Action:

Motion to waive reading and approve the Final Resolution Authorizing Special Assessments for Costs Incurred for Removing Existing Pavement, Excavation, Installation of Storm Service Laterals, Grading and Graveling, Portland Cement Concrete Paving, Driveway Approaches, Carriage Walks, Repair of Sidewalks and Miscellaneous Related Work

Public Works Director Matthew Heckenlaible provided an overview of the Roosevelt Avenue project.

The first call of the public hearing for public input was opened by Council President Wachowski.

William Otto, 1800 Jefferson Street, questioned if a bike lane would be included and was curious on the green space. Mr. Heckenlaible replied that there would be no bike lane, but that the elimination of parking on one side of the street would net added green space.

Lynne Froelich, 1947 Roosevelt Avenue, questioned if the railroad tracks on Lowell Street will

be repaired. Public Works Director Matthew Heckenlaible responded and stated the tracks will be removed from the street.

The second call of the public hearing for public input was opened by Council President Wachowski. No one addressed the Council.

The third and final call of the public hearing for public input was opened by Council President Wachowski. Council President Wachowski closed the public hearing. No one addressed the Council.

Motion made by Stechmesser, Seconded by Dahlke to approve the resolution.

Motion carried with a roll call vote.

Voting Yea: Dahlke, Koach, B. LeClair, D. LeClair, Petri, Stechmesser, Shimulunas, Wachowski

## **6. INPUT FROM THE PUBLIC**

William Otto, 1800 Jefferson Street, expressed concerns on the condition of the sidewalk near the 22<sup>nd</sup> Street bridge.

## **7. COUNCIL COMMUNICATIONS**

Letters and other communications from citizens

Councilmember Koach stated that she received a comment from a citizen that is opposed to the sidewalk sign pilot program.

Councilmember Shimulunas shared the following communications:

- She received a question regarding the property sold to Cool City and stated the property by the Post Office and behind the Senior Center was owned by Wells Fargo
- She received a question regarding the process if someone would submit a concern for the Council on the website and who receives those. Mr. Buckley stated that all the Councilmembers receive them, the City Manager's Office and the City Clerk.

Councilmember Dahlke reported on the following communications:

- He received numerous calls on the proposed battery storage project. Many of the questions were answered during the public hearing.
- He received a question regarding the projected tax income from the proposed battery storage project. Mr. Buckley stated it depends on several factors, but a minimum of \$150,000 per year was written into the option to purchase.
- He received a concern regarding the paint lines and arrows at the intersection of 22<sup>nd</sup> Street and Washington Street
- He received a complaint regarding a dip in the street located on 19<sup>th</sup> Street near the Madison Street intersection. This concern was addressed by Mr. Heckenlaible.
- He received a comment regarding the placement of sidewalk decals by the entry of businesses other than the advertised business

Council President Wachowski had the following communications:

- He received correspondence on the sidewalk decal pilot program, one citizen was against it, one citizen was supportive of it and two citizens were impartial about it.

- He received a question regarding renting pools / hot tubs and if there are compliance issues with this type of rental.

## 8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

Councilmember D. LeClair reported on the following boards:

- Main Street is working on the mural project and more information will be available in the near future.
- Environmental Advisory Board: The Winter Educational Series is well attended with many different speakers and good information.

## 9. CITY MANAGER'S REPORT

### A. Invited Guests

1. Police Chief Ben Meinnert, Update on the Search for Elijah Vue

### B. Status Update/Reports

1. Thank You to All Agencies Involved in the Search for Elijah Vue, to all City Departments Supporting These Efforts and to all the Citizen Volunteers Engaged in Search and Otherwise Supporting These Efforts

#### 2. Staffing Updates

Mr. Buckley reported on the ongoing recruitments: Electric Meter Technician, reviewing applications and scheduling interviews. Upcoming recruitment – Finance Director, applications are due by March 8, 2024

#### 3. Final Payment to Vinton Construction Under 2017 TID No. 11 Development Agreement

Mr. Buckley reported the 6<sup>th</sup> and final payment was made to Vinton – Two Rivers, LLC on February 29, 2024, completing the City's commitment to provide \$200,000 plus 5% interest in TID 11 development assistance to this project. Vinton invested over \$1 million in the renovation of the former St. Peter the Fisherman School at 1322 33<sup>rd</sup> Street - at the time a tax-exempt "white elephant" property - converting it to corporate offices now assessed at \$839,400

#### 4. 2023 Year-End Overtime Report

Mr. Buckley reported that 2023 was the second lowest year of overtime over the last six years with a total of \$494,044.81 city-wide.

#### 5. Central Park West 365 Accident on February 25

Mr. Buckley reported on Sunday evening, February 25, a vehicle struck and destroyed a traffic signal and a Washington Street bench at the southwest corner of 18<sup>th</sup> and Washington Streets, before traveling over the retaining wall at the Schmitt Brothers Stage and landing atop several benches in the stage seating area. Nobody was hurt in the accident; insurance information was obtained and a claim against the driver's insurance is being pursued.

6. Absentee Ballots for April 2, 2024, Spring Election can be requested on-line at [myvote.wi.gov](http://myvote.wi.gov) or by mail with an acceptable photo ID

#### 7. Upcoming Events:

- a. "Our Land, Our Water, Our Future" Educational Series, Session on Storm Water Management, Thursday, March 7, 6:00 PM, Lester Public Library
- b. City Council Candidate Forum: League of Women Voters, Thursday, March 7, 2023, 7:00 PM, Location Kostka Room, Senior Center (Live streamed on Facebook)
- c. Lester Public Library Used Book Sale, March 7 to March 9
- d. The Great TRivia Contest, Main Street, Friday, March 8, 2023, 6:00 PM, Community House Gym

- e. City Council Candidate Forum: TRBA, Tuesday, March 12, 2023, 7:00 PM, Location Behringer Room, J.E. Hamilton Community House
- f. City-to-City Leprechaun Hunt, Two Rivers and Manitowoc Parks, Wednesday, March 12-19, 2024
- g. IAFF Local 423 Annual Fish Boil, Friday, March 29, Two Rivers Fire Station
- h. World on the Move, March 20 to April 23, Lester Public Library
- 8. Other

C. Legislative/Intergovernmental Update

**10. CONSENT AGENDA**

- A. Presentation of Minutes
  - 1. City Council, February 19, 2024  
Recommended Action:  
 Motion to waive reading and adopt the minutes
- B. Minutes of Meetings
  - 1. Personnel and Finance, February 15, 2024
  - 2. Advisory Recreation Board, February 14, 2024  
Recommended Action:  
 Motion to receive and file
- C. Applications and Petitions
  - 1. Temporary "Class B" and Class "B" Retailer's License for Heart-A-Rama, April 25-27, 2024 at Community House Gym, 1710 W Park Street
  - 2. Temporary "Class B" and Class "B" Retailer's License for Heart-A-Rama, May 2-4, 2024 at Community House Gym, 1710 W Park Street  
Recommended Action:  
 Motion to approve the application and authorize issuance of the license

**RECOMMENDED ACTION FOR CONSENT AGENDA**  
**Motion to approve the Consent Agenda with the various actions recommended**

Motion carried with a voice vote.

Motion made by B. LeClair, Seconded by Shimulunas.  
 Voting Yea: Dahlke, Koach, B. LeClair, D. LeClair, Petri, Stechmesser, Shimulunas, Wachowski

**11. CITY COUNCIL - FORMAL ITEMS**

- A. Award of Bid for Roosevelt Avenue Reconstruction  
Recommended Action:  
 Motion to award bid to Mammoth Construction, in its low bid amount of \$2,854,815.63

Mr. Buckley noted that the low bid was about 5 percent below the engineer's cost estimate; a total of seven bids were received.

Motion carried with a roll call vote.

Motion made by Dahlke, Seconded by Petri  
 Voting Yea: Dahlke, Koach, B. LeClair, D. LeClair, Petri, Stechmesser, Shimulunas, Wachowski

- B. Award of Bid for Irrigation System in Central Park West (2024 Budget Capital Project)

Recommended Action:

Motion to approve bid from Steinies Water Gardens LLC in the amount of \$43,729.35

Motion carried with a roll call vote.

Motion made by Stechmesser, Seconded by Koach

Voting Yea: Koach, B. LeClair, D. LeClair, Petri, Stechmesser, Shimulunas, Wachowski

Voting Nay: Dahlke

- C. Resolution Naming May 11, 2024, as International Migratory Bird Day in the City of Two Rivers

Recommended Action:

Motion to waive reading and adopt the resolution

Motion carried with a roll call vote.

Motion made by Koach, Seconded by D. LeClair

Voting Yea: Dahlke, Koach, B. LeClair, D. LeClair, Petri, Stechmesser, Shimulunas,

Wachowski

- D. Resolution Authorizing Submission of a Wisconsin Economic Development Corporation Grant for funding to Improve the West River Lofts Site

Recommended Action:

Waive reading and adopt the resolution

Motion carried with a roll call vote

Motion made by D. LeClair, Seconded by Stechmesser

Voting Yea: Koach, B. LeClair, D. LeClair, Petri, Stechmesser, Wachowski

Voting Nay: Dahlke, Shimulunas

- E. Discussion of Draft Amendment to City Sign Ordinance, to Establish a Trial Program to Allow Private Businesses located in the B-1 and B-2 Zoning Districts to Place Decal-Type Signs on the Surface of the Public Sidewalks Adjacent to Their Buildings

Recommended Action:

Provide feedback to the City Attorney on terms of the draft ordinance, with the goal of returning the ordinance for possible Council action at the March 18, 2024 meeting

Discussion took place regarding the proposed draft ordinance. The Council discussed regulations, fees and how to monitor to ensure compliance.

No Action was taken on this item.

- F. Consideration of City Manager's Appointments to the Aquatics Committee

Recommended Action:

Motion to approve the appointments, as recommended by the City Manager

Motion carried with a voice vote.

Motion made by Koach, Seconded by D. LeClair.

Voting Yea: Koach, B. LeClair, D. LeClair, Petri, Stechmesser, Shimulunas, Wachowski

Abstain: Dahlke

## 12. FOR INFORMATION ONLY

- 1. City Council Regular Meeting, Monday, March 18, 2024, 6:00 PM

2. City Council Work Session Meeting, Monday, March 26 2023, 6:00 PM

3. A Parks and Recreation 3-person crew will be assisting Two Rivers Public Schools staff for a one-day project at the high school, preparing the pitcher's mound and infield for a new baseball field to be used by the high school starting this Spring - this should allow for City conversion of Walsh Field for softball use in the Spring/Summer of 2024, a Year Earlier Than First Planned

**13. ADJOURNMENT**

Motion to dispense with the reading of the minutes of this meeting and adjourn this meeting at 8:18 PM

Motion made by Dahlke, Seconded by D. LeClair

Voting Yea: Dahlke, Koach, B. LeClair, D. LeClair, Petri, Stechmesser, Shimulunas, Wachowski

Respectfully submitted,  
Amanda Baryenbruch  
City Clerk