



**TWO
RIVERS**
WISCONSIN

CITY COUNCIL MEETING

Monday, June 06, 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 LEAD BY KACEN AND RALYK GRUNWALD

The Pledge of Allegiance was led by local elementary school students Kacen and Ralyk Grunwald.

Local elementary or pre-school students can be nominated to lead the Pledge of Allegiance at the second Council meeting of the month by contacting Lisa Kuehn in the City Manager's office at 920-793-5532 or lkuehn@two-rivers.org.

3. ROLL CALL BY CITY CLERK

Councilmembers: Jeff Dahlke, Tracey Koach, Bill LeClair, Darla LeClair, Tim Petri, Jason Ring, Bonnie Shimulunas, Scott Stechmesser, Adam Wachowski

ALSO PRESENT: Dave Buss, Finance Director; Jeff Dawson, Library Director; Brian Dellemann, Electric Utility Director; Steve Denzien, Fire Chief; Brian Kohlmeier, Police Chief; Jim McDonald, Public Works Director; Ben Meinnert, Assistant Police Chief; Rick Powell, IS Supervisor; Elizabeth Runge, Community Development Director/City Planner; Andrew Sukowaty, Water Utility Director; 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

None.

5. PUBLIC HEARING

None.

6. INPUT FROM THE PUBLIC

Kay Koach, 2411 34th Street - Ms. Koach stated that she is a representative of the Two Rivers TRIAD group. She referenced past Council discussions and information presented to the Council about the use of ATVs and UTVs within the City limits and also the TRIAD group's concern for safety issues arising if ATVs and UTVs were to be allowed in the City. The TRIAD group is in support of the Police Department's position and against the use of ATVs and UTVs within the City.

Dustin Johnson, 1905 Jackson Street - Mr. Johnson indicated he is the General Manager at Fireside Pub and stated that their establishment is experiencing an equipment issue with their boiler and is unable to find a replacement for the repair required to meet the conditions of the zoning code. He asked if there is a way Council could grant a variance allowing their business to continue operating while waiting on repairs and in order for their liquor license to renew upon expiration on June 30, 2022. Mr. Buckley requested that Mr. Johnson contact his office to discuss this matter with City staff, and stated that there will be an update on the next City Council agenda.

Mark Grams, 1908 Garfield Street - Mr. Grams stated that he is not in favor of ATVs and UTVs for street use and indicated that he thinks those types of vehicles are better suited for rural use.

7. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

Councilmember Koach reported that she received a comment from someone that enjoyed the Memorial Day parade, but wasn't able to hear the events at the cemetery. She also had several residents contact her in opposition of ATVs and UTVs being allowed on City streets.

Councilmember Dahlke reported the following communications from citizens

- The leaders from Snowfest asked if the City is going to fill out the required paperwork for the Councilmembers to walk in the Snowfest parade.
- There is a house on 19th Street just west of Adams Street with a backyard full of scrap metal. Chief Kohlmeier indicated that the Police Department is currently in contact with the property owner and is following the proper code enforcement protocols at this time.
- The parade route for Snowfest should be switched back to Washington Street. Chief Kohlmeier indicated that the City is only allowed three permits to close off traffic to a state highway in the City of Two Rivers. The City is currently being allowed to exceed that limit for long standing parades and events. He also indicated that the Friends of Two Rivers Snowfest decided upon the location for the parade and not the City.
- Several people at Carp Fest spoke in favor of ATVs and UTVs being allowed for use on City streets and raised bed gardens in front yards.

Councilmember Stechmesser asked if motorized mobility scooters are allowed on the street. Chief Kohlmeier indicated that they are not allowed to be operated on the street and that citizens should get in touch with the Police Department while the act is happening so they can take enforcement action.

Councilmember D. LeClair reported that she spoke to State Representative Shae Sortwell regarding wheelchair access to the north pier. She indicated that there is a lot of sand between the parking lot and where the pier starts and suggested that someone do a study to see what can be done to make it accessible. She also has concerns about safety hazards. Mr. Buckley indicated that there has been some preliminary discussion with the Army Corps of Engineers regarding north pier repairs and access.

8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

Councilmember D. LeClair reported that the Environmental Advisory Board meeting for May was cancelled, but the Board will be meeting in June to discuss "no mow May" to determine if it is possible in the future to help maintain the pollinators. The EAB would also like to offer a pollinator garden educational series and work to establish good relationships between the City and small family farms to ensure that runoff is not polluting the river.

Councilmember B. LeClair reported that a question came up in the Committee on Aging meeting about what the City is doing for preparedness due to all of the recent mass shootings taking place. Chief Kohlmeier reported on the efforts of agencies within Manitowoc County and exercises that take place with local fire, EMS, law enforcement, and school administrative staff.

9. CITY MANAGER'S REPORT

A. Invited Guests

1. Introduction and Swearing in of New Police Officers Zayla Mueller, Leander Menn, Seth Tobison, Mitch Nussberger, and Luke Brinkman

Chief Kohlmeier introduced the City's five new Police Officers.

Officer Zayla Mueller is a recent graduate of Lakeshore Technical College with an Associate's Degree and Certification in Law Enforcement. Zayla was hired part-time on February 15th and became a full-time officer on May 16, 2022.

Officer Leander Menn is a recent graduate of Northeast Wisconsin Technical College with an Associate's Degree and Certification in Law Enforcement. Leander was hired part-time on February 16th and became a full-time officer on May 22, 2022.

Officer Seth Tobison is a lateral transfer coming to the City with five years' law enforcement experience most recently having been a full-time officer in Hortonville. Seth was hired on May 23, 2022.

Officer Mitchell Nussberger is a recent graduate of Lakeshore Technical College with an Associate's Degree and Certification in Law Enforcement. Mitchell was hired part-time on April 28th and became a full-time officer on June 5, 2022.

Officer Luke Brinkman is a recent graduate of UW-Eau Claire and has a law enforcement certification from Chippewa Valley Technical College. Luke was hired on June 6, 2022.

All five new officers were sworn in by City Clerk Jamie Jackson and their badges were pinned on.

B. Status Update/Reports

1. Staffing Updates

Mr. Buckley reported that as of this week, all five new full-time police officers are on board bringing the Police Department up to full staffing. The City's new Parks & Recreation Director Mike Mathis will start on June 27th and City Engineer/Public Works Director Jim McDonald has announced his plans for retirement effective September 2, 2022. The City has ongoing recruitments for a Senior Center Volunteer and Nutrition Coordinator and two seasonal public works openings with hours primarily in the months of May through November.

2. Recap of Visit by Sister City Delegation from Domazlice, Czechia

Mr. Buckley reported that the City welcomed its Domazlice friends, ten student musicians and eight adults, for the second exchange visit to Two Rivers this past week. The Two Rivers Public School District and the City of Two Rivers assisted in a week of events that included the following events:

- a. Parallel 44 Winery Tour
- b. Welcome Dinner at Lighthouse Inn
- c. Memorial Day Parade
- d. City Department Tours
- e. Industry Tours at Kahlenberg, Metalware, Carron Net, and VT Industries
- f. London Dairy Alpaca Farm
- g. Czech Music in the Park
- h. Wisconsin Maritime Museum Submarine Tour
- i. Manitowoc Yacht Club Farewell Dinner
- j. Charter Fishing Trip and Fish Boil at Coast Guard Park
- k. High School Variety Show

Special thanks to the Sister Cities Committee, headed by Brenda Koprowski, and to all of the generous sponsors who made these events possible.

3. Tourism Promotion and Development

Mr. Buckley reported that the Two Rivers Visitor Information and Gift Shop and Main Street Office on Washington Street are now open. Room tax receipts continue to exceed past years' activity with \$61,456.24 for the months of January through April 2022, more than \$17,000 ahead of revenues for the same period in 2021.

4. Former Paragon Property--Idle Sites Grant Application

Mr. Buckley reported that the Community Development Department has been in communication with the Wisconsin Economic Development Corporation (WEDC) on the Idle Sites Grant Application for \$250,000 that was submitted in April. A funding decision is expected this month.

5. Central Park West 365 Project

Mr. Buckley reported that recent major donations to the Central Park West 365 Project include a donation of \$30,000 from Vinton Construction Company and \$5,000 from Holy Family Memorial/Froedtert. To date, the City has met \$561,000 of its \$800,000 fundraising goal towards the \$1,600,000 project.

6. Proposed Sewer Rate Increase

Mr. Buckley reported that a proposed sewer rate increase will be the subject of further discussion at the Public Utilities Committee meeting on Tuesday, June 7 at 5:15 PM at City Hall.

7. Upcoming Events:

Mr. Buckley reported on the following upcoming events:

- a. Concert in Central Park, Jerry Voelker and the Jolly Gents, Thursday, June 9, 6:00-8:00 PM
- b. Document Shred Event at Bank First, Saturday, June 11, 9:00 AM-12:00 PM, 1703 Lake Street
- c. Water & Light Recycle Day, Tuesday, June 14, 7:30 AM-5:00 PM, 1415 Lake Street
- d. Concert in Central Park, Tony Rocker Elvis, Thursday, June 16, 6:00-8:00 PM

8. Other

Mr. Buckley reported that Klein Hardware/Hardware Hank at 2206 Forest Avenue has recently grown by 2,500 square feet to expand their product offerings, especially in the areas of fishing tackle and lawn and garden supplies. This expansion offers another opportunity to purchase what is needed right in Two Rivers while supporting local business and saving time and gas money in the process.

Mr. Buckley reported that there are new logowear offerings at City Hall and local retail outlets. New items include a sand pail and shovel, kids t-shirts, and teddy bears with matching t-shirts.

C. Legislative/Intergovernmental Update

Mr. Buckley reported that Senator Jacque was present for the City welcome with the Sister City delegation on Tuesday, May 31. Councilmembers and staff present had the opportunity to speak with Senator Jacque regarding the limitations on property valuations upon closing of a TIF and the lack of details on room tax remittance provided to the City by online vacation rental agencies.

10. CONSENT AGENDA

A. Presentation of Minutes

1. City Council Meeting, May 16, 2022
2. City Council Work Session, May 23, 2022

Recommended Action:

Motion to waive reading and adopt the minutes

B. Minutes of Meetings

1. Business and Industrial Development Committee/Community Development Authority, April 26, 2022
2. Joint Meeting of the City Council and Room Tax Commission, May 16, 2022
3. Board of Review, May 25, 2022
4. Architectural Control Committee, May 25, 2022
5. Police & Fire Commission, May 31, 2022

Recommended Action:

Motion to receive and file

C. Finance Reports, April 2022

1. Debt Service
2. General Fund
3. Lester Library
4. Utilities Report

Recommended Action:

Motion to receive and file

D. Applications and Petitions

1. Application for Temporary Class "B" Retailer's License from Friends of Two Rivers Snowfest for Snowfest 2022, July 22 to July 24, 2022 at 2111 Pierce Street, Two Rivers
2. Application for Temporary Class "B" Retailer's License from Two Rivers Main Street Inc. for Cool City Classic Car Show & Cruise, June 24-25, 2022 at Washington Street, from 15th Street to 22nd Street, Two Rivers
3. Application for Temporary Class "B" Retailer's License from Two Rivers Youth Sports for Beach Bash, June 24-25, 2022 at 500 Zlatnik Drive, Lots 2 & 3 and Parts of the Beach, Two Rivers

Recommended Action:

Motion to approve the application and authorize issuance of the license

E. New Combination Class "B" Beer/"Class B" Liquor License Application for Period of July 1, 2022 to June 30, 2023

1. The Hook Lanes and Games LLC, 1916 Washington Street, Two Rivers - Timothy J. Klein, Agent (dba The Hook)

Recommended Action:

Motion to approve the application and authorize issuance of the license consistent with review and determination of the Chief of Police

F. New Combination Class "A" Beer/"Class A" Liquor License Application for Period of July 1, 2022 to June 30, 2023

1. One Stop Beach Shop LLC, 812 22nd Street, Two Rivers - Shaneka Elliott, Agent (dba One Stop Beach Shop) - previously licensed for Class "A" Beer only

Recommended Action:

Motion to approve the application and authorize issuance of the license

G. Renewal License Applications for Period of July 1, 2022 to June 30, 2023

1. Class "A" Beer License - Qty 1
2. Combination Class "A" Beer/"Class A" Liquor Licenses - Qty 8
3. Combination Class "B" Beer/"Class B" Liquor Licenses - Qty 24
4. Beer Garden Permits - Qty 11 (including waiver to minimum distance from residential property requirement for Submariners Pub LLC)
5. Cigarette and Tobacco Retail Products Licenses - Qty 10
6. Landscape & Tree Removal Licenses - Qty 15

Recommended Action:

Motion to approve the applications and authorize issuance of the licenses as provided for in the list submitted by the City Clerk and upon satisfactory inspection

H. Noise Ordinance Waiver for Snowfest, July 22nd and 23rd until Midnight--Waive the Provisions of Sections 9-2-5B(2)(b) Regarding Noise Audible Within an Enclosed Structure Used for Residential Purposes and Section 9-2-5D, Pertaining to Vibration and Snowfest Parade Road Closure of Columbus Street Between Memorial Drive/STH 42 and Highway 310, Saturday July 23, 2022, 8:00 AM-1:00 PM

Recommended Action:

Motion to approve the request as submitted

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 B. LeClair.

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

11. CITY COUNCIL - FORMAL ITEMS

A. Resolution Recognizing Thursday, June 23, 2022 as Sundae Thursday

Recommended Action:

Motion to read and adopt the resolution

Mr. Buckley read the resolution.

Motion carried upon a roll call vote.

Motion made by Koach, Seconded by Stechmesser.

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

B. City Manager's Appointments and Re-Appointments to Boards, Committees and Commissions
--Jo Anne Yungerman, Committee on Aging, term to expire 2025
--Travis Kadow, Advisory Recreation Board, re-appointment term to expire 2025

Recommended Action:

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

Motion carried upon a voice vote.

Motion made by Stechmesser, Seconded by Ring.

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

- C. Ordinance to Create Chapter 6-13 of the Municipal Code, Entitled "Licensing of Short-Term Rentals" and to Amend Section 1-2-1, Entitled "Fees" to Create a Procedure for Licensing Short-Term Rentals and License Fees

Community Development Director Elizabeth Runge reviewed the purpose and scope of the proposed ordinance for licensing of short-term rentals.

Recommended Action:

Motion to waive reading and adopt the ordinance

Motion made by B. LeClair, Seconded by Shimulunas.

Council had discussion on the ability to incorporate parking requirements in the ordinance that allow for either on-street or off-street parking.

Motion to amend to add one parking space for every four occupants.

Motion made by Ring, Seconded by D. LeClair.

Council had additional discussion regarding the need for parking, whether on-street or off-street, the effective date of the ordinance, and the license fees.

Motion amended to adopt the ordinance with revisions including the requirement for one off-street parking space per rental unit with the exception of the downtown area as identified by the zoning code and increasing the license fee to \$150 including up to three property managers in the license fee and \$25 for each additional property manager.

Motion carried with a roll call vote.

Motion made by Ring, Seconded by D. LeClair.

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

Motion to also add an effective date of January 1, 2023 to the proposed ordinance.

Motion carried with a roll call vote.

Motion made by Koach, Seconded by Stechmesser.

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

Voting Nay: Petri

- D. Community Development Incentive Grant Agreement with Wisconsin Development Economic Corporation Providing \$250,000 in Funding Assistance for Cool City Brewing Company

Recommended Action:

Motion to authorize the City Manager to sign the agreement on behalf of the City

Motion carried with a roll call vote.

Motion made by B. LeClair, Seconded by D. LeClair.

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

Voting Abstaining: Dahlke

Councilmember Dahlke indicated that he was abstaining from the vote as two of the owners of Cool City Brewing Company are his neighbors.

- E. Consider Referring to the Plan Commission a Request to Address the Current Zoning Code Prohibition on Produce Gardens in Front and Street Side Yards, to Possibly Eliminate or Modify That Prohibition

Recommended Action:

Council discretion

Council had discussion on prior action by the Council to not allow produce gardens in front and street side yards. Due to additional inquiries about these types of produce gardens directed to Council they discussed options to allow produce gardens in front and street side yards in aesthetically pleasing ways without creating a nuisance.

Motion to refer the possibility of allowing front and street side yard produce gardens to the Plan Commission for further exploration and possible recommendation back to City Council.

Motion carried upon a voice vote.

Motion made by D. LeClair, Seconded by Koach.

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

- F. Discussion of Current Ordinance Provisions Prohibiting ATV/UTVs on City Streets

Recommended Action:

Council discretion

Chief Kohlmeier spoke to the Council about the City's past history of discussions pertaining to the possible use of ATVs and UTVs on City streets citing that the topic has been addressed five times in five years' time, every time resulting in a decision by the City Council to not make a change to the ordinances and to continue prohibiting the use of ATVs and UTVs on City streets. He provided a list of considerations from the Police Department's perspective as to why the City should not consider the allowance of ATVs and UTVs on City streets, many of which have been provided to past Councils over recent years. The possible issues cited by the Police Department include concerns about noise, excessive speed, lack of laws pertaining to operating an ATV or UTV with a revoked or suspended license, cost of signage, and the image that would be created from a tourism perspective. Due to these considerations and more, Chief Kohlmeier indicated that the opinion of the Police Department remains the same and he would not recommend that the City Council consider adopting an ordinance allowing the use of ATVs and UTVs on City streets.

Council discussed both the pros and cons to allowing or not allowing the use of ATVs or UTVs on City streets.

Motion to conduct a public hearing on whether or not to allow ATVs or UTVs on City streets with promotion of the public hearing communicated to the public via the City's social media accounts and in the monthly newsletters inserted in the utility bill mailings.

Motion made by Dahlke, Seconded by Petri.

The motion was then amended to add that the public hearing notice should indicate that the City is looking for a "yes" or "no" as to whether or not to allow ATVs or UTVs on City streets and that no additional information should be presented with the notice.

Motion carried upon a roll call vote.

Motion made by Dahlke, Seconded by Petri.

Voting Yea: Dahlke, Petri, Ring, Shimulunas, Stechmesser, Wachowski

Voting Nay: B. LeClair, D. LeClair, Koach

Motion to schedule the public hearing during the August 15, 2022 regular City Council meeting. Written comments ahead of the meeting can be sent to the City Clerk via email to jjackson@two-rivers.org or mail to: City Clerk, PO Box 87, Two Rivers, WI 54241 with the expectation that the City Clerk will forward any correspondence received to the City Council weekly until the time of the public hearing.

Motion carried upon a voice vote.

Motion made by Dahlke, Seconded by Petri.

Voting Yea: Dahlke, Petri, Ring, Shimulunas, Stechmesser, Wachowski

Voting Nay: B. LeClair, D. LeClair, Koach

12. FOR INFORMATION ONLY

A. City Council Regular Meeting, Monday, June 20, 2022, 6:00 PM

B. City Council Work Session Meeting, Monday, June 27, 2022, 6:00 PM

13. CLOSED SESSION

Motion to enter into Closed Session at 9:22 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: Possible City assistance to proposed redevelopment project at 3000 Forest Avenue.

Motion carried upon a roll call vote.

Motion made by Dahlke, Seconded by Shimulunas.

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

14. RECONVENE IN OPEN SESSION

Motion to reconvene in open session at 9:30 PM to consider possible actions in follow-up to closed session discussions.

Motion carried upon a voice vote.

Motion made by D. LeClair, Seconded by Dahlke.

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

15. ADJOURNMENT

Motion to dispense with the reading of the minutes of this meeting and adjourn the meeting at 9:30 PM.

Motion carried with a voice vote.

Motion made by Dahlke, Seconded by B. LeClair.

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

Respectfully Submitted,

Jamie Jackson
City Clerk