



CITY COUNCIL MEETING

Monday, February 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 at 6:00 PM by Council President Wachowski.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL BY CITY CLERK

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

ABSENT: Jay Remiker

ALSO PRESENT: Richard Barbier, Firefighter/Paramedic; Ross Blaha, Water Utility Director; Dave Buss, Finance Director; Jeff Dawson, Library Director; Brian Dellemann, Electric Utility Director; Steve Denzien, Fire Chief; Brian Kohlmeier, Police Chief; Andrew Lade, Police Office/K9 Handler and K9 Officer Xanti; Jim McDonald, Public Works Director; Ben Meinnert, Assistant Police Chief; Rick Powell, IT Supervisor; Elizabeth Runge, Community Development Director/City Planner; Greg Buckley, City Manager; and Jack Bruce, City Attorney.

4. MOMENT OF SILENCE IN REMEMBRANCE OF TWO RIVERS HIGH SCHOOL STUDENT ZACHARY BENSON, WHO DIED ON FEBRUARY 8, 2022

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

Motion to allow Councilmember Bittner to participate in the meeting from a remote location.

Motion carried by roll call vote.

Motion made by Thomas, Seconded by D. LeClair.

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

Voting Abstaining: Bittner

6. PUBLIC HEARING

A. Public Hearing Regarding Resolution of Vacation and Discontinuance of an Undeveloped Pedestrian Way Located in the Replat of Sandy Bay Highlands Subdivision No. 1

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 resolution

Motion carried by roll call vote [8-0].

Motion made by B. LeClair, Seconded by Dahlke.

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

- B. Ordinance to Amend the Official Map of Section 10-1-4 of the Municipal Code, to Abandon and Remove from Official Map the Pedestrian Way Referenced in Agenda Item 6A

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 by roll call vote [8-0].

Motion made by Dahlke, Seconded by Thomas.

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

7. INPUT FROM THE PUBLIC

None.

8. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

Councilmember Dahlke reported that he received questions from residents outside of the City about where to buy K9 t-shirts. Chief Kohlmeier indicated that a new poster is being created with the new t-shirt design and the t-shirts are available for purchase at the Police Department, Two Rivers Clothing Company, and Lucky Paws.

Councilmember Thomas reported that he received some complaints about the audio on the livestream of the meeting to YouTube.

Councilmember Shimulunas suggested that the Police Department organize a K9 demonstration at the dog park.

9. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

Councilmember D. Leclair reported that the Main Street Design Committee has closed out round one of the Sign and Facade Grant Program. The second round is coming up quickly and any interested parties should get in touch with the Design Committee right away. She indicated that the mural is almost done on the front of Seeds N Beans and the mural on the south side of the old Family Video building will be started once the weather improves.

Councilmember D. Leclair also reported that the hanging basket plants have been ordered for downtown and will be hot pink petunias this year so they are more visible. The banner art project will also be happening again this year.

She also reported that the Environmental Advisory Board met last week for a brainstorming session, and they plan to move forward with more green infrastructure, focusing on the benefits of trees to homeowners including available incentives.

Councilmember Bittner reported that the Personnel & Finance Committee met last week and unanimously supported a TIF assistance package for the developer of 3000 Forest Avenue. The recommendation to Council for TIF assistance will be discussed in closed session.

10. CITY MANAGER'S REPORT

A. Invited Guests

1. Police Department K9 Officer Xanti and K9 Handler Officer Andrew Lade

Police Chief Kohlmeier introduced K9 Officer Xanti and K9 Handler Officer Andrew Lade and thanked the public and those in attendance at the meeting for their generous donations to make the K9 program a reality.

K9 Officer Xanti, assisted by K9 Handler Officer Andrew Lade, was sworn in by City Clerk Jamie Jackson. Chief Kohlmeier hung K9 Officer Xanti's badge around his neck and Xanti was congratulated and welcomed by the City Council.

2. Firefighter/Paramedic Richard Barbier-Recently Completed Probationary Period

Fire Chief Steve Denzien introduced Firefighter/Paramedic Richard Barbier who recently completed his probationary period. Barbier came to the City of Two Rivers Fire Department in February 2021 after serving many years on the Manitowoc Fire Department as a Firefighter/Paramedic. Barbier's sister pinned his badge on him.

B. Resolution of Commendation Selection of Lieutenant Karen Elsenpeter as the Two Rivers Police Officer of the Year, Selected by Her Fellow Officers (Moved up from Formal Items 12G)

Recommended Action:

Motion to read and adopt the resolution

Chief Kohlmeier read the resolution.

Motion carried by roll call vote [8-0].

Motion made by Dahlke, Seconded by B. LeClair.

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

C. Status Update/Reports

1. Staffing Updates

Mr. Buckley reported on the following staffing updates:

- Andrew Sukowaty has been hired as the new Water Utility Director to fill the vacancy created when Ross Blaha retires in June. Andrew is currently the Water Distribution Superintendent for Manitowoc Public Utilities and has 10 years experience in municipal water operations. He holds an Associate's Degree in Civil Engineering Technology and a Bachelor's Degree in Organizational Leadership.
- Tyler Duessing has been hired as the new City Electrician/Electrical Inspector. Tyler is currently an Electrician/Maintenance Person with the Two Rivers Public School District and has completed an Electrician apprenticeship through Faith Technologies.
- Parks and Recreation Director Terri Vosters has accepted the position of Community Enrichment and Recreation Director with the City of Kaukauna. Her last day with the City of Two Rivers will be Friday, March 11.
- Recruitment is underway to fill the following vacancies:
 - Senior Center Supervisor: Applications due Friday, February 25
 - Certified Water Operator, to fill upcoming retirements: Open until filled, first review of applications Monday, March 7

- Police Officer vacancies: Applications were due Friday, February 18
 - Parks and Recreation Director: Open until filled, first review of applications Friday, March 4
2. Construction of 20th Street Stormwater Pond
Mr. Buckley reported that the construction of the 20th Street Stormwater Pond is underway. The pond will treat a drainage area of almost 40 acres located between 17th and 22nd Streets on the north and south and from the East Twin River as far west as Adams Street. This will eliminate the need for construction of on-site stormwater management facilities as properties in that area are redeveloped.
 3. Bidding of 17th Street Reconstruction Project
Mr. Buckley reported that the bid opening for the 17th Street reconstruction project is Wednesday, February 23rd. The project includes replacement of 31 lead water service laterals.

Bid openings for replacement of 50 lead water service laterals at scattered locations and a new screw press for de-watering of sludge at the Wastewater Treatment Plant will also take place on February 23rd.

4. Recent Main Street Program Facade Grant Awards, with Funding Assistance from City
Mr. Buckley reported that the following grants were awarded through the Main Street Sign and Facade Grant Program:
 - Hook, Lanes and Games: \$10,000 toward a \$41,000 project
 - Cool City Brewing Company: \$10,000 toward a \$77,000 project

Applications for the second round of sign and facade grant funding are due April 4th.

5. 3000 Forest Avenue Residential Development
Mr. Buckley reported that the 3000 Forest Avenue developer met with the Personnel and Finance Committee on February 17th to discuss the scope and structure of the proposed assistance to this project, from Tax Incremental District No. 15. The Committee recommended the developer assistance package for review by the full Council in closed session at this meeting.

The \$7 million project will construct 45 new, market-rate apartments on the former Hansen the Florist property. If the developer assistance package is approved by the full Council, the goal of City staff is to have a full development agreement ready for Council action on March 7th.

6. Fundraising for Central Park West 365 Project
Mr. Buckley reported that fundraising for the Central Park West 365 Project is ongoing and the Fundraising Committee continues to meet regularly. A "fly-through" video of the proposed park design was shared with Council.

7. Other
Mr. Buckley reported that the League of Women Voters will be hosting a City Council Candidate Forum at City Hall in the 3rd Floor Council Chambers on Thursday, February 24th at 6:30 PM. The forum will also be live streamed to the City's YouTube Channel and on Spectrum Channel 993.

Mr. Buckley reported that the contract purchaser of 606 Parkway Boulevard, Art Dumke of TRIVERS, LLC, reports that due diligence activity is being completed this week and his attorney indicates that the City will be contacted regarding a closing date by the end of the week. A City application for a WEDC Idle Sites Grant of \$500,000 to assist with renovations

of this facility was submitted by Community Development Director Elizabeth Runge on February 18th.

D. Legislative Update

Mr. Buckley reported that with the Environmental Advisory Board the City will be submitting a pre-application to the Sustain our Great Lakes program in an effort to secure funds for planning for the City-owned lands along the Lake Michigan shoreline adjacent to Memorial Drive, addressing invasive plant species in that area, and planting both dune grass and low-growing shrubs to reduce wind-blown sand that has become a problem as Lake Michigan water levels recede.

He also reported that in the most recent Legislative Update issued by the League of Wisconsin Municipalities, it appears that funding for EMS boosting Medicaid reimbursement rates and providing additional money for staff and training has passed the Legislature and is headed for the Governor's desk. Also, the legislation allowing of historic fill areas along the Great Lakes shoreline and commercial rivers to be considered upland, important for redevelopment, will likely soon be headed to the Governor's office for approval. The City Manager's office will be sending a letter to Governor Evers urging his approval.

11. CONSENT AGENDA

A. Presentation of Minutes

1. Regular City Council - February 7, 2022

Recommended Action:

Motion to waive reading and adopt the minutes

B. Minutes of Meetings

1. Police and Fire Commission, February 1, 2022
2. Lester Public Library, January 11, 2022
3. Public Utilities Committee, February 1, 2022
4. Public Works Committee, February 2, 2022
5. Plan Commission, February 14, 2022
6. Committee on Aging, December 6, 2021
7. Community Development Authority and Business and Industrial Development Committee, January 25, 2022

Recommended Action:

Motion to receive and file

C. Department Reports, January 2022

1. City Clerk
2. Community Development
3. Electric
4. Fire
5. Inspections and 2021 Annual Report
6. Library and 2021 Annual Report
7. Parks & Recreation
8. Police
9. Public Works
10. Safety
11. Water

Recommended Action:

Motion to receive and file

- D. Summary of Verified Bills for the Months of December 2021 for \$1,542,907.58 and January 2022 for \$4,468,141.18
Recommended Action:
Motion to receive and file

- E. Request for a Conditional Use Permit for a drive-thru service window at the Two Rivers Senior Center, 1520 - 17th Street, in the B-1 Business District, submitted by the City of Two Rivers (property owner)
Recommended Action:
Motion to schedule public hearing for March 7, 2022 at 6:00 PM, as recommended by the Plan Commission meeting on February 14, 2022

- F. Request for a Change in Zoning to Planned Unit Development (PUD) and proposed development agreement for the Construction of Multi-Family Residential Development at 3000 Forest Avenue, Submitted by Arik and Lawrence Hansen (property owners) and Edward Fisher (Agent for potential buyer)
Recommended Action:
Motion to schedule public hearing for March 7, 2022 at 6:00 PM, as recommended by the Plan Commission meeting on February 14, 2022

- G. Zoning Code Correction - Text Amendment to include Conservation Subdivision as a Conditional Use in the R-1 and R-2 Residence Districts
Recommended Action:
Motion to schedule public hearing for March 7, 2022 at 6:00 PM, as recommended by the Plan Commission meeting on February 14, 2022

RECOMMENDED ACTION FOR CONSENT AGENDA

Motion to approve the Consent Agenda with the various actions recommended

Motion carried by voice vote [8-0].

Motion made by Dahlke, Seconded by D. LeClair.

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

12. CITY COUNCIL - FORMAL ITEMS

- A. Discussion Item: Local Regulation of 5G Facilities

Mr. Buckley reviewed correspondence to the Council he prepared in regards to the limitations placed on municipalities regarding the regulation of placement of small cell wireless components.

Tiffany Samuels of Nsight Communications was present to explain to the Council what Nsight is planning with their current projects in Two Rivers and that while the small cell wireless antennas they are planning to place are 5G capable, they are not intending to use 5G at this time, nor do they have approval for 5G anywhere in Manitowoc County. When asked about any health concerns she indicated that all technology used is regulated by the FCC.

- B. Amendment to Ordinance 9-6-5, Entitled "Enforcement", to Allow Notices for Public Nuisance Violations to be Sent First Class Mail in Addition to Other Means of Notice Already Included in Ordinance

Recommended Action:

Motion to waive reading and adopt the ordinance

Motion carried by roll call vote [8-0].

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

C. 2022 Park and Open Space Plan

Recommended Action:

Motion to adopt the 2022 Open Space Plan, as recommended by the Advisory Recreation Board

Motion carried by roll call vote [8-0].

Motion made by Dahlke, Seconded by Thomas.

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

D. Consideration of Authorizing Facade and Sign Grant Program for Businesses in Locations Outside of the Area Served by Two Rivers Main Street's Facade and Sign Grant Programs

Recommended Action:

Motion to authorize offering the program to local businesses

City Manager Buckley and Community Development Director Elizabeth Runge shared details of the proposed Facade and Sign Grant Program for businesses in locations outside of the area that is serviced by Two Rivers Main Street's Facade and Sign Grant Programs.

Motion carried by roll call vote [8-0].

Motion made by B. LeClair, Seconded by Thomas.

The Council recommended several changes to the proposed program and recommended that the document be amended and brought back to a future meeting for further review and approval.

Motion to table until revisions can be made.

Motion carried by roll call vote [8-0].

Motion made by B. LeClair, Seconded by Thomas.

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

E. Award of Bid for Drive-Through Window Project at Senior Center (Funded with CDBG-Covid Grant)

Recommended Action:

Motion to award bid to Phillipi Quality Construction, Inc. for the base bid work, Alternative 1 Bid, and Alternative 2 Bid; the Public Works Department has elected to complete the Alternative 3 parking lot work

Motion carried by roll call vote [8-0].

Motion made by Koach, Seconded by Dahlke.

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

F. Rejection of Bid Received for Washington Park Tennis Court/Pickleball Courts Construction

Recommended Action:

Motion to reject the one bid received, from Northeast Asphalt, in the amount of \$280,060, which significantly exceeded the project budget of \$150,000 and to direct staff to evaluate cost-saving options and re-bid the project

Motion carried by voice vote [8-0].

Motion made by Koach, Seconded by Thomas.

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

G. Resolution Designating Signers on City Bank Accounts

Recommended Action:

Motion to waive reading and adopt the resolution

Motion carried by voice vote [8-0].

Motion made by Koach, Seconded by D. LeClair.

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

H. Preliminary Resolution to Levy Special Assessments Upon the Properties Fronting on 17th Street, From East Park Street to Jefferson Street and 17th Street, From East Street to Zlatnik Drive

Recommend Action:

Motion to waive reading and adopt the resolution

Motion carried by voice vote [8-0].

Motion made by Dahlke, Seconded by Bittner.

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

13. FOR INFORMATION ONLY

A. City Council Work Session, Monday, February 28, 2022, 6:00 PM

B. City Council Regular Meeting, Monday, March 7, 2022, 6:00 PM

14. CLOSED 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 investment of public funds, or conducting other specified public business, whenever competitive or bargaining reason require a closed session: Consideration of Financial Assistance to be Provided through TID 15 Development Agreement with 3000 Forest Avenue, LLC (apartments on former Hansen the Florist site) and Consider Assistance to Another Redevelopment Project

Motion to enter into closed session at 8:07 PM.

Motion carried by roll call vote [8-0].

Motion made by Dahlke, Seconded by Shimulunas.

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

Councilmember Bittner joined the meeting in person for closed session.

15. RECONVENE IN OPEN SESSION

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

Motion to reconvene in open session at 8:50 PM to consider possible actions in follow-up to closed session discussions.

Motion carried by voice vote [8-0].

Motion made by Thomas, Seconded by D. LeClair.

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

Motion to approve the structure and amounts of TIF assistance to the developer of 3000 Forest Avenue as detailed in closed session and as recommended by the Personnel and Finance Committee.

Motion carried by roll call vote [7-1].

Motion made by Bittner, Seconded by Thomas.

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

Voting Nay: Dahlke

16. ADJOURNMENT

Motion to dispense with the reading of the minutes of this meeting and adjourn at 8:52 PM.

Motion made by Dahlke, Seconded by D. LeClair.

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

Respectfully Submitted by:

Jamie Jackson
City Clerk