



# 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

---

## 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 BY CITY CLERK**

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

**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

**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

**6. INPUT FROM THE PUBLIC**

**7. COUNCIL COMMUNICATIONS**

Letters and other communications from citizens

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

**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
3. Final Payment to Vinton Construction Under 2017 TID No. 11 Development Agreement
4. 2023 Year-End Overtime Report
5. Central Park West 365 Accident on February 25
6. Absentee Ballots for April 2, 2024 Spring Election can be requested on-line at 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**

**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
- 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
- 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
- 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
- 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
- F.** Consideration of City Manager's Appointments to the Aquatics Committee  
Recommended Action:  
Motion to approve the appointments, as recommended by the City Manager

**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

*In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Two Rivers will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call the City Clerk's office at 920-793-5526 or email [clerk@two-rivers.org](mailto:clerk@two-rivers.org) at least 48 hours prior to the scheduled meeting or event to request an accommodation. For additional assistance, individuals with hearing or speech disabilities can call 711 and be connected to a telephone relay system.*

*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.*

CONDITIONAL USE  
PERMIT  
City of Two Rivers

Document Number

Permit No. 3-1-2024

Blue = Change for March 4, 2024 City Council

Before the City Council of the City of Two Rivers, Manitowoc County, Wisconsin, regarding the premises at 15<sup>TH</sup> Street and Washington Street in the City of Two Rivers, Manitowoc County, State of Wisconsin, further described as:

**NE-SE & SE-SE S33 T20N R24E TRACT 7 OF CSM V 15 P 151**

Inspections Department  
City of Two Rivers  
PO Box 87  
Two Rivers, WI 54241-0087

Parcel ID Number: 053-233-404-010.01

Zoning Classification of the Premises is: Industrial District (I-2)/Conditional Use: Battery Energy Storage System

Mailing Address of the Premises Operator: 412 W. 15<sup>th</sup> Street, New York, NY 10011.

Land Owner: City of Two Rivers, Business Industrial Development Corporation, 1717 E Park Street, Two Rivers WI 54241

WHEREAS, the Zoning Code and Zoning District Map of the above named municipality, pursuant to State Statute, state that the premises may not be used for the purpose hereinafter described but that upon petition such use may be approved by the municipality as a Conditional Use in particular circumstances as defined by the standards in the Zoning Ordinance; and

Petition therefore having been made, and public hearing held thereon, and the City Council of the City of Two Rivers having determined that by reason of the nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, permit of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance.

Now, therefore, it is permitted, subject to compliance with the terms and conditions hereinafter stated, that the Premises may be used for the purpose of a Battery Energy Storage System.

Permitted by action of the City Council of the City of Two Rivers on March 4, 2024.

Original filed in the office of the City Clerk of the City of Two Rivers, Wisconsin

The Conditions of this Permit are:

1. This Permit shall become effective upon the execution and recording by the Owner of the Premises as acceptance hereof.
2. This Permit shall be void unless proper application, pursuant to the Building and Zoning Codes of this Municipality, for appropriate Building and Zoning Use Permits in conformity to this Permit, is made within twenty-four (24) months of the date hereof.
3. This Permit is subject to amendment and termination in accordance with the provisions of the Zoning Code of this Municipality.
4. Construction and operation of the use permitted shall be in strict conformity to the approved Site, Architectural, Lighting and Landscaping Plans in connection with the Petition for this Permit and such plans are incorporated herein by reference as if set forth in detail herein.
5. Any substantial change or expansion of the facilities permitted by the initial issuance of this Permit would require approval by the Plan Commission and City Council as an amendment to this Permit.
6. This permit is specifically issued to Hawk Energy Storage, LLC. This permit may be transferred under the same conditions to successors and assigns upon authorization by the Two Rivers City Council, based on any new owner demonstrating to the City's satisfaction its ability to comply with all provisions of the Permit. In considering authorization for such transfers, the City's considerations may include, by way of example but not limitation, the experience of the transferee in the operation of battery storage systems and the ability of the transferee to provide proper surety related to decommissioning. Such authorization by the City Council shall not be unreasonably withheld, **conditioned, or delayed.** This permit shall lapse if the

operation of a battery energy storage system on the Premises ceases for a period of more than twelve (12) m

7. Conditions/Conditions of Operations:

A. Hours of Operation: Twenty-four hours a day and seven days a week. Batteries will be charging and discharging based on market and other external conditions.

B. All other Conditions in the attached Exhibit A.

**SIGNATURES OF PROPERTY OWNER(S) AND PERMITEE(S):**

**As Owner(s) of the Subject Property, I/we accept and understand the above-described conditions.**

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

STATE OF WISCONSIN  
MANITOWOC COUNTY

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, the above named \_\_\_\_\_ and to be the person(s) who executed the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
Amanda Baryenbruch  
Notary Public, Manitowoc County, Wisconsin  
My commission expires: \_\_\_\_\_

**SIGNATURES - CITY OF TWO RIVERS**

\_\_\_\_\_  
Greg Buckley, City Manager

\_\_\_\_\_  
Amanda Baryenbruch, City Clerk

STATE OF WISCONSIN  
MANITOWOC COUNTY

Personally, came before me this \_\_\_\_\_ day of \_\_\_\_\_ 2024, the above-named Greg Buckley and Amanda Baryenbruch known to be the person(s) who executed the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Notary Public, Manitowoc County, Wisconsin  
My commission expires: \_\_\_\_\_

THIS INSTRUMENT WAS DRAFTED BY:  
Elizabeth Runge, Community Development Director

Permit No. 3-1- 2024

**UPDATED**

**Blue = Changes made for March 4, 2024 City Council meeting and review**

**EXHIBIT A**

Safety

1. A Hazard Mitigation Analysis (HMA) will be completed and shared with the fire department, police department - all local emergency responders – prior to the issuance of a building permit.
2. An Emergency Response Plan (ERP) is to be prepared prior to the issuance of a building permit.
3. Local first responders are to be trained and equipped to the extent current equipment is insufficient to respond appropriately to the selected battery technology for the Hawk BESS project, at the Developer’s commercially reasonable expense, prior to the commencement of operation. Refresher training to local first responders shall be required, at the Developer’s expense, at reasonable intervals, at least annually or as requested by the City of Two Rivers Fire Chief, throughout the life of the project.
4. The ERP is to be reviewed annually with local emergency responders throughout the project’s lifespan and modified for best safety practices if necessary.
5. The facility is to be designed, constructed, operated, maintained and decommissioned to meet NFPA 855 standards.
6. Designed to meet Wisconsin and/or national electrical standards.
7. Confirmation that there will be remote monitoring of the BESS 24 hours, 7 days a week.

Noise

8. A noise study is to be conducted pre and post construction to verify the BESS is in compliance with the City’s noise ordinance.
9. It will be the City’s practice to verify the noise level on this project as it does with all projects within the City.

Operation and Maintenance

10. The project shall be constructed, operated and maintained in compliance with good utility practice. The City will have a third party-reviewer to assist with the review of BESS design (see item 16).
11. Routine maintenance shall be performed on the BESS equipment to ensure proper performance of the technology. The City and local emergency responders are to be contacted if there are concerns that meet any ERP standards in the battery performance.

Permit No. 3-1- 2024

Decommissioning

12. The Developer is responsible for the removal of the Project at the end of its useful life. The site is to be restored to its pre-construction condition to the maximum extent possible, within 12 months of ceasing operations.

13. A decommissioning plan must be developed, submitted, and approved by the City prior to the issuance of the building permit. **The City shall not unreasonably withhold, delay, or condition such approval.**

In summary the decommissioning plan is to identify:

- Steps for restoring the site of the project to pre-construction condition to the maximum extent possible;
- Estimated cost for restoration less the project's estimated salvage value. (**"Net Cost for Restoration"**)

14. The decommissioning plan is to be reviewed every 5 years for the purposes of updating the costs for decommissioning and, if applicable, updating the financial agreement identified in #15. Such updates shall be subject to approval by the City. **The City shall not unreasonably withhold, delay, or condition such approval.**

15. An assurance in the form of a bond, letter of credit, or other form, to be established in an agreement between the City and Developer to cover the cost of decommissioning as defined in the decommissioning plan and any updates. The cost of the project's estimated salvage value will be identified in the decommissioning plan.

Third Party Reviewer

16. The City will be seeking the services of a third-party reviewer with expertise in the BESS technology field to assist with the following services (if the CUP is approved by the City Council):

- a. Review of the site and architectural plan, battery technology compliance with NFPA 855 and with other applicable regulatory standards and codes not specifically identified in this memo;
- b. Assist with review of the ERP, completed noise study, decommissioning plan and review of decommission financial security agreement.
- c. Other items the City deems necessary related to BESS technology and project-related questions.
- d. Project inspection for compliance with applicable codes and standards.
- e. Review of decommissioning plan updates.

**In the event that the Developer and the City disagree on any estimate produced for the "Net Cost for Restoration", and cannot resolve such disagreement, then the Developer and City agree that the updated "Net Cost for Restoration" will be the mean of the estimate produced by the Developer's third party consultant and the estimate produced by City's third party consultant.**

Permit No. 3-1- 2024

Developer shall be responsible for reimbursing the City for its reasonable costs incurred for the services of said Third Party Reviewer, up to a maximum dollar amount that must be mutually agreed upon by the City and Applicant prior to the City’s commencement of plan review for the building permit. The City shall make best effort that the Third Party review does not unreasonably delay the project’s permitting or construction process.

Site and Architectural Plans

17. Site and Architectural Plan Approval by the Plan Commission is required per Section 11-1-11 of the Municipal Code, prior to issuance of a building permit. The requirements include the Final Site Plan, a Landscaping Plan, Storm water Management Plan, Lighting Plan and all other items listed in Section 11 - 1-11.

18. Site and Architectural Plan approval by the City’s Business and Industrial Development Committee and Community Development Authority is required per the “Declaration of Restrictions and Protective Covenants” applicable to the Woodland Industrial Park, as dated December 21, 1989 and recorded with the Manitowoc County Register of Deeds at Volume 891, pages 402 to 412. Such approval, as well as any required variances from the provisions of said Restrictions and Protective Covenants must be obtained prior to issuance of a building permit.

19. Developer shall at all times be in compliance with the terms of the Real Estate Purchase Option Agreement Between the City of Two Rivers and Swift Energy Storage, LLC, dated July 20, 2021, including all amendments.

20. Following initial completion of the project and the project being put into operation, Developer shall notify the City, in writing, of any battery enclosures being removed or installed at the project. Such notification shall be at least 30 days in advance of the removal or installation, except in cases of emergency, when Developer shall notify the City as soon as practicable. No batteries shall be stored on the premises outside of battery enclosures, with the exception of batteries stored for future use. Any batteries on the premises stored for future use shall be stored to NFPA 855 standards.

**21. This conditional use permit shall not be effective, nor shall the City engage in any plan review relative to this project, until Swift Energy Storage, LLC has assigned its Real Estate Purchase Option for the subject property (as further described in condition 19 above) to Hawk Energy Storage, LLC. Such assignment is subject to approval by the Two Rivers City Council.**



## 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, REPLACEMENT OR CONSTRUCTION OF SIDEWALKS, AND MISCELLANEOUS RELATED WORK.*

**WHEREAS**, the Council of the City of Two Rivers, Wisconsin, held a public hearing at the City Hall at 6:00 PM on the 4th day of March 2024, for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Director of Public Works/City Engineer on Said assessable public improvements shall consist of removing existing pavement, excavation, installation of storm service laterals, excavation, grading and graveling, Portland Cement concrete paving, driveway approaches, carriage walks, repair, replacement or construction of sidewalks, and miscellaneous related work. Costs which will not be assessed include replacement of sanitary sewer and water main and services in the right of way and miscellaneous related work at the following location:

### **ROOSEVELT AVENUE, FROM 12<sup>th</sup> STREET TO LOWELL STREET**

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Two Rivers as follows:

1. That the report of the Director of Public Works/City Engineer pertaining to the construction of the above-described public improvements, including plans and specifications therefor, as modified, is hereby adopted and approved
2. That payment for said improvements be made by assessing the cost to the benefited properties listed in said report.
3. That assessments shown on the report, representing an exercise of the police power, have been determined on a reasonable basis and are hereby confirmed.
4. That the total estimated cost of such assessable improvements is \$522,478.
5. That the assessments for Portland Cement Concrete paving, installation of Storm Water Services and related work may be paid in cash or in ten (10) annual installments to the City Clerk, deferred payments to bear interest at the rate of six percent (6%) per annum on the unpaid balance from and after January 1, 2025. The first installment shall be entered on the 2024 tax roll. Assessments not paid when due shall bear additional interest on the amount due at the rate of one percent (1%) per month.

6. The Director of Public Works is directed to mail a copy of this resolution and a copy of the special assessment tax roll to every property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

7. The City Clerk is further directed to publish an installment assessment notice within ten days in the manner following:

Installment Assessment Notice

Notice is hereby given that the City Council has approved the work of removing existing pavement, excavation, installation of storm service laterals, excavation, grading and graveling, Portland Cement concrete paving, driveway approaches, carriage walks, repair, replacement or construction of sidewalks, and miscellaneous related work. **ROOSEVELT AVENUE, FROM 12<sup>th</sup> STREET TO LOWELL STREET**, and that the preliminary amount of the special assessment therefore has been determined as to each parcel of real estate affected thereby, and a statement of the same is on file with the City Clerk; it is proposed to collect the final assessment in installments as provided for by Section 66.0703 of the Wisconsin Statutes, with interest thereon at six percent (6%) per annum; that all assessments will be collected in installments as above provided except such assessments on property where the owner of the same shall file with the City Clerk, after the completion of the project and written receipt of the final assessment amount, a written notice that he elects to pay the final special assessment on his property to the City Treasurer on or before November 15, 2024. If, after making such election, said property owner fails to make the payment to the City Treasurer, the City Clerk shall place the entire assessment on the next succeeding tax roll.

Dated: March 4, 2024

Amanda Baryenbruch  
City Clerk  
City of Two Rivers

Dated this 4th day of March 2024

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Gregory E. Buckley  
City Manager



## MINUTES

### 1. CALL TO ORDER

Council President Wachowski called the meeting to order at 6:04 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:** Andrew Sukowaty, Water Director; Mike Mathis, Parks and Recreation Director; Jeff Dawson, Library Director; Ben Meinnert, Police Chief; Elizabeth Runge, Community Development Director/City Planner; Matthew Heckenlaible, Public Works Director; Dave Buss, Finance Director; Joe Metzen, Tourism Director; Ryan Mengas, Assistant Fire Chief; Dave Dassy, IT Assistant; and Greg Buckley, City Manager.

### 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

Mark Gordon (3708 Bellevue Place) spoke regarding the proposed sign ordinance amendment to allow decals on sidewalks in the City right-of-way. He stated that he is in favor of the decals and reported his concerns with some requirements listed in the ordinance.

### 7. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

Councilmember Dahlke stated that he had the following communications:

- He received several calls regarding the proposed amendment to the sign ordinance. Only one individual was against the amendment.
- He received a questions on the status of the Uni-mart located at 2023 Washington Street. Mr. Buckley stated that this matter will be addressed at the upcoming Council work session.
- He received several questions on the battery storage facility and the water runoff on the site.
- He received concerns about the number of vacation rentals within the City and how to limit the number of new rentals.

Councilmember Stechmesser stated that he received the following communications

- He received a question regarding a staff member digging near a fire hydrant. Water Director Andrew Sukowaty stated testing of the hydrants is required by the DNR
- He received a question regarding City Council Candidates having a political party pay for their campaign signs. City Clerk Amanda Baryenbruch stated it is permitted to have political parties pay for signs in a non-partisan election as long as the candidate reports the cost of the signage on their campaign finance report.

Councilmember Koach stated that she also received questions on limiting vacation rentals.

Council President Wachowski reported that he received the following communications

- He received several calls from individuals in favor of the sign ordinance amendment.
- He received a email regarding the cost of operation of the pool and concerns of the location of the pool

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

Councilmember D. LeClair reported on the following boards:  
 -- Environmental Advisory Board is continuing to look for topics for the Winter Educational Series. The TMDL report is available for the stormwater runoff. The Board is working on green infrastructure initiatives including a possible vertical wall planting at the Senior center.  
 -- Main Street: the Design Committee is looking for feedback, an email was sent to area businesses. They are continuing to look for artists for the downtown banners. The next Design Committee meeting will be held on Thursday, March 21<sup>st</sup> and 9 AM.

Councilmember Koach reported on the Library Board. The World on the Move traveling exhibit will soon be arriving. This event will also have five different speakers and tickets are free but needed in order to attend. The Lester Public Library has a schedule of all the events taking place.

Councilmember Dahlke reported on Personnel and Finance Committee. Everything from that committee is on this agenda.

Council President Wachowski reported on Advisory Recreation Board. At the last meeting, there was a presentation about blue zones and how to live a longer and healthier life. Tourism Director Joe Metzen provided information about the collaboration between the Parks and Recreation Department and the Tourism Department. The Board also reviewed capital projects, skate rental revenue and discussed the pool committee.

**9. CITY MANAGER’S REPORT**

- A. Invited Guests
  - 1. Justin Fischer, Baird Public Finance, for a Presentation on the City's 2024 Borrowing for Capital Projects  
 (Staff recommends, following this presentation, that the Council consider taking up Agenda Item 11.C., Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$3,020,000 General Obligation Promissory Notes for 2024 Capital Projects)

*\*Clerk Note: The City Council acted on item 11-C following completion of the presentation.*

- B. Status Update/Reports
  - 1. Staffing Updates  
 Mr. Buckley reported on recruitments; Electric Meter Tech – applications due February 19 and an upcoming recruitment of Finance Director. Taylor Pokorski recently was hired as the new

Recreation Clerk.

2. Congratulations to Assistant Police Chief Melissa Wiesner on Being Named 2023 Woman Police Officer of the Year by the Wisconsin Association of Women Police

3. League of Woman Voters Council Member Candidate Forum, Thursday, March 7, 2024, 7:00 PM, Council Chambers City Hall, Recorded and Livestreamed City's Website and Facebook

Mr. Buckley reported the League of Woman Voters will hold a candidate forum for candidates running for City Council in the April 2 election. The forum is open to the public. Candidates introduce themselves, answer questions from the public, and make closing statements.

4. Two Rivers Business Association Council Member Candidate Forum, Tuesday, March 12, 2024, 7:00 PM, Council Chambers City Hall, Recorded and Livestreamed City's Website and Facebook

Mr. Buckley reported the TRBA will hold a candidate forum for candidates running for City Council in the April 2 election. The forum is open to the public.

5. Spring Election & Presidential Preference Primary, April 2, 2024

Mr. Buckley reported the Spring Election and Presidential Preference will take place on April 2, 2024. The ballot will also have the office of City Councilmember.

6. Repair/Maintenance Activity on Downtown Washington Street Tree Grates

Mr. Buckley reported Public Works crews have begun work to address uneven surfaces on the tree grates surrounding trees along Washington Street in the downtown business district. In many locations, part of the solution will involve cutting larger openings in the center of each grate, to allow more room for the tree trunk and nearby root structures. This will in turn require removal of the upright "tree cages," which are attached just outside that center opening. Work is proceeding in consultation with Two Rivers Main Street and its Design Committee.

7. Recent Awards Recognizing Central Park West 365 Project

Mr. Buckley reported that Two Rivers' transformational downtown park project was recognized with the 2023 Collaboration Award at The Chamber of Manitowoc County annual Awards of Distinction, held at the Capitol Civic Center. It is a wonderful recognition for a great planning and fundraising effort and the nearly 400 corporate, organizational and individual donors who shared the vision and made this major community project a reality.

8. Upcoming Events:

a. The Price is Right, Saturday, February 24, 6:00 PM, Community House Gym, benefit Two Rivers Youth Sports

b. Tropical Blast Fundraiser, Saturday, February 24, 5:00 PM, Sepia Chapel, benefit Woodland Dunes Nature Center

c. Coffee with a Cop, Wednesday, February 21, 8:30 AM to 9:30 AM at Cool City Brewing Company and Monday, February 26, 8:30 AM to 9:30 AM, High Lift Coffee Shop

d. "Wisconsin's Shipwreck Coast" Presentations by State Maritime Archeologist Caitlin Zant (Topic: NOAA Research) on Thursday, February 29, 6:30 PM at Lester Public Library

e. "Our Land, Our Water, Our Future" Educational Series, Session on Storm Water Management, Thursday, March 7 at 6:00 PM, Lester Public Library with Speaker City Engineer/Public Works Director Matt Heckenlaible

f. Fire Department/IAFF Local 423 Annual Fish Boil, Friday, March 29 at Fire Station

g. Smithsonian/American Library Association Traveling Exhibit "World on the Move: 250,000 Years of Human Migration" at the Lester Public Library March 20 through April 23

9. Other

Mr. Buckley reported that Canine Officer Xanti has a clean bill of health. Special thanks to Steinig Tal Kennel where Xanti and his new handler, Sgt Jacob Schweigl have been training. Thank you also to Memorial Drive Vet Clinic and our community for your continued support of our K9 program.

C. Legislative/Intergovernmental Update

a. Wisconsin DNR on February 14, 2024 approved the Two Rivers Water Utility's request to cease use of sodium hydroxide for corrosion control, following the utility's implementation of orthophosphate feed for corrosion control in September 2023

Mr. Buckley reported the rate of feed for sodium hydroxide varied, depending on the pH of raw water coming in from the lake, use of that chemical resulted in frequent employee call-ins. Savings from taking that system off-line est. at \$60,000: \$48,000 in overtime and \$12,000 in chemicals. Orthophosphate cost is \$9,000 per year in chemicals. Feed rate is simply tied to water volume, and will adjust automatically.

b. Other

Mr. Buckley reported based on preliminary review of the new State Assembly and State Senate district maps as approved by the Legislature and the Governor, it appears that Two Rivers will now be in the same Assembly and Senate districts as Manitowoc. Two Rivers will be at the north end of both the new Assembly district and the new Senate district.

10. CONSENT AGENDA

A. Presentation of Minutes

1. City Council, February 5, 2024

Recommended Action:

Motion to waive reading and adopt the minutes

B. Minutes of Meetings

1. Personnel & Finance Committee, February 15, 2024

2. Public Utilities Committee, February 6, 2024

3. Public Works Committee, February 7, 2024

4. Advisory Recreation Board, January 9, 2022

5. Plan Commission, February 12, 2024

6. Environmental Advisory Board, January 16, 2024

7. Police and Fire Commission, January 24, 2024

Recommended Action:

Motion to receive and file

C. Department Reports, January, 2024

1. City Clerk

2. Community Development

3. Electric

4. Fire

5. Inspections

6. Library

7. Parks & Recreation

8. Police

9. Public Works

10. Safety

11. Water

Recommended Action:

Motion to receive and file

D. Applications and Petitions

- 1. Temporary Class "B" Retailer's License for Two Rivers Main Street, Bryan Lee Memorial Blues Festival, July 13, 2024, 1:00 PM to 10:00 PM at Central Park West, 1700 Washington Street
- 2. Temporary Class "B" Retailer's License for Two Rivers Main Street, Cool City Classic Car Show & Cruise, June 29, 2024, 4:00 PM to 10:00 PM and June 30, 2024, 9:00 AM to 2:00 PM at Central Park West, 1700 Washington Street
- 3. Temporary Class "B" Retailer's License for Two Rivers Main Street, Ethnic Fest, September 21, 2024, 8:00 AM to 5:00 PM, at Central Park West, 1700 Washington Street
- 4. Temporary Class "B" Retailer's License for Two Rivers Main Street, Great TRivia Contest, March 8, 2024, 5:00 PM to 10:00 PM, at the Community House, 1710 W. Park Street
- 5. Temporary Class "B" Retailer's License for Friends of Two Rivers Snow Fest, Snow Fest Cornhole Tournament, April 7, 2024, at the Community House, 1710 W. Park Street
- 6. Temporary Class "B" Retailer's License for Friends of Two Rivers Snow Fest, Two Rivers Snow Fest 2024, July 26-28, 2024, at Neshotah Park, 2111 Pierce Street

Recommended Action:

Motion to approve the applications and authorize issuance of the licenses

E. Audit Reports for Tax Incremental districts and WEDC CDI Grant

- 1. Audits of Tax Incremental Districts 6, 8, 9, 10, 11 and 12, Each From Date of Creation through December 31, 2022

Recommended Action:

Motion to receive and file

- 2. Audit of WEDC CDI Grant, Per CDI Contract FY22-53218 (\$250,000 Grant That Assisted with Development of Cool City Brewing Company, for the Period April 12, 2022 through December 31, 2023) -- Second Financial Report for this Grant, Now Fully Expended, Along with Required Developer Match

Recommended Action:

Motion to receive and file

F. Recommendation from the Plan Commission Meeting of February 12, 2024

Set 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 set the public hearing for Monday, March 4, 2024 at 6:00 PM

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

**11. CITY COUNCIL - FORMAL ITEMS**

- A. Consider Amendment to Tax Incremental Financing Property Sale, Cash Grant and Developer's Performance Agreement For The Confluence, to Modify Timetable for Certain

Required Actions and Approvals—Project Update from Kip Golden of CR Structures  
YBR Properties, LLC

Recommended Action:

Motion to approve the amendment as presented

Motion carried with a voice vote.

Motion made by Stechmesser, Seconded by Koach

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

Voting Nay: Dahlke

B. Recommendation from Plan Commission Meeting of February 12, 2024:

Recommended Provisions to be Included in a Possible Amendment to the City's Sign Ordinance, Title 10 Chapter 4 of the Municipal Code, Pertaining to Placement of Signs Advertising Private Businesses on Public Sidewalks in Business Districts (Matter Referred back to the Plan Commission by City Council at its December 18, 2023 meeting, Following Plan Commission's Recommendation That Such an Amendment Not be Adopted)

Recommended Action:

Following Council review of the proposed provisions, either:

- 1. Refer back to the Plan Commission, with any modifications directed by the Council, to be reviewed, put in final ordinance form and returned to the City Council for final action; or
- 2. Direct staff to prepare an ordinance amendment, reflecting any modifications directed by the City Council, to be brought back for Council action at the next regular meeting;
- 3. Provide initial feedback, then table pending a survey of downtown area businesses by the Two Rivers Main Street Office (directed by Main Street Board at its February 14, 2024 meeting)

Discussion took place regarding the three proposed provisions based on the Plan Commission recommendations pertaining to the placement of signs advertising private businesses on public sidewalks.

Motion carried with a roll call vote.

Motion made by Stechmesser, Seconded by Dahlke to direct the City Attorney to draft an ordinance amendment by the next regular council meeting, with terms consistent with the Plan Commission's recommendations except to allow the signs to be placed on the sidewalk year around.

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

C. Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$3,020,000 General Obligation Promissory Notes for 2024 Capital Projects

Recommended Action:

Motion to waive reading and adopt the resolution, as recommended by the Personnel and Finance Committee

Motion carried with a roll call vote.

Motion made by Shimulunas, Seconded by B. LeClair.

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



- D. Professional Services Agreement with McMahon Associates, for Services Related to the City’s Storm Water Management Plan and Related Programs and Ordinances—Cost Not to Exceed \$90,044, Funded Half from a WI DNR Urban Non-Point Stormwater Management Planning Grant and Half from the Storm Water Utility (2024 Budgeted Project)

Recommended Action:

Motion to authorize the City Manager to execute the contract on behalf of the City, as recommended by the Public Works Director/City Engineer and the City Council Utilities Committee

Motion carried with a roll call vote.

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

- E. Consider Rescheduling February Work Session (City Manager Unable to Attend on Monday, February 26)

Recommended Action:

Motion to reschedule February Work Session to Thursday, February 29 at 6:00 PM

Motion carried with a voice vote.

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

**12. FOR INFORMATION ONLY**

A. City Council Regular Meeting, Monday, March 4, 2024, 6:00 PM -- Agenda will include public hearing on Roosevelt Avenue special assessments; public hearing on proposed conditional use permit for Tenaska Battery Electric Storage System at Woodland Industrial Park; award of bid for Roosevelt Avenue Reconstruction, among other items

**13. ADJOURNMENT**

Motion to dispense with the reading of the minutes of this meeting and adjourn this meeting at 8:04 PM.

Motion carried with a voice vote.

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

**CITY OF TWO RIVERS CITY COUNCIL  
PERSONNEL AND FINANCE COMMITTEE  
Thursday, February 15, 2024  
6:00 PM  
City Council Chambers – City Hall**

**Call to Order**

The meeting was called to order by Committee Chairman Dahlke at 6:04 PM

**Roll Call**

Personnel & Finance Committee Members present were Jeff Dahlke, Adam Wachowski, and Bonnie Shimulunas. Members of City Staff present were Gregory Buckley, City Manager; and David Buss, Finance Director. Also present was Tim Wienek representing RW Baird.

**Review proposed financing plan for 2024 capital projects**

City Manager Buckley reviewed the project list with total debt issue for this issue being \$3,020,000. The property tax supported portion of the debt issue will be \$1,888,586. RW Baird representative Tim Wienek then reviewed the financing plan, including the recent history of interest rates and the timeline for the upcoming borrowing. Tim also illustrated the impact on the City’s Debt Capacity. The committee discussed various aspects of the borrowing plan. Motion by Wachowski, seconded by Shimulunas, to recommend the proposed borrowing plan to City Council, including the interest rate parameters proposed in the plan. Motion carried. Justin Fischer from RW Baird will attend the February 19<sup>th</sup> City Council meeting to answer any questions prior to Council’s vote on this borrowing plan.

**Year End 2023 Overtime Report**

Finance Director Buss presented the December 2023 Overtime Report showing that overall overtime being lower compared to recent years. The committee discussed some of the variances on the report. No action was taken on this report.

**Succession Planning Discussion**

The committee discussed the upcoming retirement of Finance Director Buss, effective June 21, 2024. City Manager Buckley discussed the need for a six-to-eight week overlap between the new and retiring Finance Director for an adequate transition and training period. There are available funds from vacant positions that could be used to help finance the overlap. The recruitment process for the new Finance Director will begin as soon as possible.

**City Council Goals**

The committee discussed various potential projects that will be included in future setting of City Council goals. No action was taken.

**Adjournment**

Motion was made by Shimulunas, seconded by Wachowski, to adjourn the meeting at 7:03 PM. Motion carried.

Respectfully Submitted,

\_\_\_\_\_  
David Buss, Finance Director



**TWO RIVERS**  
WISCONSIN

# ADVISORY RECREATION BOARD MEETING

Wednesday, February 14, 2024 at 6:00 PM  
Koska Room - Community House 1520 17th Street, Two Rivers, WI 54241

## MINUTES

### 1. ROLL CALL

Board Members: Daniel Cortte, Brian Gallagher, Travis Kadow, Erin Lamal, Robert Reed Jr., Jason Sharping, Dorothy Tinkham Delo, Adam Wachowski-Council Rep, Jeff Dahlke-Council Rep

#### PRESENT

Council Rep Adam Wachowski  
Council Rep Jeff Dahlke  
Robert Reed  
Erin Lamal  
Jason Scharping  
Travis Kadow  
Daniel Cortte  
Dorothy Tinkham Delo

#### ABSENT

Brian Gallagher

### 2. APPROVAL OF MINUTES

Motion made by Jason Scharping, Seconded by Travis Kadow.

### 3. CORRESPONDENCE

### 4. COMMENTS FOR THE PUBLIC (Limited to 3 minutes each)

### 5. NEW BUSINESS

**A.** Blue Zones Presentation by Margaret Brown - 7 years with Blue Zones. Where do people that live the longest live? These zones have common characteristics - they Move, they have Purpose, they Eat Wisely, they are Connected to community and family.

**B.** Invited Guest: Joe Metzen, Tourism Director - Joe is excited to help support and promote what Two Rivers has taken for granted.

**C.** Community Pool Planning Committee - Two Rivers Family Swim club will be closing permanently. City Council approved a committee to review and answer questions and eventually will lead to referendum. There will be a group "Friends of the TR Pool" that will need to raise the capital and the City will then take ownership and operate the pool subsidized by tax dollars. Comes down to \$6/person in the city.

### 6. OLD BUSINESS

**A. Parks and Open Space Planning**

- a. Review draft plan & community input- Made 8 goals that are overreaching.

**7. OTHER BUSINESS**

Received WPRA Award for Central Park.

Received Chamber Award for Central Park +\$1000

Tree Work - Electric Department topping off dead trees, Zander - many dead ash trees, and pruning.

Grants - working on 3 of them: WI DNR Urban Forestry - no match required!, 2024 Urban Forestry - \$25k from DNR & city match, Day Break Fund - Lake Michigan Bird Observatory - \$10k to plant trees on south side of TR.

**8. DIRECTOR'S REPORTS**

**A. 2024 Capital Projects** - Swim Smart Beach Alert System, Machinery & Equipment, Senior Center Heating & Cooling, Washington Playground & Picnic Tables, Overall Playgrounds Improvement & Mulch, Riverside Park Design & Planning, Kayak Launch at Vet's Park, Vietnam Park Field needs netting, Community House 17th St Entry Doors, Golf Simulator, Irrigation for Central Park, Neshotah Park Pathways & Concession Stand, Neshotah Park Play Equipment fundraising efforts.

**B. Ice Rink and Skate Rental Operation** - January Revenue \$415, may remove in early March as weather permits

**C. Staff Updates** - Laura Hooper promoted to new Office Manager, Taylor Pokorski hired 2/19/24 as Recreation Clerk, interest in adding additional part time before summer.

**D. Program Updates** -

- Recreation Programs - Lots of kids signed up for programs, may need to cancel swimming - not enough lifeguards, summer school will have swim lessons.
- Events - Lots of sponsorships coming in :) Bunny Breakfast & Leprechaun Hunt coming soon, Bands on the Beach/Concerts in the park schedule released.
- Senior Center - 70th Anniversary of the Senior Center coming up! Party in August.

**9. ITEMS FOR FUTURE ADVISORY RECREATION BOARD MEETINGS**

**10. NEXT MEETING**

March 13, 2024 at 6pm

**11. ADJOURNMENT**

Motion made by Dan Cortte, Seconded by Travis Kadow.

Respectfully Submitted,

Laura Hooper



Office Manager  
Two Rivers Parks & Recreation

Section 10, Item B.

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

Section 10, Item C.

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

FEE \$ 10.00

Application Date: 2/26/24

Town Village City of Two Rivers

County of Manitowoc

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

- 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 6:00 PM and ending 11:00 PM 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 Heart-A-Rama

(b) Address 1676 Atlanta cir. (Street) Town Village City

(c) Date organized 1971

(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 Thomas Bartelme, Vice President Fritz Dramm, Secretary Gloria Creagh, Treasurer Lynn Bartelme (Fromm)

(g) Name and address of manager or person in charge of affair: Thomas Bartelme, 1676 Atlanta cir

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 1710 W. Park Street Two Rivers WI 54241

(b) Lot Block

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

(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: Community house Gym area

3. Name of Event

(a) List name of the event Heart-A-Rama

(b) Dates of event April 25, 26, 27 2024

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 Thomas Bartelme (Signature / Date)

Heart-A-Rama (Name of Organization)

Date Filed with Clerk 2/26/2024

Date Reported to Council or Board

Date Granted by Council

License No.

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

Section 10, Item C.

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

FEE \$ 10.00

Application Date: 2/26/24

Town  Village  City of Two Rivers

County of Menitowoc

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 \_\_\_\_\_ and ending \_\_\_\_\_ 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 Heart-A-Rama

(b) Address 1676 Atlanta cir  
(Street)  Town  Village  City

(c) Date organized 1971

(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 Thomas Bartelme

Vice President Fritz Drumm

Secretary Gloria Creagh

Treasurer Lynn Bartelme (Fromm)

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

### 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 1710 W Park Street Two Rivers WI 54241

(b) Lot \_\_\_\_\_ Block \_\_\_\_\_

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

(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: Community House gym area

### 3. Name of Event

(a) List name of the event Heart-A-Rama

(b) Dates of event May 2, 3, 4 2024

### 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 Thomas Bartelme  
(Signature / Date)

Heart-A-Rama  
(Name of Organization)

Date Filed with Clerk 2/26/2024

Date Reported to Council or Board \_\_\_\_\_

Date Granted by Council \_\_\_\_\_

License No. \_\_\_\_\_





**TWO  
RIVERS**  
WISCONSIN

**PUBLIC WORKS**

Section 11, Item A.

**Engineering Division**

1717 E. Park Street

P.O. BOX 87

Two Rivers, WI 54241-0087

Date: March 4, 2024  
 To: City Council  
 Greg Buckley, City Manager  
 From: Matthew R Heckenlaible, PE, City Engineer / Public Works Director  
 Re: Bid Award Recommendation: Roosevelt Avenue Contract 1-2024

Bids were received and opened on February 14, 2024, for Contract 1-2024 for the road reconstruction and utility Improvements along Roosevelt Avenue from 12<sup>th</sup> Street to Lowell Street. The work shall consist of removing existing pavement, excavation, installation of storm sewer, water mains, storm sewer laterals, sanitary sewer laterals, water services, grading and graveling, Portland Cement concrete paving, driveway approaches, replacements of carriage walks, repair and construction of sidewalk, restoration, and miscellaneous related work. Private lateral and water service work on private property will be completed under this contract.

Town & Country, Consulting Engineer’s Bid Tabulation and recommendation memo is attached. I concur with the recommendations of Town & Country, Consulting Engineers to award the contracts to the respective Low Bidder:

Contract	Eng. Cost Estimate	Low Bid Amount	Contractor
<b>1-2024</b>	<b>\$3,018,996.00</b>	<b>\$ 2,854,815.63</b>	<b>Mammoth Construction</b>

Revenue sources for the project include the following:

	Construction Bid Costs	Construction Bid Costs w/ 10% Eng. & Contingency
DNR Loans	\$1,614,220.21	\$1,775,642.23
DNR Principal Forgiveness	\$0.00	\$0.00
American Rescue Act	\$225,745.03	\$248,319.53
Storm Water Utility	\$358,029.30	\$393,832.23
City (Street Capital)	\$404,994.59	\$445,494.05
Property Owner Costs (San/Strm Laterals / Water Service)	\$251,826.50	\$277,009.15
	<b>\$2,854,815.63</b>	<b>\$3,140,297.19</b>

Should any questions arise, please contact me at your earliest opportunity.



www.two-rivers.org



920.793.5539



920.793.5537



February 15, 2024

City of Two Rivers  
1717 East Park Street  
P.O. Box 87  
Two Rivers, WI 54241

Attention: Mr. Gregory E. Buckley, City Manager

Subject: Analysis of Bids and Recommendation for Award of Contracts  
1 - 2024 Street & Utility Improvements – Roosevelt Avenue

Bid Deadline: February 14, 2024 at 1:00 p.m. local time

Ladies and Gentlemen:

The purpose of this letter is to analyze the bids received for the 2024 Street & Utility Improvements project and to recommend the award of a contract. This project involves sanitary sewer, storm sewer and water main replacement with services to the homes and businesses, as well as concrete pavement, curb & gutter, and flatwork removal and replacement within public right-of-way on Roosevelt Avenue between Lowell Street and 12th Street.

The pre-bid estimate for the project was \$3,018,996. Twenty-eight general contractors, sub-contractors, and material suppliers requested sets of the plans, specifications and bidding documents. Seven contractors submitted bids.

A summary of the bids is as follows:

<b>Contractor</b>	<b>Base Bid Total</b>
Mammoth Construction	\$2,854,815.63
Vinton Construction Company	\$2,939,248.05
PTS Contractors, Inc	\$2,986,000.00
Dorner Inc.	\$2,997,483.47
Kruczek Construction Inc.	\$3,031,000.00
Jossart Brothers, Inc.	\$3,213,541.35
Alfson Excavating LLC	\$3,242,385.75

All of the bids were properly submitted. The low bidder is Mammoth Construction of Manitowoc, Wisconsin, an experienced utility and street contractor who has completed similar projects for the City in the past. The bid prices are slightly lower than the estimate due to the competitive bidding market and slightly lower material costs compared to recent years. We recommend that Mammoth Construction be awarded a contract for the base bid total of \$2,854,815.63.

This will be a unit price contract. That is, the contractor will be paid for the work performed on the basis of the unit prices bid. This means that the final costs could be either greater than or less than the bid totals. Also, unexpected conditions are sometimes encountered which result in

increased project costs. Therefore, it would be wise to continue to carry the recommended 10% contingency.

As this project is intended to be funded in part through both the Wisconsin DNR Safe Drinking Water Loan Program (SDWLP) and Clean Water Fund (CWF) loan programs, the City will need to execute this agreement and provide a signed copy to the Wisconsin DNR to secure the grant and loan funding to be utilized.

If you have any questions with respect to our thoughts on this matter, I am available at your convenience to discuss them with you.

Very Truly Yours,  
TOWN & COUNTRY ENGINEERING, INC.



Gregory J. Droessler, P.E.  
Vice-President



**TWO  
RIVERS**  
WISCONSIN

**PARKS AND RECREATION**

Section 11, Item B.

1520 17<sup>th</sup> Street  
P.O. BOX 87  
Two Rivers, WI 54241-0087

Date: March 1, 2024

To: Greg Buckley, City Manager

Amanda Baryenbruch, City Clerk / Human Resources Director

Two Rivers City Council

From: Mike Mathis, Director of Parks and Recreation

RE: Bid Award Recommendation: Central Park Irrigation Project Contract 1-2024

#### Award of Bid for Central Park Irrigation Project

An advertisement for bids was published on January 31, February 5, and February 8 for the Central Park Irrigation Project. One bid was received and opened on 2/23/24 from Steinie's Water Gardens in the amount of \$43,729.35. We budgeted \$50,000 for the project. The project will get underway in June 2024 and take place in stages through July with special considerations being taken by the contractor to avoid disruption of planned city events in the park. The scope of the proposed services and timeline meets the expectations for the project and the Parks and Recreation Director recommends awarding the bid to Steinie's Water Gardens.

Should any questions arise, please contact me at your earliest opportunity.

Mike Mathis, Director of Parks and Recreation

Office: 920-793-5591

Email: [mikmat@two-rivers.org](mailto:mikmat@two-rivers.org)



[www.two-rivers.org](http://www.two-rivers.org)



920.793.5593



20.793.5512



**TWO  
RIVERS**  
WISCONSIN

**RESOLUTION  
INTERNATIONAL MIGRATORY BIRD DAY**

**WHEREAS**, Migratory birds are some of the most beautiful and easily observed wildlife that share our communities and

**WHEREAS**, many citizens recognize and welcome migratory songbirds as symbolic harbingers of spring, and

**WHEREAS**, these migrant species also play an important economic role in our community, controlling insect pests and generating millions in recreational dollars statewide, and

**WHEREAS**, migratory birds and their habitats are declining throughout the Americas, facing a growing number of threats on their migration routes and in both their summer and winter homes, and

**WHEREAS**, public awareness and concern are crucial components of migratory bird conservation, and

**WHEREAS**, citizens enthusiastic about birds, informed about the threats they face, and empowered to help address those threats can directly contribute to maintaining healthy bird populations, and

**WHEREAS**, since 1993 International Migratory Bird Day (IMBD) has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in our communities and throughout North America and their wintering grounds in South and Central America, Mexico the Caribbean and the southern U.S., and

**WHEREAS**, hundreds of thousands of people will observe IMBD gathering in town squares, community centers, schools, parks, nature centers, and wildlife refuges to learn about birds, take action to conserve them, and simply to have fun, and

**WHEREAS**, while IMBD officially is held each year on the second Saturday in May, its observance is not limited to a single day and planners are encouraged to schedule activities on the dates best suited to the presence of both migrants and celebrants, and

**WHEREAS**, IMBD is not only a day to foster appreciation for wild birds and to celebrate and support migratory bird conservation but also a call to action,

**NOW THEREFORE, BE IT HEREBY RESOLVED**, by the City Council of the City of Two Rivers does name May 11, 2024, as International Migratory Bird Day, in the city of Two Rivers, in the County of Manitowoc, and we urge all citizens to celebrate this observance and to support efforts to protect and conserve Migratory Birds and their habitats in our community and the world at large.

Dated this 4th of March 2024

---

Adam Wachowski  
President, City Council

---

Gregory E. Buckley  
City Manager

**RESOLUTION**

**Authorizing Submission of a Wisconsin Economic Development Corporation Grant for funding to improve West River Loft Site**

**WHEREAS**, the City of Two Rivers is aware of funding opportunities available through the Idle Sites Grant Program administered by the Wisconsin Economic Development Corporation (WEDC); and

**WHEREAS**, the Idle Sites Grants Program can be used for infrastructure and site preparation to prepare a former industrial property to be developed; and

**WHEREAS**, the City of Two Rivers can facilitate the proposed West River Loft new multi-family development by applying to WEDC for funding from the Idle Sites Grant Program to assist with infrastructure and site preparation at 1702 14th Street; and

**WHEREAS**, the proposed West River Loft Project meets the criteria of an eligible under the WEDC’s criteria for an Idle Sites Grant; and

**WHEREAS**, the Idle Sites Grant Program will award funding up to \$200,000 to a successful applicant; and

**WHEREAS**, WEDC requires the City to enter into a development agreement with the site owner, West River Lofts LLC, which will establish the municipality as a pass-through entity for the WEDC funding; and

**WHEREAS**, the City has approved the development to proceed, and supports private investment for new housing and the redevelopment of environmentally contaminated areas that have remained unaddressed; and

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Common Council of the City of Two Rivers directs the City Manager, and his designee(s) to take all actions necessary to apply for a grant through the WEDC Idle Sites Grant Program to facilitate new housing construction as described above on the former Newell-Eggers West property.

Approved the 4<sup>th</sup> day of March, 2024

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Gregory E. Buckley  
City Manager



**DRAFT ORDINANCE REGARDING SIDEWALK DECALS: WORKING COPY ONLY,  
SUBJECT TO REVISION**

**Recitals**

The City Council places a high value on business and its resultant tax base and jobs. It believes that steps should be taken to enhance the City's businesses, and finds that the placement of Sidewalk Decals by private individuals and businesses on City sidewalks in B-1 and B-2 Districts, if carefully regulated, may provide a benefit to the successful operation of retail, restaurant and other businesses in those Districts, and thereby contribute to the general welfare of the City and its residents and property owners.

To that end, the City Council by adoption of this Ordinance allows allow for the placement of Sidewalk Decals as set forth in this Ordinance on a Trial or Temporary basis, extending from the day after the adoption and publication of this Ordinance as required by law to and including \_\_\_\_\_.

**Section 1. Definition.**

In this Ordinance, "Sidewalk Decals" refers to temporary, removable signs made from a PVC-free aluminum foil base affixed to the surface of a public sidewalk, the sole or chief purpose of which is to advertise, direct attention to or promote the distribution, sale or rental of goods and/or services in and from a business adjacent to the sidewalk to which the signs are affixed.

**Section 2. General Requirements for Sidewalk Decals:**

- A. Sidewalk Decals shall be removed completely by the time of expiration of the trial period or the term of the permit for which they have been issued, in a manner that leaves no visible evidence or residue on the surface of the sidewalk;
- B. Sidewalk Decals shall not damage the sidewalk while in place or during installation and removal;
- C. Sidewalk Decals shall be made of a textured non-slip material;
- D. Sidewalk Decals shall be removed immediately if loosened or damaged during the time time of permitted use;
- E. Sidewalk Decals shall be kept in good repair at all times so that the entire sign is clearly legible and free of damage, deterioration and/or defacement;
- F. Sidewalk Decals shall not impede pedestrian traffic;



**DRAFT ORDINANCE REGARDING SIDEWALK DECALS: WORKING COPY ONLY,  
SUBJECT TO REVISION**

- G. Sidewalk Decals shall not be installed or maintained if such Sidewalk Decals or their placement or location are in violation of any applicable Federal, State or Local law or regulation, including but not limited to the Americans with Disabilities Act.
  
- H. Sidewalk Decals shall not damage the sidewalk while in place or during installation and removal.

**Section 3. Size.**

No Sidewalk Decal may exceed 24 inches x 24 inches in area, if square, or have a diameter in excess of 24 inches if of any other shape.

**Section 4. Location.**

Sidewalk Decals may be installed only in the B-1 and B-2 Zoning Districts. Each Sidewalk Decal shall be installed within a single sidewalk panel, and shall be placed as closely as possible to the facade of the building before which it is placed.

**Section 5. No Resemblance to Official Signage.**

Sidewalk decals may not resemble any official signage or markers or any signage that, by reason of content, location, position, shape or color, may be reasonably confused with or construed as traffic control devices.

**Section 6. Indemnification.**

Applicants for a Sidewalk Decal permit shall, before the permit is granted, execute a cash bond or other appropriate surety in a sum fixed by the City Council, but not to exceed \$\_\_\_\_\_. The form of the cash bond or other surety shall indemnify the City against all loss, costs, damages or expense incurred or sustained by or recovered against the City by reason of the installation of the Sidewalk Decal. The Applicant shall, in addition, agree in writing to indemnify and hold the City harmless from any claims made against the City by any person arising out of the installation of the Sidewalk Decal that exceeds the amount of the cash bond or surety. A liability insurance policy issued by an insurance company authorized to do business in the State of Wisconsin and conforming to the requirements of this Section may be permitted in lieu of a bond or other surety. The City shall be named as an additional insured on such policy.

**DRAFT ORDINANCE REGARDING SIDEWALK DECALS: WORKING COPY ONLY,  
SUBJECT TO REVISION**

**Section 7. Acknowledgement of Responsibility.** Applicants for a Sidewalk Decal permit shall acknowledge in writing that they are solely responsible for any damage or injury arising from the installation of the Sidewalk Decal.

**Section 8. Number.**

For purposes of this Section, "Business premise" means a leased area, or area used by an owner of a building, used for a separate commercial activity in a building outside of which Sidewalk Decals are allowed. Each business premise located in a building adjacent to a City sidewalk may have one Sidewalk Decal. If the business premise is located on a corner of a street, it may install one Sidewalk Decal on each street on which it fronts. If more than one entity or person uses a business premise in pursuit of the same business or profession as other entities or persons, no more than one Sidewalk Decal may be installed pursuant to this Ordinance referring to that business premise. Those using the same business premise shall determine what Sidewalk Decal shall be installed in that case, if any.

**Section 9. Sidewalk Repair and Construction.** T

The City may require that the sidewalks on which Sidewalk Decals have been installed be repaired or replaced to maintain public safety, or destroyed and reconstructed as may be required to provide services to buildings adjacent to them. In such cases, the City shall have no liability for damages to nor any obligation to repair or replace Sidewalk Decals which must be removed or are destroyed as a result.

**Section 10. Conflict with Other Ordinances.**

If any Section of this Ordinance conflicts with other Sections of Chapter 10-4, then the Section of this Ordinance shall apply. In all other respects, the Sections of Chapter 10-4 shall be controlling.

**Section 11. No Regulation of Content.** This Ordinance shall not be construed to regulate the message or content of any Sidewalk Decal, and is intended to set forth requirements related only to the location, size, number, installation, removal and other characteristics of a Sidewalk Decal.

City Manager's Office  
February 29, 2024

**Proposed Appointments to Ad Hoc Committee on Community Aquatics Needs**

- 1. Dan Corte, Advisory Recreation Board
- 2. Katherine Dahlke, Citizen
- 3. Mari Dawson, Citizen
- 4. Kim Graves, Citizen
- 5. Cathy Tegen, Family Swim Center
- 6. Christine Thelen, Family Swim Center
- 7. Adam Wachowski, City Council and Advisory Recreation Board
- 8. Additional appointee\*
- 9. Additional appointee\*

\*Outreach to families with children who are users of the current pool but not past or present members of its board of directors