



CITY COUNCIL MEETING

Monday, December 02, 2024 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 BY CITY CLERK**
Councilmembers: Mark Bittner, Doug Brandt, Shannon Derby, Bill LeClair, Darla LeClair, 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**
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
 - B. Status Update/Reports
 1. Staffing Updates
 2. Thank You to Everyone Involved in the 2024 Hometown Christmas Parade
 3. Reminder on Ordinance Requirements for Clearing Snow and Ice from Sidewalks
 4. Candidacy Packets Available in Clerk's Office for those Interested in Running for City Council
 5. Winter Parking Ban Status
 6. Lead Water Service Lateral Replacement, 2024-25 Contract
 7. Sandy Bay Highlands Subdivision Phase 3
 8. West River Lofts Project
 9. Electric Department Will Start Annual Tree Trimming In Early December
 10. Christmas Tree Display in Central Park East
 11. Upcoming Events
 - a. Lester Public Library Events, December 5 & 12, 2024
 - b. Hamilton Wood Type & Printing Museum Holiday Letterpress Workshop, December 7, 2024, 9:00 AM

- c. 2nd Annual Cool City Christmas, December 14, 2024, 10:00 AM
 - d. Breakfast with Santa at the Two Rivers Fire Department, December 15, 2024, 9:30 AM
 - e. Explore Two Rivers, "Is Your Business Ready for the 2025 Draft?",
December 16, 2024, 6:00 PM
 - f. Two Rivers Public Schools, Ribbon Cutting Ceremony & Tour of New and Remodeled
Facilities at L.B. Clarke Middle School, December 10, 2024, 6:00 PM
12. Other

C. Legislative/Intergovernmental Update

10. CONSENT AGENDA

A. Presentation of Minutes

- 1. City Council Regular Meeting, November 18, 2024

Recommended Action:

Motion to waive reading and adopt the minutes

B. Minutes of Meetings

- 1. Committee on Aging, November 4, 2024
- 2. Architectural Control Committee, November 19, 2024
- 3. Business and Industrial Development Committee/
Community Development Authority, November 26, 2024
- 4. Police and Fire Commission, November 14, 2024

Recommended Action:

Motion to receive and file

C. Applications and Petitions

- 1. New "Class B" license from Bujar LLC for 3911 Lincoln Ave, Drita Bequiri, Agent, Business formally known as Machut's Supper Club.

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. Agreement with Blue Heron Condo Association, Regarding Provision of Certain City Services Within That Private Condominium Development

Recommended Action:

Motion to Authorize the City Manager and City Council to sign the agreement on behalf of the City.

B. Resolution Adopting the General Fund Budgets for the Fiscal Year Ending December 31, 2025

Recommended Action:

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

C. Resolution Adopting Budgets for Other Funds for Fiscal Year Ending December 31, 2025

Recommended Action:

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

D. Resolution Adopting the Debt Service Fund Budget for the Fiscal Year Ending December 31, 2025

Recommended Action:

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

E. Resolution Adopting Tax Levy for the Fiscal Year Ending December 31, 2025

Recommended Action:

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

F. Resolution Approving Business Improvement District Levy and Assessment Rate for 2025

Recommended Action:

Motion to waive reading and adopt the resolution, as recommended by the Business Improvement District Board

G. Discuss Possible Need for Work Session/Special Meeting on December 23, 2024 for Hearing and Action on a Conditional Use Permit-- Does Council Wish to Make That Meeting a Work Session?

12. FOR INFORMATION ONLY

A. City Council Joint Meeting with Plan Commission--For Plan Review for 3000 Forest Avenue, Monday, December 9, 2024, 6:00 PM

B. City Council Regular Meeting, Monday, December 16, 2024, 6:00 PM

13. CLOSED SESSION

The City Council reserves the right to enter into Closed Session, per Wisc. Stats 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investment of public funds, or conducting other specified public business, whenever competitive or bargaining reason require a closed session

14. RECONVENE IN OPEN SESSION

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

15. 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 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.



MINUTES

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL BY CITY CLERK

Councilmembers: Mark Bittner, Douglas Brandt, Bill LeClair, Darla LeClair, Tim Petri, Scott Stechmesser, Adam Wachowski

ABSENT AND EXCUSED: Bonnie Shimulunas, Shannon Derby

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

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

None.

5. PUBLIC HEARING

None.

6. INPUT FROM THE PUBLIC

None.

7. COUNCIL COMMUNICATIONS

Letters and other communications from citizens

Councilmember Wachowski stated that he received several communications regarding the Uni-Mart property located on Washington Street. He also received a communication from a resident who opposes the extension of the agreement for this property.

8. COUNCIL REPORTS FROM BOARDS/COMMISSIONS/COMMITTEES

Councilmember D. LeClair reported on Two Rivers Main Street: December 13, the Quilt Shop will hold a ribbon cutting; November 21 open house at Bump and Beyond Family Wellness; Downtown Christmas Parade currently has 48 parade entries, if interested in participating contact Main Street.

Councilmember Wachowski reported on the Personnel and Finance Committee stating the final budget meeting will be held on Tuesday, November 19 at 8:00 AM. They will be discussing borrowing and the General Fund.

9. CITY MANAGER'S REPORT

A. Invited Guests

Mr. Buckley reported there are no invited guests.

B. Status Update/Reports

1. Staffing Updates

Mr. Buckley reported on the ongoing recruitments: Police Clerk/Evidence Custodian – Accepting Applications; Community Development Director/City Planner – Accepting Applications

2. Congratulations to Amanda Baryenbruch on becoming a Wisconsin Certified Municipal Clerk

Mr. Buckley reported the City received a letter from the Wisconsin Municipal Clerks Association in October, confirming the certification of Amanda on her Wisconsin Municipal Clerk Certification.

3. Lead Water Service Lateral Replacement, 2024-2025 Contract

Mr. Buckley reported the contract provides for replacement of 300 public side services, 200 private side services and sanitary laterals incidental to water service replacement. As of last Friday, 29 public side water laterals had been replaced, 0 private side laterals replaced (plus 16 sanitary laterals with the ROW).

4. Roosevelt Avenue Project

Mr. Buckley reported this project has been completed.

5. Sandy Bay Highlands Subdivision Phase 3 Infrastructure

Mr. Buckley reported the sanitary sewer main and laterals have been installed in the initial stretch of Orchard Lane and Rawley Court. Water main and services have been installed in the initial stretch of Orchard Lane and Rawley Court. Some grading and graveling has been completed on Orchard Lane near Lake Breeze Way. The contractor started storm sewer work on Orchard Lane November 15. Anticipate storm sewer and the remainder of the grading and graveling on Orchard Lane and Rawley Court to be completed around Thanksgiving or the first couple of days in December. The Contractor will then begin the remaining utility, road grading and graveling along with storm water treatment facility work in early December.

6. Re-Opening of Central Park West Ice Skating Loop

7. Electric Department Will Start Annual Tree Trimming

8. Closing on 2024 Safe Drinking Water Loans Occurred on November 14

--\$1,304,058 G.O. Notes at 0.25% interest for 20 years for lead water service lateral replacement

--\$941,987 Revenue Bonds at 2.365% interest for 20 years for Roosevelt Avenue water main replacement

9. Closing on the Purchase of 1303 19th Street Occurred on November 15

Mr. Buckley reported

10. Upcoming Events

a. K-9 Program Fundraiser at Port Sandy Bay, November 20, 2024

b. Cool City Christmas Tree Decorating Contest, November 22-24, 2024

c. Two Rivers Senior Center Thanksgiving Community Meal, November 28, 2024

d. Two Rivers Main Street Shop Small November, November 30, 2024

e. Two Rivers Main Street Hometown Christmas Parade, November 30, 2024

f. 2nd Annual Cool City Christmas, December 14, 2024

11. Other

C. Legislative/Intergovernmental Update

Water Director reported that the new EPA lead regulations require that the City notify residents

if they have lead, galvanized or unknown services for water., The first round of such went out last week, the whole point of this was the EPA wanted people to be aware what is in their home. The properties whose services are classified as “unknown” are those homes where the Water Utility has not been in the home in awhile or does not have data on that home.

10. CONSENT AGENDA

- A. Presentation of Minutes
 - 1. City Council Regular Meeting, October 21, 2024
 - 2. City Council Work Session, October 28, 2024
 - 3. City Council Regular Meeting, November 4, 2024

Recommended Action:
Motion to waive reading and adopt the minutes

- B. Minutes of Meetings
 - 1. Lester Public Library, October 8, 2024
 - 2. Public Works Committee, November 6, 2024
 - 3. Plan Commission, November 11, 2024
 - 4. Personnel and Finance Committee, October 10, 17, and November 5, 2024
 - 5. Joint Personnel and Finance Committee/Utilities Committee, November 7, 2024
 - 6. Board of Canvassers, November 6, 2024
 - 7. Committee on Aging, October 7, 2024
 - 8. Business Improvement District Board, November 11, 2024

Recommended Action:
Motion to receive and file

- C. Department Reports, November 2024
 - 1. City Clerk
 - 2. Electric
 - 3. Library
 - 4. Parks & Recreation
 - 5. Police
 - 6. Public Works
 - 7. Tourism
 - 8. Water

Recommended Action:
Motion to receive and file

- D. Finance Reports, September 2024
 - 1. Debt Service
 - 2. General Fund
 - 3. Lester Library
 - 4. Utilities Report

Recommended Action:
Motion to receive and file

RECOMMENDED ACTION FOR CONSENT AGENDA
Motion to approve the Consent Agenda with the various actions recommended

Mr. Buckley stated that he had received communication from citizen Andre Robitaille regarding the November 4 Council minutes (Agenda Item A-3); specifically, Mr. Robitaille had expressed a concern about how comments during Input from the public, from he and Jeff Dahlke, were reported in the minutes. Mr. Buckley stated that, in response to that concern, he and the City Clerk had conferred on a modification to those minutes, which was distributed to each of the Council members just prior to the convening of tonight's meeting. Councilmember Bittner responded to the citizen allegations stating: he was the unknown Councilmember that disputed and challenged the claims of some of the things that they said about seeking a signature petition. He also stressed the fact that he discussed his actions with the city attorney to see if he was in violation of the code of conduct or of petition rights and as an elected official he has the rights to talk to the constituents of the community. He also stated he did not challenge them to sign and just wanted to sought their opinion of the situation.

Motion carried with a voice vote.

Motion made by Wachowski seconded by B. LeClair to approve the consent agenda with the amendment to the minutes as presented and to include Mr. Bittner's the comments in the minutes for tonight's meeting.

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

11. CITY COUNCIL - FORMAL ITEMS

- A. Ordinance to amend Section 4-1-4 of the Municipal Code regulating Construction and Repair of Sidewalks within the City, based on the recommendation of the Public Works Director and the Public Works Committee

Recommended Action:

Motion to waive reading and adopt the ordinance

Mr. Wachowski made several suggestions about including in this ordinance amendment references to other sections of the City Ordinances that also relate to property owner responsibilities related to public sidewalks, such as clearance from trees and landscaping plantings on private property bordering sidewalks, and City policies related to sidewalk repairs necessary because of the roots on public, terrace trees. Mr. Buckley suggested that such issues might be addressed in an informational brochure, which could be shared with residents to advise them on such matters. Mr. Heckenlaible suggested that staff and the Public Works Committee could give this matter further review.

Motion carried with a voice vote.

Motion made by B. LeClair seconded by Wachowski to refer this item to the Public Works Committee to revise with changes as recommended by the Council.

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

- B. Consider Agreement with Search Consultant to Assist With City Manager Recruitment and Selection

Recommended Action:

Motion to authorize the City Manager to execute a Municipal Executive Search Services Agreement with Public Administration Associates of Whitewater, WI, at cost of \$17,800, plus additional costs for testing and other supplemental services by the consultant, up to \$1,500, as may be authorized by the City Council's City Manager Recruitment and Selection Committee

Councilmember Wachowski added for the record that he is voting against the motion due to

concerns about citizens not being involved in the recruitment and because he has received communications from citizens about mayor-council form of government.

Councilmember Bittner added for the record that he has received several communications from citizens in favor of the city manager – council form of government

Council President Stechmesser added he also has received communication in favor of the current form of government.

Motion carried with a roll call vote.

Motion made by Brandt seconded by Petri
Voting Yea: Bittner, Brandt, B. LeClair, D. LeClair, Petri, Stechmesser
Voting Nay: Wachowski

C. Final Approval of Plat for Sandy Bay Highlands Subdivision No. 3

Recommended Action:

Motion to approve the plat, based on the recommendations of the City Engineer and the Plan Commission

Motion carried with a voice vote.

Motion made Bittner by seconded by B. LeClair
Voting Yea: Bittner, Brandt, B. LeClair, D. LeClair, Petri, Stechmesser, Wachowski

D. Resolution Authorizing Conveyance of the 32 Home Sites in Sandy Bay Highlands Subdivision No. 3 from the City to the Community Development Authority

Recommended Action:

Motion to waive reading and adopt the resolution

Councilmember Wachowski added for the record that the pricing agreed on is what the lots should be sold as since the money is borrowed and any pricing changes should be voted on by the City Council. Mr. Buckley stated that this message would be clearly conveyed to the CDA, which also has two Council members serving as members.

Motion carried with a roll call vote.

Motion made by Wachowski seconded by B. LeClair
Voting Yea: Bittner, Brandt, B. LeClair, D. LeClair, Petri, Stechmesser, Wachowski

E. Consideration of an Amendment to the Agreement for Sale of Real Estate Dated April 28, 2022 (as Previously Amended in June and September 2023) Between the City and Wine Not LLC, Pertaining to the Purchase and Development of the Property at 2023 Washington Street

Recommended Action:

Motion to direct the City Manager regarding key provisions to be included in an amendment

Motion carried with a roll call vote.

Motion made by Wachowski seconded by B. LeClair to direct the City Manager to prepare an amendment to the Agreement for Sale of Real Estate, to include the key provisions identified in the City Manager’s report on this matter.

- F. Authorization for the City Manager to execute the WDOT Pedestrian Crosswalk Permit Applications for Taylor Street and Memorial Drive (STH 42), Columbus Street and Memorial Drive (STH 42), Madison Street and Memorial Drive (STH 42) and 12 Street and Memorial Drive (STH 42).

Recommended Action:

Motion to authorize the City Manager to execute the applications

Motion carried with a roll call vote.

Motion made by B. LeClair seconded by Brandt.

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

12. FOR INFORMATION ONLY

- A. Personnel and Finance Committee Meeting, Tuesday, November 19, 2024 at 8:00 AM
- B. City Council Work Session Meeting, Monday, November 25, 2024 at 6:00 PM
- C. City Council Regular Meeting, Monday, December 2, 2024 at 6:00 PM

13. CLOSED SESSION

The City Council reserves the right to enter into Closed Session, per Wisc. Stats 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investment of public funds, or conducting other specified public business, whenever competitive or bargaining reason require a closed session

- Discuss possible property acquisition
- Discuss possible assistance to development project
- Discuss matters pertaining to property sale agreement

The City Council reserves the right to enter into Closed Session, per Wisc. Stats 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved

Motion carried with a roll call vote.

Motion made by Bittner seconded by Brandt to convene in closed session at 7:38 PM.

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

14. RECONVENE IN OPEN SESSION

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

Motion carried with a voice vote.

Motion made by Wachowski seconded by B. LeClair reconvene in open session at 8:03 PM.

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

15. ADJOURNMENT

Motion to dispense with the reading of the minutes of this meeting and adjourn at 8:03 PM

Motion carried with a voice vote.

Motion made by Bittner seconded by D. LeClair

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

Respectfully submitted,

Amanda Baryenbruch
City Clerk



COMMITTEE ON AGING

Monday, November 04, 2024 at 8:30 AM

Senior Center Library - Senior Center 1520
17th Street, Two Rivers, WI 54241

MINUTES

1. CALL TO ORDER

2. ROLL CALL

Betty Bittner, Kyle Korinek, Kim Graves, Ruth Kadow, Pamela Stephens, Jerome Schubring, Jo Anne Yungerman, Mark Bittner

3. MINUTES

Approval of Minute: Jerome Schubring

2nd: Jo Yungerman

4. INPUT FROM PUBLIC

5. CORRESPONDENCE AND PRESS

6. COMMITTEE REPORTS

A. Aging and Disability Resource - Wendy Hutterer

Vendors for HDM have increased their cost, ADRC working to be fiscally responsible while providing quality meals to seniors

Appreciation of Volunteer Drivers

B. City Council – Mark Bittner

Public hear for Front Yard/Container gardens. Could possibly be permanent

Zoning permit behind Christian Thrift withdrew request

Budget is close to finalization. Public hearing Nov. 25th

2 search groups to look at hiring City Manager

C. Recreation Department Programs - Mike Mathis

Vietnam dugout arson about \$12,000 in damage

Budget increase 4% (mostly for insurance)

2024 Concert Series-well attended

30 total concerts in 2025

Cool City Christmas

-Tree decorating contest

Need to be done by Thanksgiving Day, electricity provided

-Event Dec 14th 10-3

D. Senior Center - Heather Ihlenfeldt

358 TRUST Rides, and 1,483 meals provided in October

Senior Health Fair had 300+ participants

Cork and Canvas Event-20 participants

November:

11/13 Fraud presentation by Kohler CU

11/27 @ 12 pm Community Thanksgiving Meal

Coat for Kids drive began

December: 1:1 tech assistance appointment at no cost via TRPSD students with interest in IT careers

E. TRIAD

Spring/Summer project complete

2025 project: sidewalk safety checks

Continue to provide snacks for Senior Center movie

Car wash cards still available

F. Two Rivers School District

Community Summit review

Angel fund-family campout at Neshotah Beach with P&R Dept.

7. NEW BUSINESS

Approval of Senior Center Goals for Accreditation

Motion to Approve: PJ Stephens

2nd: Jerome Schubring

8. CONTINUING BUSINESS

9. ADJOURNMENT

Motion to Adjourn: Betty Bittner

2nd: Kim Graves

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 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.



**ARCHITECTURAL CONTROL COMMITTEE
Proceedings
Wednesday, November 19, 2024**

Committee Room 9:30 am

1. **CALL TO ORDER** Meeting was called to order at 9:35 am.

2. **Roll Call**

These members were present: Matt Heckenlaible Director of Public Works, Kay Koach Plan Commission Member, and Adam Taylor, Zoning Administrator.

Absent: BIDC-CDA Representative

3. **ACTION ITEMS**

- a. **Review plans for the construction of a single-family dwelling on Lot 12, Block 3, Sandy Bay Highlands, Subdivision No. 2 (359 Lake Breeze Way Submitted by Jim Reif Builders.**

A motion was made by Matt Heckenlaible and seconded by Kay Koach to approve the plans for Lot 12, Block 3 with the conditions listed below. The motion carried on a voice vote.

Site Plan

A revised site plan must be submitted. The silt fence shall be placed outside of the wetland buffer, since this is a no disturbance area.

Sump Pump

The sump pump must connect to the public storm sewer.

4. **Adjournment**

Adam Taylor made a motion to adjourn at 9:50 am seconded by Kay Koach. Motion carried on a voice vote.



**CITY OF TWO RIVERS
BUSINESS AND INDUSTRIAL DEVELOPMENT COMMITTEE
AND
COMMUNITY DEVELOPMENT AUTHORITY
Tuesday, November 26, 2024, 5:15 PM
3rd Floor City Council Chamber – City Hall**

1. Call to Order

The meeting was called to order by BIDC and CDA Chair Greg Coenen at 5:15 PM.

2. Roll Call

BIDC members present were Greg Coenen, Shannon Derby, David Kalista, Tracey Koach, Keith Lyons, Scott Stechmesser and Dan Wettstein. BIDC members absent and excused: Betty Bittner and Tom Christensen. Mr. Buckley noted that there was a quorum of the BIDC present (7 of 9 members).

CDA members present were Greg Coenen, David Kalista, Tracey Koach, Keith Lyons, Shannon Derby and Scott Stechmesser. CDA members absent and excused: Betty Bittner. Mr. Buckley noted that there was a quorum of CDA present (6 of 7 members).

Others present were Gregory Buckley, City Manager, and Matt Heckenlaible, City Engineer/Public Works Director.

3. CDA Action Items Pertaining to Sandy Bay Highlands Subdivision Phase 3 (Note: CDA Actions on These Items Occurred in Different Order Than They Appeared on the Agenda)

- A. Conveyance of Phase 3 Home Sites from the City to the CDA. Mr. Buckley stated that, following review by the WI Department of Administration, and upon recommendation of the City Engineer and the Plan Commission, the City Council on November 18, 2024 gave final approval to the plat for Phase 3, and approved a resolution authorizing the conveyance of the 32 residential lots comprising Phase 3 to the CDA for marketing and sales.

Mr. Heckenlaible then reviewed the layout of the Phase 3 subdivision, including the 32 lots, the three outlots to be retained in City ownership, and the easement areas impacting some of the residential lots to be offered for sale. He also described work being done under the current contract for extending utility and street infrastructure into Phase 3, noting that such infrastructure will make 26 of the 32 lots in Phase 3 available for development in the Spring of 2025.

Mr. Buckley reviewed the draft pricing plan for the lots, noting that it was the City Council's intention that pricing for the 26 lots generate approximately \$1,700,000, a sum sufficient to recover the principal cost of \$1,476,953 for infrastructure, plus an estimated \$204,408 for realtor commissions and estimated \$13,000 for title insurance and closing costs. He noted, and members Derby and Stechmesser affirmed, that the City Council expects such cost recovery to be pursued in lot pricing, and that no significant discounting of lot prices should be pursued without first consulting with the City Council.

Following discussion, Koach moved, supported by Lyons, for the CDA to accept the conveyance of the Phase 3 lots from the City. The motion was approved by unanimous voice vote.

- B. Consider Pricing Structure for Phase 3 Lots. Mr. Buckley noted that the prices for lots,

BIDC and CDA
 November 26, 2024
 Page 2

as listed on the sheet distributed to committee members, reflected input from realtor Amy Townsend, as well as the revenue expectations identified by the City Council. Following discussion, Koach moved, supported by Derby, to approve the lot prices as presented. There was consensus that any incentives for spec home construction would need to be considered by the CDA on a case-by-case basis.

- C. Consider Listing Agreement for the Phase 3 Lots. Mr. Buckley distributed a list of “Key Points” of a proposed listing agreement for the Phase 3 lots with Amy Townsend of Berkshire Hathaway/Starck Real Estate. Chairman Coenen requested that the CDA vote first on whether to enter into a listing agreement with Ms. Townsend of Berkshire Hathaway/Starck Real Estate, then address the required exclusions to the listing and the commission/fee structure separately.

Lyons moved, supported by Koach, to authorize the City Manager to enter into a listing agreement with Berkshire Hathaway/Starck Real Estate for a period starting as soon as possible and ending on March 31, 2025 for the Phase 3 lots, with additional direction for the City Manager to issue a request for proposals for realtor services, to allow consideration of alternative realtor proposals by the CDA prior to the end of the identified listing period. The motion was approved by a unanimous voice vote.

Chairman Coenen asked for a separate motion on exclusions to the listing agreement. Koach moved, supported by Lyons, to specify that exclusions shall include offers from any licensed builders who intend to build spec homes, for lots priced at \$57,900 or \$62,900 that are addressed in purchase contracts signed by representatives of the CDA and the buyers not later than January 15, 2015. The motion was approved by a unanimous voice vote.

Chairman Coenen asked for a separate motion on the commission/fee structure to be included in the listing agreement. Stechmesser moved, supported by Koach, to approve a commission structure calling for payment of 9 percent to the listing realtor/6 percent to the buyer’s realtor, on split commissions and payment of 12 percent on sales where the listing realtor, Ms. Townsend, procures the buyer. In addition, an administrative fee of \$295 is to apply to all sales that go through the realtor. The motion was approved by a unanimous voice vote.

- D. Consider Protective Covenants to be Applicable to the Phase 3 Lots. Mr. Buckley and Mr. Heckenlaible reviewed a mark-up of the Phase 2 Covenants, modified to serve as covenants for Phase 3. They noted that, while the covenants generally provide for development of traditional single-family homes on all of the lots in Phase 3, there is language allowing the CDA the options of pursuing a residential Planned Unit Development to include Block 2, Lots 17, 18 and 19, located at the far northwest corner of the subdivision.

Following discussion, Lyons moved, supported by Koach, to approve the proposed Phase 3 Protective Covenants, subject to review by the City Attorney, and to authorize revisions by the City Attorney, subject to approval by the City Manager on behalf of the CDA, if such revisions are not considered substantive as to the nature of development allowed in the subdivision. The motion was approved by a unanimous voice vote.

BIDC and CDA
November 26, 2024
Page 3

4. Updates on Various Community Development Projects

The City Manager provided brief updates on the following projects:

- A. Sauve’s Auto Service Expansion Project
- B. Violet Inn Project
- C. Pop-Start Pizza Project
- D. Proposed Apartment Development at 3000 Forest Avenue
- E. Rush Logistics Project at Woodland Industrial Park
- F. Energy Storage Project at Woodland Industrial Park
- G. Other

5. Adjournment

Derby moved, supported by Stechmesser, to adjourn the meeting at 6:20 PM. The motion was approved by voice vote, without dissent.

Respectfully submitted,



Gregory E. Buckley
City Manager

		City Manager's Office
		26-Nov-24
Sandy Bay Highlands Phase 3 Lot Pricing		
# of Lots	Price Per Lot	Total
7	\$57,900	\$ 405,300
5	\$62,900	\$ 314,500
4	\$64,900	\$ 259,600
5	\$69,900	\$ 349,500
5	\$74,900	\$ 374,500
TOTAL 26		\$ 1,703,400
Less: Infrastructure Cost (Principal)		\$ 1,476,953
Less: Real Estate Commission Avg. 12%)		\$ 204,408
Less: Title Ins. and Closing		\$ 13,000
Total Costs to be Recovered		\$ 1,694,361
Average Price Per Lot	\$ 65,515.38	
Does not includes:		
Cost of land		
About \$220,000 in stormwater management features		
Interest cost on borrowed funds		



TWO RIVERS
WISCONSIN

POLICE AND FIRE COMMISSION

Thursday, November 14, 2024 at 4:30 PM
Committee Room - City Hall, 3rd Floor 1717
E. Park Street, Two Rivers, WI 54241

MINUTES

1. CALL TO ORDER

Brad Yaggie called the meeting to order at 4:32 PM.

2. ROLL CALL

Commission Members: Kris Lafond, Brad Yaggie, Jack Gadzala (via Google Meets)
Absent: Sandy Rohrick, Mike Canty
City Staff: Ben Meinnert

3. CONSIDERATION OF ANY COMMISSION MEMBER REQUESTS TO PARTICIPATE IN THIS MEETING FROM A REMOTE LOCATION : Jack Gadzala (Via Google Meets) All in favor

4. CLOSED SESSION

The Police and Fire Commission reserves the right to enter into closed session per Wis. Stats. 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

Motion carried with a roll call vote.
Motion made by Gadzala, seconded by Lafond to convene in closed session.
Voting Yea: Lafond, Yaggie, Gadzala

5. RECONVENE IN OPEN SESSION PURSUANT TO WIS. STATS. 19.85(2)

Motion carried with a voice vote.
Motion made by Lafond, seconded by Gadzala to reconvene in open session.
Voting Yea: Lafond, Yaggie, Gadzala

5. ANY ACTION AS A RESULT OF CLOSED SESSION

Motion by Lafond to approve conditional offer of employment to top two candidates and approval of eligibility list for future hiring. Seconded by Gadzala. No discussion.
Motion carried with a voice vote.
Voting Yea: Lafond, Yaggie, Gadzala

6. ADJOURNMENT

Motion carried with a voice vote.
Motion made by Lafond, seconded by Yaggie to adjourn meeting at 4:55 PM.
Voting Yea: Lafond, Yaggie, Gadzala

Respectfully submitted,
Amanda Baryenbruch
City Clerk

For Municipal	
Municipality	City of Two Rivers
License Period	

Form
AB-200

Alcohol Beverage License Application

License(s) Requested: (up to two boxes may be checked)

- Class "A" Beer \$ 50.00 Class "B" Beer \$ 100.00
- "Class A" Liquor \$ 500.00 "Class B" Liquor \$ 275.00
- "Class A" Liquor (cider only) \$ 0.00 Reserve "Class B" Liquor \$ _____
- "Class C" Liquor (wine only) \$ 100.00

Fees	
License Fees	\$
Background Check Fee	\$ 0.00
Publication Fee	\$ 20.00
Total Fees	\$

Part A: Premises/Business Information			
1. Legal Business Name (individual name if sole proprietorship) Bujar LLC			
2. Business Trade Name or DBA			
3. FEIN 99-5056694		4. Wisconsin Seller's Permit Number	
5. Entity Type (check one) <input checked="" type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization Wisconsin		7. Date of Organization 12-02-2024	8. Wisconsin DFI Registration Number
9. Premises Address 3911 lincoln ave			
10. City Two Rivers		11. State Wi	12. Zip Code 54241
13. County Manitowoc		14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: Two Rivers	15. Aldermanic District N/A
16. Premises Phone 920-793-9432		17. Premises Email ritabeqiri@yahoo.com	18. Website
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. There is full bar and dinning room where alcohol will be served. The alcohol will be store in Locked room. The beer will be in a walk in cooler in the basement.			
20. Mailing Address (if different from premises address)			
21. City		22. State	23. Zip Code

Part B: Questions			
1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list the details of violation below. Attach additional sheets if necessary.			
Law/Ordinance Violated		Location	Trial Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Law/Ordinance Violated		Location	Trial Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol . . Yes No beverages.
 If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? . . Yes No
 If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? Yes No
 If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN
-----------------------------	--------------------------

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. Yes No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? Yes No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? Yes No

Part C: Individual Information

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Beqiri	Drita	Owner	608-346-5619
Beqiri	Bujar	Manager	608-713-2579

Part D: Attestation

One of the following must sign and attest to this application:
 • sole proprietor • one general partner of a partnership • one corporate officer • one member of an LLC

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Beqiri	First Name Drita	M.I.
Title Owner	Email ritabeqiri@yahoo.com	Phone 608-346-5619
Signature 		Date 11-13-2024

Part E: For Clerk Use Only

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	

Form
AB-101

Alcohol Beverage Appointment of Agent

Date

Agent Type (check one)

- Original (no fee)
- Successor (\$10 fee for municipal licensees only)

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
Bujar LLC

2. Business Trade Name or DBA

3. Entity Type (check one)
 Limited Liability Company
 Corporation
 Nonprofit Organization

4. Alcohol Beverage Business Authorization (check one)
 Municipal Retail License
 State Permit

5. If successor agent, provide State Permit or Municipal Retail License Number

6. Describe the reason for appointing a successor agent, if successor is checked above.

Part B: Agent Information

1. Last Name Beqiri		2. First Name Drita		3. M.I.
4. Email ritabeqiri@yahoo.com			5. Phone 608-346-5619	
6. Home Address 850 east mckearn lane				
7. City Beloit	8. State WI	9. Zip Code 53511	10. Age 41	
11. Drivers License/State ID Number B260-1608-3602-01		12. Drivers License/State ID State of Issuance Wisconsin		

Part C: Agent Questions

1. Have you satisfied the responsible beverage server training requirement? Yes No
Submit proof of completion.

2. Have you completed Form AB-100, *Alcohol Beverage Individual Questionnaire*? Yes No
Submit a completed Form AB-100 with this form.

3. Have you been a Wisconsin resident for at least 90 continuous days? Yes No
See instructions for exceptions.

Continued →

Part D: Business Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Beqiri		First Name Drita		M.I.
Title Owner	Email ritabeqiri@yahoo.com		Phone 608-346-5619	
Signature 			Date 11/13/2024	

Part E: Agent Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Beqiri		First Name Drita		M.I.
Signature 			Date 11/13/2024	

Form
AB-100

Alcohol Beverage Individual Questionnaire

Date

All individuals involved in the alcohol beverage business must complete this form, including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Individual Questionnaires are submitted.

Part A: Business Information	
1. Legal Business Name (individual name if sole proprietor) Bujar LLC	
2. Business Trade Name or DBA	
3. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	

Part B: Individual Information					
1. Last Name Beqiri		2. First Name Drita		3. M.I.	
4. Relationship to Business (Title) Owner		5. Email ritabeqiri@yahoo.com		6. Phone 608-346-5619	
7. Home Address 850 east mckearn lane					
8. City Beloit		9. State WI	10. Zip Code 53511	11. Date of Birth 03-22-1983	
12. Drivers License/State ID Number B260-1608-3602-01			13. Drivers License/State ID State of Issuance Wisconsin		

Part C: Address History							
1. Do you currently reside in Wisconsin?					<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
If yes to 1 above, how long have you continuously lived in Wisconsin prior to the date of application?					Years 32	Months 4	
2. List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.							
Previous Address 1		City		State	Zip Code		
Previous Address 2		City		State	Zip Code		
Previous Address 3		City		State	Zip Code		
Previous Address 4		City		State	Zip Code		
Previous Address 5		City		State	Zip Code		
3. List all states and counties you have lived in as an adult. Attach additional sheets if necessary.							
State	County	State	County	State	County	State	County
State	County	State	County	State	County	State	County

Continued →

Part D: Criminal History

1. Have you ever been convicted of any offenses (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? Yes No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses currently pending against you (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? Yes No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part E: Attestation

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I certify that I am not prohibited from participating in this business due to any involvement in another tier of the alcohol beverage industry as a restricted investor. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature  Date 11/13/2024

Form
AB-100

Alcohol Beverage Individual Questionnaire

Date

All individuals involved in the alcohol beverage business must complete this form, including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Individual Questionnaires are submitted.

Part A: Business Information	
1. Legal Business Name (individual name if sole proprietor) Bujar LLC	
2. Business Trade Name or DBA	
3. Entity Type (check one)	
<input checked="" type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	

Part B: Individual Information				
1. Last Name Beqiri		2. First Name Bujar		3. M.I.
4. Relationship to Business (Title) Manager		5. Email Bujar.beqiri03@gmail.com		6. Phone (608) 713-2579
7. Home Address 850 east mckearn lane				
8. City Beloit		9. State WI	10. Zip Code 53511	11. Date of Birth 10/24/03
12. Drivers License/State ID Number B260-0600-3384-05			13. Drivers License/State ID State of Issuance WI	

Part C: Address History							
1. Do you currently reside in Wisconsin? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No							
If yes to 1 above, how long have you continuously lived in Wisconsin prior to the date of application?			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Years</td> <td style="width: 50%;">Months</td> </tr> <tr> <td style="text-align: center;">21</td> <td style="text-align: center;">1</td> </tr> </table>	Years	Months	21	1
Years	Months						
21	1						
2. List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.							
Previous Address 1		City	State	Zip Code			
Previous Address 2		City	State	Zip Code			
Previous Address 3		City	State	Zip Code			
Previous Address 4		City	State	Zip Code			
Previous Address 5		City	State	Zip Code			
3. List all states and counties you have lived in as an adult. Attach additional sheets if necessary.							
State	County	State	County	State	County	State	County
State	County	State	County	State	County	State	County

Continued →

Part D: Criminal History

1. Have you ever been convicted of any offenses (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? Yes No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses currently pending against you (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? Yes No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part E: Attestation

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I certify that I am not prohibited from participating in this business due to any involvement in another tier of the alcohol beverage industry as a restricted investor. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature  Date 11/13/2024



Machut's Supper Club, Inc.

3911 Lincoln Avenue – Two Rivers – Wisconsin – 54241
920 793-9432 Fax 920 793-4846 www.machuts.com

November 20th 2024

City of Two Rivers
Licensing Dept.

Notification is hereby given that Machut's Supper Club will be surrendering the "Class B" Beer & Liquor license effective December 2nd 2024

The license will be surrendered to Bujar LLC care of Rita Beqiri.


Thank You

Sincerely,

Wayne Machut
Wayne A. Machut
General Manager

Scott Machut
Scott N. Machut
Beverage Manager.

MEMORANDUM

TO: City Council
FROM: Gregory E. Buckley 
City Manager

DATE: November 27, 2024

SUBJECT: Agreement Between City and Blue Heron Condominium Association

I am bringing the above-cited agreement back in front of the Council for its consideration at the December 2 meeting. As you are aware, this agreement addresses provision of certain limited City services within the Blue Heron Condominium Association, where the street and utility infrastructure is all private property.

While the City is not legally required to provide the services addressed in this agreement, there is precedent where the City has entered into similar agreements with other local condo associations to provide several of the services addressed in this agreement, including: routine flushing of the private water and sewer mains within the development and City emergency response to clear blockages in the private sewer mains. In addition, the City made a specific commitment, back when this condo development received City approval for construction in 1992, that the City would be responsible for repair and maintenance of the sewer lift station that serves Blue Heron. Another service to be provided—Fall leaf collection from along the edges of the private streets within the condo association property—is addressed in this Agreement, but is not currently in the agreements with other condo associations.

A big part of the rationale for this agreement is that, while the infrastructure within the condo association is privately owned and a private responsibility, the condominium owners pay the same utility rates as everyone else in the City, and feel that what they pay as ratepayers should get them at least some of the routine utility maintenance services (paid for through water and sewer utility bills) and leaf pickup services (paid for through the Environmental Fee that supports the Solid Waste utility, including leaf collection services) as other local ratepayers.

While the terms for this agreement have been pretty much hammered out between the parties, there is one remaining “sticking point:” language related to video inspection of the sanitary sewer mains within the development (Section 4 of Agreement). The City initially proposed that a video inspection of those mains be performed early in the term of the contract, to identify “baseline conditions.” It was initially proposed that the Condo Association contract and pay for

such an inspection and report, but after further discussion City staff agreed for the utility to arrange for and cover the cost of that initial inspection, with a copy of the resulting report to be furnished to the condo association.

The condo association then sought contract language assuring that the City would do similar inspections in the future, consistent with its practice in the public sewer system. The City proposed language to this effect, but also sought to be held harmless from any claims that might arise from its failure to do such future video inspections of the private sewer mains. That “hold harmless” language was a concern to the condo association.

The attached proposed Agreement, marked up to show recent changes related to the above issue, addresses the matter of video inspections by having the City commit to doing a video inspection **ONCE** during the ten-year term of the contract, within 18 months of signing the contract. This is based on our Public Works Director’s professional opinion, shared at a joint meeting of the condo association board and the Council Finance Committee back in October, that “best practices” for such inspections would be to video-inspect relatively new sewer mains like those at Blue Heron on a ten-year cycle. Then, the proposed language makes clear that the City has **NO OBLIGATION** to conduct any more video inspections during the term of the contract, nor during any of the “automatic one-year extensions” that can occur, per Section 16B of the contract, if the parties fail to sit down and negotiate a new agreement prior to the end of the initial 10-year term.

This seems a reasonable solution to this matter, and it conveys the message that, if any additional video inspections of those private sewer mains are to be done by the City in the future, such service will need to be addressed in a new services agreement.

This latest version of the proposed agreement has been provided to the officers of the Blue Heron Condominium Association, and I expect that they will be present at Monday’s meeting for discussion.

I recommend City Council of the agreement, as presented, as the City’s final offer in this matter.

AGREEMENT FOR PROVISION OF CERTAIN CITY AND UTILITY SERVICES
AND WAIVER AND RELEASE OF CLAIMS

Agreement entered into as of this ____ day of ~~October~~____, 2024, by and between the City of Two Rivers, Wisconsin a municipal corporation (the "City") and the Blue Heron Condominium, An Expandable Condominium Owners Association, LTD., with its principal place of business at P.O. Box 144, Two Rivers, WI 54241 and 1527 Deer Brook Drive, Two Rivers, Wisconsin 54241 (the "Association").

WHEREAS, the City Council of the City has established a policy under which the City provides certain maintenance services to privately owned water and sewer facilities of condominiums and other developments, subject to certain terms and conditions, including a waiver and release of liability against the City; and

WHEREAS, the Association desires to enter into an agreement for provision of such services by the City, and for Fall leaf collection along the private roadways within the Association, subject to the terms and conditions of this Agreement;

NOW, THEREFORE, it is hereby agreed by and between the parties hereto as follows:

1. The Association has requested, and the City hereby agrees to provide the Association, routine flushing services to water mains and sanitary sewer mains owned by the Association, at the Blue Heron Condominium Development, described in Exhibit A attached hereto and made a part hereof, on the same terms and in the same manner as the City provides such service for publicly owned water and sanitary sewer mains in other areas of the City.
2. In addition, the City shall provide emergency services in the event the sewer mains in the Blue Heron Condominium Development become blocked. Such emergency services shall consist of using City's personnel and equipment to make a reasonable effort to clear such blockage. In the event that the blockage cannot be cleared by the City, the Association will be required to make arrangements with outside resources to address such blockage.
3. The City accepted responsibility for the sanitary sewer lift station that serves the Blue Heron Condominium Development in 1992, upon recommendation of its Plan Commission. The City shall be responsible for all maintenance, operational, and capital costs associated with said lift station.

4. The City shall have the sanitary sewer system within the Development inspected by means of closed-circuit televising (CCTV) equipment or other method that will provide real-time documentation as to the condition of the sanitary sewer system. Such inspection shall be completed within eighteen months following the date of execution of this Agreement. ~~Additional such inspections shall be completed by the City in the future, when other such inspections are completed in the area. The City shall not be subject to any claims or liability if it declines to make such additional inspections. It is agreed that the City shall have no obligations regarding the maintenance or repair of the sanitary sewer system within the Development beyond what is expressly stated in this Agreement.~~ A copy of the inspection report resulting from such an inspection shall be provided to the Association upon written request. The City shall not be responsible for any additional such inspections during the term of this Agreement, or during any of the automatic one-year extensions of this Agreement as addressed in Section 16B hereof.
5. The Association will be responsible for repairing all water main and sanitary sewer main defects, including but not limited to, leaks, breaks, inoperable equipment and valves, access structures, adjustments, and covers which are identified during routine flushing service, inspections, or during emergency service responses.
6. In addition, the City shall collect leaves from along the edges of the private roadways (identified as Blue Heron Drive and Deerbrook Drive) within the development, on the same schedule, terms, and manner as Fall leaf collection services are provided to properties abutting public streets in other areas of the City.
7. The Association hereby grants to the City an easement providing the City with access to the private roadways identified herein and extending for a distance of six feet past the edge of pavement on those roadways as necessary for the City to provide the services identified above.
8. If the services identified herein are provided by the City, the Association, for itself, its heirs, personal and legal representatives, successors, and assigns, including any condominium unit owners, waives and releases any and all claims, damages, causes of action, or liabilities of any natures whatsoever, known or unknown, ("Claims") against the City, its officers, officials, agents, and employees arising therefrom, relating to or arising from the

provision of such services, except only such claims as arise from the reckless or intentional acts of a City employee or the City, and shall indemnify and hold the City harmless from any such Claims.

9. This provision shall not be deemed a waiver of the limitation of amounts recoverable against the City, its officers, officials, agents, and employees provided under § 893.80(3) of the Wisconsin Statutes or other applicable law, nor shall it be deemed a waiver of the City's ability to claim immunity as provided in § 893.80(4) of the Wisconsin Statutes, or other applicable law. In addition, this provision does not constitute a waiver of the requirements imposed by § 893.80 of the Wisconsin Statutes, or any other applicable law, for bringing claims against the City, its officers, officials, agents, or employees.
10. The Association agrees to obtain and maintain at all times insurance providing coverage against any claims of the kind described in Section 8 hereof, if available, on terms and with policy limits and insurers acceptable to the City. The City shall not be liable under this Agreement for any damages covered by such insurance.
11. The invalidity of any provision of this Agreement or portion of a provision shall not affect the validity of any other portion of this Agreement, or the remaining portion of the applicable provision. Each provision is separable.
12. The Association agrees that it shall comply with all applicable state, federal and local laws, rules and regulations in the construction, operation and maintenance of its sewer and water facilities.
13. Except as specifically set forth herein, nothing herein expressed or implied is intended or shall be construed to confer upon or give to any other person or entity other than the parties hereto and their successors and assigns any rights or remedies under or by reason of this Agreement. Neither party to this Agreement shall be deemed to be the agent of the other, except as expressly stated herein.
14. The Association may not assign its rights or obligation under this Agreement without the written consent of the City.
15. This Agreement shall bind and inure to the benefit of the parties hereto, their heirs, personal and legal representatives, successors, and assigns.
16. This Agreement shall remain in full force and effect for a term of ten (10) years following signature by the City and the Association; provided further that:

- A. The Association and the City hereby declare their intent to meet and review the terms of this Agreement within the six-month period preceding the end of such ten-year period, with the intent of negotiating a new Agreement; and
- B. If neither party to this Agreement notifies the other party of its intention to not renew this Agreement, at least 120 days in advance of its ten-year anniversary, then this Agreement shall be automatically extended for an additional one-year term; this Agreement shall similarly be automatically extended for one-year terms thereafter if such notice to notice to not renew is not provided at least 120 days in advance of the end of any such one-year extension; and
- C. Either party to this Agreement may terminate this Agreement at any time, without cause, upon 120 days written notice to the other party.

CITY OF TWO RIVERS

BY: _____ Dated: _____
GREGORY E. BUCKLEY, CITY MANAGER

BY: _____ Dated: _____
AMANDA BARYENBRUCH, CITY CLERK

BLUE HERON CONDOMINIUM, AN EXPANDABLE CONDOMINIUM OWNERS ASSOCIATION, LTD.

BY: _____ Dated: _____
Print Name and Sign Below

MEMORANDUM

TO: City Council

FROM: Gregory E. Buckley
City Manager



DATE: November 27, 2024

SUBJECT: Budget Resolutions

The attached budget resolutions are unchanged from those that were handed out on Monday night, with the exception of the General Fund Budget, which reflects the changes we discussed on Monday night, specifically:

Reducing 2025 Revenue from Transfers from Other Funds:	(\$ 42,000)
Increasing 2025 Revenue from Building Permits	\$ 10,000
Increasing 2025 Revenue from Plumbing Permits	\$ 5,000
Increasing 2025 Revenue from Other Permits	\$ 5,000
Reducing 2025 Budgeted Contingency	\$ 20,000

This results in a net reduction in total 2025 General Fund expenditures of \$20,000, compared to what was shown in the Budget books and hearing notice: \$12,510,657 vs. \$12,530,657.

I also want to point out that, while the 2025 Budget as presented reflects my goal of not increasing the City’s share of the total tax levy, we DO have some room for increasing the levy under our State-imposed levy limit. For 2024 taxes in support of the 2025 Budget, the City could levy an additional \$45,018. Using a provision in the law that allows the City to carry forward unused levy capacity from last year, there is another \$65,887 of levy capacity available to the City.

That’s a total of \$110,905 in additional levy capacity that is available, some or all of which could be used to build a small surplus into the 2025 budget. It would amount to an increase of 2 percent in the City’s tax levy and assessed tax rate. It would be a prudent thing to do, from a fiscal standpoint, but taxpayers are already looking at a pretty hefty increase in their tax bills—see attached example that I plan to share at the meeting on Monday night.

CITY OF TWO RIVERS

**Resolution Adopting the General Fund Budgets
for the City of Two Rivers, Wisconsin
Fiscal Year Ending, December 31, 2025**

WHEREAS, a public hearing was held on November 25, 2024 by the City Council of the City of Two Rivers on the proposed budget for the City of Two Rivers Debt Service Fund and General Fund for the fiscal year ending December 31, 2025.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council of the City of Two Rivers; that there is hereby appropriated for the fiscal year ending December 31, 2025 to the General Fund the sum of \$12,510,657.

GENERAL GOVERNMENT	\$	1,432,946
PUBLIC SAFETY	\$	6,942,541
PUBLIC WORKS	\$	1,768,926
HEALTH & HUMAN SERVICES	\$	425,900
CULTURE, REC. & EDUCATION	\$	1,423,266
OTHER FINANCING USES	\$	517,078
TOTAL GENERAL FUND	\$	<u>12,510,657</u>

BE IT FURTHER RESOLVED, that the proposed budget for the City General Fund, a copy of which is on file in the office of the Finance Director and open to inspection during regular business hours, is hereby approved.

Adopted: December 2, 2024

Council Member

Gregory E. Buckley, City Manager

CITY OF TWO RIVERS
Resolution Adopting Budgets for Other Funds
for the City of Two Rivers, Wisconsin
Fiscal Year Ending December 31, 2025

BE IT RESOLVED, by the City Council of the City of Two Rivers that the City Council hereby approves the following administrative budgets for 2025, the same being on file in the Finance Department and open to inspection during regular business hours:

CAPITAL PROJECT FUNDS

403 – Harbor Masterplan Implementation	\$	-
410 – Bike Trail Construction Fund	\$	50,000
415 - Central Park Renovation Fund	\$	-
417 – Industrial Park Development Fund	\$	156,650
419 – Landfill Fund	\$	273,314
451 – Street Construction Fund	\$	1,720,263
452 – Bridge Construction Fund	\$	80,000
454 – Parks and Cemetery Construction Fund	\$	668,500
455 – Fire Equipment Fund	\$	122,500
457 – Public Works Equipment Fund	\$	515,223
459 – City Hall Equipment Fund	\$	30,000
460 – Management Information Fund	\$	49,899
461 – Police Equipment Fund	\$	152,163
Subtotal:	\$	<u>3,818,512</u>

SPECIAL REVENUE FUNDS

202 – Sandy Bay Highlands Development Fund	\$	190,000
205 – Housing Revolving Loan Fund	\$	93,000
207 – Affordable Housing Fund	\$	-
216 - American Rescue Plan Act	\$	1,630,167
218 – Docks and Harbors Fund	\$	7,500
235 – TIF #6	\$	3,486
236 – TIF #7	\$	104,650
237 – TIF #8	\$	170,150
238 – TIF #9	\$	173,000
239 - TIF #10	\$	41,800
240 – TIF #11	\$	150
241 – TIF #12	\$	285,150
242 - TIF #13	\$	60,150
243 - TIF #14	\$	133,550
244 - TIF #15	\$	750,350
245 - TIF #16	\$	325
246 - TIF #17	\$	150

250 – Senior Center Fund	\$	88,131
258 – Community Tourism Fund	\$	253,977
259 – Tourism Development Fund	\$	360,000
260 – Urban Forestry Fund	\$	44,673
261 - Concession and Beer Sales	\$	42,000
262 – Recreation Special Events Fund	\$	47,400
263 – Tree Planting Fund	\$	37,500
264 - Golf Simulator Fund	\$	5,730
270 – Paramedic (Act 102) Fund	\$	8,000
290 – Business and Industrial Loan	\$	550,500
291 – Community Development	\$	146,040
Subtotal:	\$	<u>5,227,529</u>

ENTERPRISE FUNDS

640 – Solid Waste Utility	\$	909,151
650 – Water Utility	\$	3,111,405
660 – Electric Utility	\$	9,619,016
670 – Telecommunications Utility	\$	26,745
680 - Stormwater Utility	\$	746,650
690 – Sewer Utility	\$	3,201,042
Subtotal:	\$	<u>17,614,009</u>
Total:	\$	<u>26,660,050</u>

Adopted: December 2, 2024

Council Member

Gregory E. Buckley, City Manager

CITY OF TWO RIVERS

**Resolution Adopting the Debt Service Fund Budget
for the City of Two Rivers, Wisconsin
Fiscal Year Ending, December 31, 2025**

WHEREAS, a public hearing was held on November 25, 2024 by the City Council of Two Rivers on the proposed budget for the City of Two Rivers General Fund and Debt Service Fund for the fiscal year ending December 31, 2025.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council of the City of Two Rivers; that there is hereby appropriated for the fiscal year ending December 31, 2025 to the Debt Service Fund the sum of \$3,067,849.

BE IT FURTHER RESOLVED, that the proposed budget for the Debt Service Fund, a copy of which is on file in the office of the Finance Director and open to inspection during regular business hours, is hereby approved.

Adopted: December 2, 2024

Council Member

Gregory E. Buckley, City Manager

CITY OF TWO RIVERS

**Resolution Adopting Tax Levy for the City of Two Rivers, Wisconsin
Fiscal Year Ending, December 31, 2025**

WHEREAS, The City Council of the City of Two Rivers, Wisconsin, has, pursuant to law, determined the amount of tax which is levied against all the real and personal property included in the 2024 tax rolls (2025 Budget) for general city operations; and

WHEREAS, various governmental bodies for whom the City of Two Rivers either levies or collects taxes upon the taxable real and personal property in the City of Two Rivers for the purposes of such governmental bodies have duly determined the amount to be levied or collected by taxation of such real and personal property in the City of Two Rivers;

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council of the City of Two Rivers that the following amounts and rates of tax are hereby levied upon all of the taxable real and personal property in the City of Two Rivers on the 2024 tax rolls, and the Finance Director is hereby directed to spread the amount thereof upon the tax rolls for collection, as follows, to-wit:

PURPOSE	TAX LEVY (Including TID)	(Two Rivers School District) TAX RATE	(Manitowoc School District) TAX RATE
General City	\$ 2,398,157	\$ 2.595	\$ 2.595
Debt	\$ 2,674,344	\$ 2.893	\$ 2.893
Library	\$ 714,605	\$ 0.773	\$ 0.773
Two Rivers Public Schools	\$ 6,709,696	\$ 7.426	\$ -
Manitowoc Public Schools	\$ 204,995	\$ -	\$ 9.869
Lakeshore Technical College	\$ 500,289	\$ 0.541	\$ 0.541
Manitowoc County	\$ 3,268,080	\$ 3.536	\$ 3.536
TOTAL:	\$ 16,470,165	\$ 17.764	\$ 20.207

Adopted: December 2, 2024

Council Member

Gregory E. Buckley, City Manager

CITY OF TWO RIVERS

**Resolution Approving Business Improvement
District Levy and Assessment Rate for 2025**

WHEREAS, the City of Two Rivers has established a Business Improvement District (BID) for purposes of funding a portion of the Main Street Program; and

WHEREAS, the BID has a long-established BID assessment at the rate of \$1.425 per thousand dollars assessed value, subject to a minimum assessment of \$100 per assessable parcel and a maximum assessment of \$2,500 per assessable property owner located within the BID; and

WHEREAS, by action of the BID Board at a meeting held on November 28, 2022 a recommendation of a new BID assessment be established at the rate of \$2.00 per thousand dollars assessed value, subject to a minimum assessment of \$100 per assessable parcel and a maximum assessment of \$2,500 per assessable property owner located within the BID; and

WHEREAS, by action of the BID Board at a meeting held November 11, 2024 a recommendation of a new BID assessment be established at the rate of \$1.77 per thousand dollars assessed value, subject to a minimum assessment of \$100 per assessable parcel and a maximum assessment of \$2,500 per assessable property owner located within the BID; and

WHEREAS, the Main Street Organization has developed a 2025 budget that anticipated BID levy support in the amount of \$54,843 which would result from a BID assessment rate of \$1.77 per thousand dollars of assessed value, levied against the assessable properties in the BID;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes a 2024 BID assessment in support of the 2025 budget at the rate of \$1.77 per thousand dollars assessed value, subject to a minimum assessment of \$100 per assessable parcel and a maximum assessment of \$2,500 per assessable property owner located within the BID, as recommended by the concurrence of the BID Board.

Adopted: December 2, 2024

Council Member

Gregory E. Buckley, City Manager