



## MINUTES

### 1. CALL TO ORDER

Council President Stechmesser called the meeting to order at 6:00 PM.

### 2. PLEDGE OF ALLEGIANCE

### 3. ROLL CALL BY CITY CLERK

Councilmembers: Mark Bittner, Doug Brandt, Shannon Derby, Bill LeClair, Darla LeClair, Bonnie Shimulunas, Scott Stechmesser, Adam Wachowski

**ALSO PRESENT:** Kassie Paider, Finance Director; Mike Mathis, Parks and Recreation Director; Jeff Dawson, Library Director; Matt Heckenlaible, Public Works Director; Joe Metzen, Tourism Director; Dave Murack, Fire Chief; Rick Powell, IT Supervisor; Andrew Sukowaty, Water Utility Director; Brian Dellemann, Electric Utility Director; Ben Meinnert, Police Chief and Greg Buckley, City Manager

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

None.

### 5. OATH OF OFFICE AND BADGE PINNING OF POLICE LIEUTENANT MATTHEW LUTZE

Police Chief Meinnert introduced Lieutenant Lutze to the Council and the City Clerk administered the Oath of Office.

### 6. INPUT FROM THE PUBLIC

Andre Robitaille – 2313 Jefferson Street: Thanked Mr. Buckley and the staff over the weekend for going above and beyond with posting additional information on the agenda packet. Mr. Robitaille had several questions for Ms. McMasters from Clifton Larson Allen LLP regarding the 2023 Audited Financial Statements.

### 7. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

Councilmember Wachowski reported he received communication from residents asking for a referendum on Council-Mayoral Government and NBC 26 also reported on this topic recently.

Councilmember Shimulunas reported she received an email with a list of the current short-term rentals and questioned if we know how many are licensed versus how many are operating without a license in the city.

Councilmember Bittner reported he received positive feedback on the Paddle Palooza event held over the weekend.

Mr. Buckley reported a representative from the Van der Broh Arboretum has been in communication and there will be a possible meeting with them on September 30.

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

Councilmember D. LeClair reported on the following committees:

-- Mainstreet: The Christmas Parade theme is Christmas Movies for 2024. There will be different storefronts throughout downtown.

-- Environmental Advisory Board: There are more videos posted on the EAB website and additional videos are coming. The Board is continuing to work with the Parks and Recreation Department about Paddlers Park. There were an increased number of participants in front yard vegetable gardens for 2024 and they are looking to continue it for the future. November 14 is the first session of the Winter Educational Series.

Councilmember Bittner reported on the Committee on Aging stating they are working on finding resources to help the Fire Department eliminate some EMS calls that are not an emergency.

Councilmember B. LeClair reported on the Public Works Committee stating that the intersection at 22<sup>nd</sup> Street and Monroe Street has been the subject of numerous complaints, and the Committee is considering addressing them by increasing the size of stop signs at this intersection.

## 9. CITY MANAGER'S

### S REPORT

#### A. Invited Guests

1. Representative from Clifton Larson Allen LLP, Presentation of the 2023 Audited Financial Statements

Recommended Action:

Motion to receive and place on file

Elizabeth Masters, representative from Clifton Larson Allen LLP, presented to the City Council.

Motion carried with a voice vote.

Motion made by Shimulunas, seconded by B. LeClair.

Voting Yea: Bittner, Brandt, Derby, B. LeClair, D. LeClair, Petri, Shimulunas, Stechmesser, Wachowski

There was discussion about having the audit firm attend a future meeting of the Personnel and Finance Committee to discuss the statements in greater detail. Mr. Buckley stated that he would schedule such a meeting for the fourth quarter of this year.

#### B. Status Update/Reports

##### 1. Staffing Updates

a. Police Department Appointment of Officer Seth Tobison as New School Resource Officer at L. B. Clarke Middle School

b. Police Officer Recruitment and Hiring

c. Firefighter/Paramedic Recruitment and Hiring

d. Administrative Assistant to City Manager/Deputy City Clerk

e. City Planner/Community Development Director

Mr. Buckley reported on the ongoing requirements: Police Officer Full Time – conditional offers to 3 finalist candidates selected by the department were approved by the Police and Fire Commission on September 11; Firefighter/Paramedic – interviews completed, recommended hire to Police and Fire Commission will be on Wednesday; City Planner/Community Development Director – Re-advertised with September 20 deadline; City Manager's

Admin./Deputy City Clerk – Advertised with September 13 deadline

2. Roosevelt Street Reconstruction Project

Mr. Buckley reported that the paving subcontractor has completed the parking lane and curb & gutter along the mainline last week. They are now preparing and intending to pave some intersections starting this week, along with driveway approaches, followed up by sidewalks, curb ramps and carriage walks. Overall project is still on track to be completed by the middle of October.

3. 2024 Leaf Pick Up--October 14 - December 1, Weather Permitting

Mr. Buckley reported leaf pickup will start October 14, watch the website and Facebook page for more information.

4. Absentee Ballots for the November 5 Election will be sent on September 19 to all Requests on File; Additional Absentee Ballots will be Mailed Daily as Requested

Mr. Buckley reported the November 5 election is around the corner. Absentee ballots are starting to be mailed on September 19. If interested in requesting a ballot or registering to vote visit [myvote.wi.gov](http://myvote.wi.gov)

5. Paddle Palooza, Held on Saturday, September 14

Mr. Buckley reported Paddle Palooza had a great turnout over the weekend. Thank you to all the sponsors that make this event possible

6. Explore Two Rivers Car

Mr. Buckley reported on Red Forest Bed & Breakfast Owner Dawn Bopp and her “Explore Two Rivers” car. Tourism Director Joe Metzen reported that Ms. Boppew was inspired to wrap her bar by a banner that depicts her bed and breakfast as part of a Two Rivers Main Street program. She started with the hood which emulates the banner and then recently added the graphics to the side of the car. The car wrap was provided by Lucky Signs and Graphics based in Mishicot, Wisconsin.

7. Upcoming Events:

- a. Fall Book Sale, September 19 - 21, During Regular Hours at the Lester Public Library
- b. Ethnic Fest, Saturday, September 21, 9:30 AM to 6:00 PM, Downtown Two Rivers
- c. Friday Night Live: The Focoustics, Friday, September 27, 7:00 to 9:00 PM, Central Park West

West

9. Other

Mr. Buckley reported on the sidewalk widening project on the Washington Street Bridge. The sidewalk is being widened by 3 feet to improve safety for pedestrians and bicyclists on this important bike/ped link in the City’s trail system. The project is being funded locally through TID 12 (downtown hotel TID), in advance of WisDOT resurfacing of STH 42/Memorial Drive in 2025, a project that will include the bridge traffic lanes. Narrowed traffic lanes on the bridge are still as wide as lanes on Washington Street to the north. City also plans to install pedestrian-activated crossing signals at 12<sup>th</sup> and Washington in 2025.

C. Legislative/Intergovernmental Update

1. DNR Stewardship Grant Award for Neshotah Park Improvements

Mr. Buckley reported the City received \$209,500 in Stewardship Grant Funds with a \$209,500 Local Match for a total of \$419,000. The project will continue making improvements consistent with the 2023 Neshotah Park Master Plan, including: Removal of the tennis court; east-west trail from concession stand to Garfield Street; north-south trail along Pierce Street to the beach, native plantings and stormwater swales; two new small picnic shelters with tables & grills; interior renovation of the restroom near the horseshoe pits; expansion of parking along Pierce Street; and interpretative and wayfinding signage

2. Other

## 10. CONSENT AGENDA

### A. Presentation of Minutes

1. City Council Work Session - August 26, 2024
2. City Council Regular Meeting - September 3, 2024
3. City Council Special Meeting - September 11, 2024

Recommended Action:

Motion to waive reading and adopt the minutes

### B. Minutes of Meetings

1. Public Utilities Committee, September 3, 2024
2. Public Works Committee, September 4, 2024
3. Committee on Aging, August 5, 2024
4. Plan Commission, September 9, 2024
5. Advisory Recreation Board, August 14, 2024
6. Police and Fire Commission, September 11, 2024

Recommended Action:

Motion to receive and file

### C. Applications and Petitions

1. Landscaping / Tree Removal License for Bonzi's Tree Service, 3207 Whistle Lane, Two Rivers

Recommended Action:

Motion to approve the application and authorize issuance of the license

### D. Department Reports, August, 2024

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

Recommended Action:

Motion to receive and file

### E. Summary of Verified Bills for the Month of August for \$3,410,120.24

Recommended Action:

Motion to receive and file

### **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: Bittner, Brandt, Derby, B. LeClair, D. LeClair, Petri, Shimulunas, Stechmesser, Wachowski

## 11. CITY COUNCIL - FORMAL ITEMS

- A. Amendment to Personnel Policy Appendix B, "Compensatory Time Policy," Further Amending That Policy to Provide that Compensatory Time May Not Be Accrued During the Month of December (Any Overtime Hours Worked in December Will Be Compensated as Paid Overtime)

Recommended Action:

Motion to adopt the amendment, as recommended by the City Clerk/Human Resources Director and City Manager

The City Manager explained that this policy amendment was related to another amendment that was adopted by the City Council earlier in the year, which will result in the carryover of comp time from year to year being phased out for non-union employees over the next three years.

Motion carried with a roll call vote.

Motion made by B. LeClair, seconded by Derby.

Voting Yea: Bittner, Brandt, Derby, B. LeClair, D. LeClair, Petri, Shimulunas, Stechmesser, Wachowski

- B. Ordinance to Amend Various Sections in Chapter 6 of the Municipal Code, Entitled "Fermented Malt Beverages and Intoxicating Liquors" and Chapter 1-2, Entitled "Fees," to Provide Requirements and Standards for Alcohol Licenses

Recommended Action:

Motion to waive reading and adopt the ordinance

Motion carried with a roll call vote.

Motion made by Wachowski, seconded by Petri to adopt the ordinance with an amendment to require of a minimum of 21 days in operation per licensing year, versus 60 days as stated in the proposed ordinance.

Voting Yea: Bittner, Brandt, Derby, B. LeClair, D. LeClair, Petri, Shimulunas, Stechmesser, Wachowski

- C. Recommendations from Plan Commission Meeting of September 10, 2024  
1. Request to Rezone 1509 – 19th Street, Parcel 053-000-050-030-.09, from Business (B-1) to Residential (R-3) submitted by Joan Johnson (applicant and owner)

Plan Commission Recommended Action:

Motion to set a public hearing for Monday, October 7, 2024 at 6:00 PM, with recommendation to approve the rezoning as requested, on the condition that the concrete pavement covering the front yard of the parcel and the adjacent terrace area in the public right-of-way be converted to turf grass

City Manager Alternative Recommended Action:

Motion to refer the request back to the Plan Commission for further review

Motion carried with a roll call vote.

Motion made by Bittner, seconded by Brandt, to approve the City Manager's recommendation and refer this matter back to the Plan Commission.

Voting Yea: Bittner, Brandt, Derby, B. LeClair, D. LeClair, Petri, Shimulunas, Stechmesser, Wachowski

2. Proposed Amendment to Previously Approved PUD Plan Located at 1609 16th Street, submitted by Brian Laurent, Applicant and Owner

Plan Commission Recommended Action:

Motion to approve the plan, as recommended by the Plan Commission

Motion carried with a roll call vote.

Motion made by Bittner, seconded by B. LeClair, to approve the amendment, with the finding that the change is not substantial and therefore need not be the subject of public hearing prior to City Council approval.

Voting Yea: Bittner, Brandt, Derby, B. LeClair, D. LeClair, Petri, Shimulunas, Stechmesser, Wachowski

City Manager Supplemental Recommended Action:

Approval is made with the Council's determination that the change as proposed is not deemed "substantial" as that term is used in Section 10-1-41 of the Zoning Code, and therefore need not be the subject of a public hearing

3. Conditional Use Permit for a Gas Station Located at 1421 Washington St, in the B-1 Business District, Submitted by ACE Building Service (Applicant) and Thomas Christensen (Owner)

Plan Commission Recommended Action:

Motion to set a public hearing for October 7, 2024 at 6:00 PM

Motion carried with a roll call vote.

Motion made by Petri, seconded by D. LeClair.

Voting Yea: Bittner, Brandt, Derby, B. LeClair, D. LeClair, Petri, Shimulunas, Stechmesser, Wachowski

4. Modifications to Driveway Regulations in the Zoning Code

Plan Recommended Action:

Motion to waive existing Zoning Code regulations for new residential construction and to direct staff to prepare a more complete amendment to the Zoning Code language on driveways for further consideration

City Manager's Alternative Recommendation: Refer an alternative amendment to Zoning Code language on driveways, developed by staff, back to the Plan Commission for review and recommendation

Mr. Buckley noted that staff's proposed amendment has been reviewed with local builder Jim Reif, who attended the September Plan Commission meeting to address this subject; Mr. Reif has indicated his support for the amendment.

Motion made by Wachowski, seconded by B. LeClair to waive the current Zoning Code regulations and advise staff to prepare a more complete amendment to the Zoning Code for future action.

Wachowski rescinded his motion after the Council was advised by the City Manager and the City Attorney that "waiving" Zoning Code provisions would require a Zoning Code amendment, which would need to be preceded by a public hearing.

Following further discussion, motion made by Wachowski, seconded by B. LeClair, to refer City staff's recommended Zoning Code amendment to the Plan Commission for review, and request that the Plan Commission meet before the Council meeting on October 7 to consider

this amendment, so the Council can hold a public hearing and take action at the City Council meeting on October 7, 2024 at 6:00 PM.

Motion carried with a roll call vote.

**12. FOR INFORMATION**

- A. Personnel & Finance-Start Review of Budget, Monday, September 23, 2024, 6:00 PM
- B. City Council Work Session Meeting, Monday, September 23, 2024, 6:00 PM
- C. City Council Regular Meeting, Monday, October 7, 2024, 6:00 PM

**13. CLOSED SESSION**

As printed on the meeting agenda: 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 investment of public funds, or conducting other specified public business, whenever competitive or bargaining reason require a closed session.

- Discuss possible property acquisition
- Discuss possible assistance to development project

Motion carried with a roll call vote.

Motion made by Shimulunas, seconded by Petri to enter into in closed session at 8:04 PM.  
Voting Yea: Bittner, Brandt, Derby, B. LeClair, D. LeClair, Petri, Shimulunas, Stechmesser, Wachowski

Council President Scott Stechmesser noted an additional topic to be considered in the closed session: The City Council reserves the right to enter into Closed Session, per Wisc. Stats 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.

- Consider to participate or opt-out of class action lawsuit regarding PFAS with Tyco Fire Products LLC

**14. RECONVENE IN OPEN SESSION**

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

Motion carried with a voice vote.

Motion made by Wachowski, seconded by B. LeClair to reconvene in open session at 9:11 PM  
Voting Yea: Bittner, Brandt, Derby, B. LeClair, D. LeClair, Petri, Shimulunas, Stechmesser, Wachowski

Motion made by Wachowski, seconded by Petri to opt-out of the PFAS settlement of the class action litigation involving Tyco Fire Products LLC  
Voting Yea: Brandt, Derby, B. LeClair, D. LeClair, Petri, Shimulunas, Stechmesser, Wachowski  
Voting Nay: Bittner

**15. ADJOURNMENT**

Motion to dispense with the reading of the minutes of this meeting and adjourn this meeting at 9:13 PM.

Motion carried with a voice vote.

Motion made by Wachowski, seconded by Derby.

Voting Yea: Bittner, Brandt, Derby, B. LeClair, D. LeClair, Petri, Shimulunas, Stechmesser, Wachowski