



**TWO
RIVERS**
WISCONSIN

CITY COUNCIL WORK SESSION

Monday, October 24, 2022 at 6:00 PM

Council Chambers - City Hall, 3rd Floor
1717 E. Park Street, Two Rivers, WI 54241

AGENDA

NOTICE: Arrangements for Addressing the City Council by Telephone, During Public Hearings or Input from the Public can be made by Contacting the City Manager's Office at 920-793-5532 or City Clerk's Office at 920-793-5526 by 4:00 p.m. on the day of the meeting

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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

4. DISCUSSION ITEMS

A. Brandon Robinson/ Bay-Lake Regional Planning Commission Comprehensive Plan Presentation

B. Discussion on Golf Cart Regulations

5. ACTION ITEMS

A. Application for Temporary Class "B"/"Class B" Retailer's License from Two Rivers Main Street at Various Downtown Locations for Two Rivers Main Street Fall Wine Walk on October 28, 2022

Recommended Action:

Motion to approve the application and authorize issuance of the license

6. CLOSED EXECUTIVE 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.

--Review Proposed Development Agreement with YBR Properties, LLC Regarding City TIF Assistance for Redevelopment Project on the Former Eggers Industrial Downtown Site

7. RECONVENE IN OPEN SESSION

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

8. ADJOURNMENT

Motion to dispense with the reading of the minutes of this meeting and adjourn

Please note, upon reasonable notice, efforts will be made to accommodate the needs to disabled individuals through appropriate aids and services. For additional information or to request this service, please contact the Office of the City Manager by calling 793-5532.

It is possible that members of and possibly a quorum of governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no other action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

CHAPTER 8-9. GOLF CARTS¹

Sec. 8-9-1. Purpose.

The purpose of this chapter is to provide a means of travel that is not only convenient and safe, but conserves resources and protects the environment. Golf carts, if properly used, are an effective way to travel for short distances within the city. However, to ensure the public safety and welfare, the operation of golf carts must not only comply with normal regulations regarding vehicles, but should comply with special safety regulations intended to protect the operator and passengers in a vehicle that is primarily designed for operation on a golf course or for recreational purposes. This chapter establishes the basic, minimum standards of care to be used by the operators of golf carts on public roads, streets and highways. Likewise, the public safety requires that golf carts, used as a means of transportation, must also meet certain minimum safety standards that can only be assured through a system of registration and inspection. The registration and inspection of golf carts is required in order to protect the public health, safety and welfare.

Sec. 8-9-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

Golf cart. A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding 20 miles per hour.

Sec. 8-9-3. Applicability.

- A. The operation of golf carts is not subject to the provisions of this chapter under the following circumstances: the operation of golf carts at golf courses, private clubs or on private property, with the consent of the owner.
- B. The use of a golf cart in connection with a parade, a festival or other special event is still subject to all provisions of this chapter. Additionally, consent from the coordinator of any event is required for use at and/or during the event.

Sec. 8-9-4. License required.

No person who is less than 16 years of age or who does not have a valid driver's license issued by the State of Wisconsin or another state may operate a golf cart on any public street within the city. For purposes of this section, a learner's permit shall not be considered as a valid driver's license nor shall any license that has been suspended or revoked for any reason, temporarily or otherwise, be considered as a valid driver's license during the period of suspension or revocation.

Sec. 8-9-5. Registration.

- A. No golf cart may be operated on any public street within the city unless the golf cart has first been registered with the Two Rivers police department as required herein. The registration shall be renewed thereafter in

¹Editor's note(s)—Adopted by the city council of the City of Two Rivers 7-1-2019; amended in its entirety 6-21-2021. Amendments noted where applicable.

accordance with the provisions of this section. To evidence the registration, the owner shall be issued an annual permit, which shall be displayed in a prominent, visible place on the rear fender of the golf cart or at such other place as may be approved by the police department. The permit may contain a registration number assigned for the particular golf cart and may contain an expiration date.

- B. *Registration fee.* An annual registration fee, as may be established and adopted by the city council and amended from time to time, shall be paid to the city at the time the application for registration is filed with the Two Rivers police department or for any permit renewal.
- C. *Application.* The application for registration shall be made to the Two Rivers Police Chief, or to some other person designated, on forms provided by the city. The application may, among other things, require the owner's name, street address, mailing address, a phone number, the make, model and identification or serial number of the golf cart, proof of insurance and such other information as may be reasonably required, as well as a release of the city from liability for any accidents involving the registered golf cart and an agreement to indemnify and hold the city harmless from any claims arising from any such use/operation.
- D. *Inspection.* Prior to issuing the initial registration permit or any renewal thereof, the golf cart shall either be inspected or, in place of inspection, the Two Rivers police department may require photographs/video submitted of the golf cart, to determine that:
 - (1) The golf cart is equipped with at least two red rear reflectors to the rear of the cart and those reflectors are at least three inches in height and width;
 - (2) The golf cart is equipped with a reflective slow-moving sign or flag on the rear of the cart;
 - (3) The brakes provided by the manufacturer of the golf cart are in proper working order;
 - (4) The golf cart has all of the standard safety features provided by the manufacturer and has not been modified to exceed a speed of 20 miles per hour, nor otherwise modified in any way that creates a hazard;
 - (5) The golf cart is equipped with all mechanical systems and safety equipment required by this chapter; and
 - (6) All existing manufacturer's lights are in working order, or a minimum of one headlight/taillight installed so as to not conflict with oncoming traffic's vision if not driven during daylight hours. All lighting must be capable of being observed from a distance of 500 feet.
- E. *Denial and revocation.* The initial registration of a golf cart may be denied or subsequently revoked by the City of Two Rivers if it is determined that::
 - (1) The application contains any material misrepresentation;
 - (2) The golf cart is not in compliance with the requirements set out above;
 - (3) The golf cart has been altered or customized and no longer meets the definition of "golf cart;"
 - (4) Equipment supplied by the manufacturer, especially safety equipment, has been removed from the golf cart or the vehicle identification or serial number has been removed; or
 - (5) Other good cause shown, including repeated violations of this chapter.
- F. *Disqualified vehicles.* All-terrain vehicles (ATVs), four-wheel utility vehicles (UTVs) and other similar utility vehicles which are not manufactured for operation on a golf course and golf carts which have been modified so that they no longer meet the definition of a "golf cart" may not be registered as a golf cart nor shall such vehicles be operated on the public roads within the city unless such vehicles are otherwise registered with and allowed under the motor vehicle laws of the State of Wisconsin.

Sec. 8-9-6. Operation.

Golf carts shall not be operated on the public streets of the city, except in full compliance with the provisions of this section.

- A. *Hours of operation.* Golf carts may be driven on approved public streets from 5:00 a.m. to 12:00 midnight. Golf carts may not be operated when fog, smog, smoke or other conditions reduce visibility so that the golf cart is not visible for a distance of 250 feet.
- B. *Streets.* Golf carts may be operated on any city-owned streets, within the city limits with a posted speed limit of 35 miles per hour or less.
- C. *Motor vehicle laws.* All laws regarding the use of motor vehicles in the State of Wisconsin, including possession of a valid driver's license, and all ordinances regarding the use of motor vehicles in the city not inconsistent therewith shall be observed, except that no golf cart may be operated at a speed in excess of 20 miles per hour, or the top speed set by the manufacturer, whichever is lesser.
- D. *Right-of-way.* The operator of a golf cart shall yield the right-of-way to overtaking motor vehicles.
- E. *City property and sidewalks.* Golf carts shall not be operated on any sidewalk, pedestrian walkway, bicycle path or trail, jogging path, greenway, or park or on any beach, or trail except for official police business or by city personnel while on city business. Notwithstanding anything herein to the contrary, golf carts shall not be operated on property owned or leased by the city except with the express written consent of the city council and upon the terms and conditions as may be set forth in such written permission.
- F. *Golf cart capacity.* The manufacturer's recommended seating capacity shall not be exceeded, nor shall the operator or any passenger be permitted to stand while the golf cart is in operation.
- G. *Commercial purposes.*
 - (1) Golf carts may not be used as a taxicab or bus. The commercial carrying of passengers is permitted to the extent that a business or organization may use a golf cart as a shuttle in direct connection with said business or organization and then only to the extent that the passenger capacity is not exceeded as noted above.
 - (2) The hauling of freight is permitted to the extent that a business or organization may transport products or materials in direct connection to said business. The transportation of hazardous or flammable materials is prohibited. Freight in combination with the operator and any passengers may not exceed the cart manufacturer's gross vehicle weight rating (GVWR).
 - (3) The rental or the use of any golf cart for consideration shall be considered a commercial use.
 - (4) Golf carts used under this subsection shall be insured for liability for property damage and personal injury by a reputable insurer satisfactory to the city. A certificate of insurance verifying insurance coverage shall be filed with the city with each application for registration or renewal. Such insurance shall provide for policy limits of at least \$1,000,000.00 for one person and \$1,000,000.00 for any number of persons injured or killed in one accident and \$100,000.00 property damage per incident. Additionally, it shall be agreed that the city is released from liability for any accidents involving the registered golf cart and to indemnify and hold the city harmless from any claims arising from any such use.
- H. *Parking.* Golf carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing or parking of golf carts in an area where parking is not allowed or in any place that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited.

- I. *Unattended vehicles.* No person shall leave or allow any golf cart owned or operated by him/her to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
- J. *Towing.* Golf carts may not be used for the purpose of towing another cart, trailer, or vehicle of any kind including a person on roller skates, skateboard or bicycle.

(Ord. of 7-6-2022(2) , § 1)

Sec. 8-9-7. Disclaimer; liability.

- A. *Disclaimer.* Golf carts are not designed for nor manufactured to be used on public streets and the city neither advocates nor endorses the golf cart as a safe means of travel on public streets, roads and highways. The city in no way shall be liable for accidents, injuries or death involving the operation of golf carts.
- B. *Assumption of risk.* Any person, who owns, operates or rides upon a golf cart on a public street, road or highway within the city does so at his or her own risk and peril and assumes all liability resulting from the operation of the golf cart.

Sec. 8-9-8. Violations and penalties.

If any person shall violate this chapter, he or she shall be guilty of a forfeiture and shall be fined not less than \$100.00 nor more than \$500.00, including court costs, except that the owner or operator of a golf cart who shall violate a provision regulating the parking of vehicles shall be subject to a civil penalty as set forth in the general penalty of the Code, including the imposition of larger civil penalties for multiple or repeat offenses within a specified period of time.

Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ ~~120.00~~ 130.00

Application Date: 10/11/2022

☐ Town ☐ Village ☒ City of Two Rivers

County of Manitowoc

The named organization applies for: (check appropriate box(es).)

☒ A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.

☒ A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 10/28/2022 and ending 10/28/2022 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. Organization (check appropriate box) →

- ☐ Bona fide Club ☐ Church ☐ Lodge/Society
☐ Veteran's Organization ☐ Fair Association or Agricultural Society
☒ Chamber of Commerce or similar Civic or Trade Organization organized under ch. 181, Wis. Stats.

(a) Name Two Rivers Main Street

(b) Address 1608 Washington St, PO Box 417, Two Rivers, WI 54241
 (Street) ☐ Town ☐ Village ☒ City

(c) Date organized 05/01/1996

(d) If corporation, give date of incorporation _____

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box: ☐

(f) Names and addresses of all officers:

President Gina Krahm - Sepia Chapel 3721 Adams Street Two Rivers, WI 54241

Vice President Travis Stevens Remax Port Cities Realtors 818 Bucholz Street Two Rivers, WI 54241

Secretary Emilee Rysticken Screamin' Conuts 1200 Washington St Two Rivers, WI 54241

Treasurer Jeff Sachse Rawley Point Economic Advising 1002 E Crescent Dr Manitowoc, WI 54220

(g) Name and address of manager or person in charge of affair: _____

Jason Ring, 1608 Washington Street, PO Box 417, Two Rivers, WI 54241

2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:

(a) Street number Multiple - See List Below

(b) Lot _____ Block _____

(c) Do premises occupy all or part of building? Both

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: Main Floor Businesses on in the Main Street District: Linda Loves Cheesecake, 1st Anderson,

Rural Mutual Insurance, Seeds n Beans; Weichert Cornerstone Realtors, also Sepia Chapel & Kurtz's + Attached

3. Name of Event

(a) List name of the event Two Rivers Main Street Fall Wine Walk

(b) Dates of event 10/28/2022

DECLARATION

An officer of the organization, declares under penalties of law that the information provided in this application is true and correct to the best of his/her knowledge and belief. Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

Officer _____

(Signature, Date)

Two Rivers Main Street

(Name of Organization)

Date Filed with Clerk 10/11/2022

Date Reported to Council or Board _____

Date Granted by Council _____

License No. _____

Fall Wine Walk Business Participants 2022

Business	Address	Bar Tender	Application
Linda Loves Cheesecake	1604 Washington Street	Linda Paider	x
1st Anderson	1418 Washington Street	Amy MacMillin	x
Crafty Cravings	1606 Washington Street	Liz Wall	x
Kurtz's	1404 Washington Street	Brenda Fischer	N/A
Rural Mutual Insurance	1316 Washington Street	Bruce Sielen	x
Seeds n Beans	1803 Washington Street	Lee Hansen	x
Weichert Cornerstone, Realtors	1603 Washington Street	JoAnne Kouba	x
Two Rivers Main Street Office	1608 Washington Street	Jason Ring	x
Lakeshore Rock & Gem	2116 Washington Street	Laura Klein	x
Renee's Chocolates	1308 Washnigton Street	Chris Hytry Derring	x
Homestead Outlet	1618 Washington Street	Beki Urbanek	x
Cobblestone Inn	1407 16th Street	Jessica	N/A