



**TWO  
RIVERS**  
WISCONSIN

# PLAN COMMISSION

Monday, April 11, 2022 at 5:30 PM

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

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## AGENDA

### 1. CALL TO ORDER

### 2. ROLL CALL

Commission Members: Greg Buckley, Rick Inman, Kay Koach, Kristin Lee, Jim McDonald, Eric Pangburn, Adam Wachowski

### 3. PUBLIC HEARING

- A. Public hearing for Amendment No. 3 to the Project Plan for TID No. 7 which is proposed to provide funding to assist with public infrastructure improvements within one-half mile of the boundary of TID No. 7

### 4. ACTION ITEMS

- A. Consider Resolution adopting Amendment No. 3 to the Project Plan for TID No. 7

### 5. FOR DISCUSSION

- A. Review Draft 3 of the Ordinance for licensing of Short-Term Rental Properties
- B. Continue discussion related to the Comprehensive Plan update

### 6. ADJOURNMENT

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

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



**TWO  
RIVERS**  
WISCONSIN

*DRAFT*

AMENDMENT NO. 3 TO THE  
PROJECT PLAN FOR  
TAX INCREMENTAL DISTRICT NO. 7

Date Adopted by City Council:  
Date Adopted by Joint Review Board:  
Expenditure Deadline: August 2023  
TID #7 Amendment No. 3 Expiration Date: August 2028

**PROPOSED SCHEDULE FOR  
AMENDMENT NO 3. TO TAX INCREMENTAL DISTRICT NO. 7  
TO ALLOW EXPENDITURES OF FUNDS FOR  
STREET & UTILITY IMPROVEMENTS ON 17TH ST & ZLATNIK DR  
(Combined hearing method)**

## Identifier

Key	Date	Activity or Action							
A	Feb-07	City Council resolution to proceed	February						
B	Feb-08 to Mar 31	Project Plan preparation	S	M	T	W	T	F	S
C	Mar-14	Plan Commission receives overview of process for Amendment No. 3 to TID No. 7, reviews the draft Project Plan & schedules the public hearing for Apr-11	6	7A	8B	9	10	11	12
			13	14	15	16	17	18	19
			20	21	22	23	24	25	26
			27	28					
D	Mar-15	Notice letters sent to taxing entities	March						
E	Mar-29 to Apr-01	Publication of Notice for Joint Review Board Meeting No. 1 (at least 5 days prior to meeting)	S	M	T	W	T	F	S
			6	7	8	9	10	11	12
F	Apr-04	Publication of Class 1 Notice - TID Amendment	13	14C	15D	16	17	18	19
G	Apr-05 to Apr-08	1st meeting of the Joint Review Board (organizational)	20	21	22	23	24	25	26
			27	28	29E	30	31B		
H	Apr-11	Plan Commission reviews the Project Plan for Amendment No. 3 to TID 7 & conducts public hearing	April						
I	Apr-11	Plan Commission reviews hearing comments & adopts the Project Plan	S	M	T	W	T	F	S
			3	4F	5G	6	7	8G	9
			10	11H	12J	13	14	15	16
			17	18K	19L	20	21	22	23
J	Apr-12 to May-20	Publication of Notice for Joint Review Board Meeting No. 2 (at least 5 days prior to meeting)	24	25	26	27	28	29	30
K	Apr-18	Council approves Amended Project Plan and adopts resolutions	May						
			1	2	3	4	5	6	7
			8	9	10	11	12	13	14
			15	16	17	18	19	20	21
L	Apr-19	Earliest approval by the Joint Review Board	22	23	24	25	26J	27	28
M	May-26	Latest approval by Joint Review Board	29	30	31				

Prepared : 2/22/2022  
Revised: 3/18/2022

CITY COUNCIL

Mark Bittner	Jeff Dahlke
Tracey Koach	Bill LeClair
Darla LeClair	Jay Remiker
Bonnie Shimulunas	Adam Wachowski
Larry Thomas	

PLAN COMMISSION

Gregory Buckley	Rick Inman
Kay Koach	Kristin Lee
Jim McDonald	Eric Pangburn
Adam Wachowski	

COMMUNITY DEVELOPMENT AUTHORITY(CDA)  
AND  
BUSINESS AND INDUSTRIAL DEVELOPMENT COMMITTEE (BIDC)

Elizabeth Bittner	Mark Bittner
Gregory Coenen	Donald Karman
Dick Klinkner	Tracey Koach
Bill LeClair	Keith Lyons
Daniel Wettstein	Tracy Yaggie

CITY OFFICIALS

Gregory Buckley, City Manager  
James McDonald, Public Works Director/City Engineer  
Elizabeth Runge, Community Development Director/City Planner

FINANCIAL CONSULTANT

Robert W. Baird & Co., Inc.

LEGAL REVIEW PROVIDED BY

Quarles & Brady



Members of the City Council, Plan Commission, Joint Review Board,  
Community Development Authority/Business and Industrial Development Committee  
and Interested Citizens

Re: Amendment No. 3 to the Project Plan for Tax Incremental District No. 7

Ladies and Gentlemen:

TID No. 7 was initially created in 2001 to assist in financing redevelopment of the former Two Rivers Community Hospital complex by Rice Health Care of Appleton. This project Plan has been amended in 2003 and 2012 to fund infrastructure projects. The city is proposing a final amendment to fund costs within the district and within one-half mile of the Project Plan boundary.

The proposed Amendment No. 3 to TID No. 7 will be used to help finance a share of several construction projects:

- The reconstruction of 17th Street including the replacement of sewer/ water utilities to cost \$1,412,134;
- The repaving of Zlatnik Drive estimated to cost \$188,000;
- The resurfacing and replacement of aging sewer and water facilities in Lincoln Street from 17th Street to 22nd Street estimated to cost \$1,388,500;
- Façade improvements for retail and commercial buildings \$25,000; and
- Administrative, planning and legal costs are estimated to cost \$10,000.

The total project costs are estimated to be \$3,023,634. It is anticipated that other funding sources, such as WDNR Environmental Loan Funds, will contribute to the costs of the projects listed above. This document contains provides projections for the financial feasibility of paying for the projects with tax revenues from TID No. 7.

I would like to thank members of the Council, Plan Commission, Joint Review Board and Community Development Authority/BIDC and interested citizens who support these projects.

Respectfully submitted,

Gregory E. Buckley  
City Manager

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## BACKGROUND ON TAX INCREMENT FINANCING

The Wisconsin Legislature found that an inequitable situation existed when the cost of certain public works improvements within a municipality were paid for by the municipality, while the benefits from the expanded tax base which was stimulated by such improvements extended beyond the municipality and benefited all entities which shared the tax base. The Legislature found that municipal expenditures to support redevelopment projects and promote industrial development could be considered inequitable because the majority of the cost to promote such growth fell on the municipality, while the benefit was enjoyed by all other taxing entities who did not directly participate in financing these costs.

The Legislature created Tax Incremental Financing (TIF) to establish a viable procedure whereby a municipality, through its own initiative and efforts, could finance improvements which would support redevelopment projects and promote industrial and economic development. The Legislature declared that establishing a tax increment system was, in all respects, for the benefit of all people of Wisconsin to serve a public purpose in improving and promoting their welfare and prosperity.

When a Tax Incremental District (TID) is created, a base value is established. This base value is the aggregate value of all taxable property in the District as of the date of creation (equalized by the Department of Revenue). Any subsequent property value increase in the TID is considered "**increment**" and tax levies on this growth represent positive dollar increments which pay for the initial development costs. These tax increments are generated not only from municipal taxes, but also from the tax levies of the overlying taxing jurisdictions.

The Tax Increment Law has been developed to encourage development by allowing the municipality to recover the up-front project costs before the other taxing jurisdictions benefit from the additional taxable value created in the TID. After the project costs are paid off, the TID may be amended or is dissolved with all taxing jurisdictions sharing the added value.

It is important to note that one of the underlying assumptions of the Tax Increment Law is that without the tax incremental financing to assist in paying project costs, no development or redevelopment would take place. The effect of this would be no increase in property values in the TID area, other than normal inflationary increase on the base value of the land.

Traditionally, project costs were to be expended only **within** the boundaries of a TID because that area was the intended beneficiary of such cost expenditures. However, State Statutes regulating TIDs have been amended to allow project costs to be expended **within a one-half mile radius** of the boundaries of a redevelopment TID, recognizing that public infrastructure improvements and incentives for private investment in areas surrounding a redevelopment district are also important to that district's viability.

## PROJECT PLAN AMENDMENT PROCEDURES

Section 66.1105(4)(h)1 establishes procedures and requirements to amend a Project Plan. Those procedures and requirements will guide the preparation of this amendment.

The original Project Plan for TID No. 7 was adopted in August 2001. Amendments No. 1 and No. 2 to the original Project Plan were done in 2003 and 2012, respectively, due to changes needed to the Project Plan.

This revised Project Plan is referred to as Amendment No. 3 and is being proposed for the reasons stated in the following section.

Following a public hearing, the Plan Commission may adopt and recommend the Amendment No.3 Project Plan to the City Council for adoption. The Amended Project Plan, if adopted by the City Council, would then be forwarded to the Joint Review Board (JRB) for its action; if approved by the Joint Review Board, the Amendment No. 3 Project Plan would be filed with the Wisconsin Department of Revenue.

This Amendment No. 3 Project Plan for TID No. 7 has been developed in accordance with Wisconsin Statutes. Topical headings of this Project Plan relate to specific requirements of Section 66.1105(4)(f).

## DESCRIPTION OF DISTRICT AND STATEMENT OF FINDINGS RELATIVE TO LEGAL REQUIREMENTS OF WISCONSIN STATUTES

Amendment No 3 is not changing TID No. 7 District boundaries. Map 1 shows TID No. 7 district. The district encompass a total 11.86 acres including streets rights-of-way in area. A detailed description of the boundary is included in Appendix A.

A list of the Joint Review Board members is included in Appendix B.

Minutes of the Joint Review Board meetings are included in Appendix C.

Appendix D includes a legal opinion of Amendment No. 3 Project Plan, that the Amended Project Plan is complete and complies with Section 66.1105(4)(f) and (h). This opinion satisfies the requirement as specified in Section 66.1105(4)(f) and (h).

Appendix E includes resolutions approving this Amendment No. 3 Project Plan.

Following are statutory requirements and relevant statistical information on TID No. 7:

**Statutory requirement: Minimum 50% of TID area in need of rehabilitation or conservation work\***

- Total area within TID No. 7: 11.86 acres
- 50% of the total area of TID No. 7:  $11.8 \times 50\% = 5.93$  acres
- Percent of TID No. 7 in need of rehabilitation:  $10.68^{**} \text{ acres} / 11.86 \text{ acres} = 90\%$   
(\* 10.68 acres includes the Hamilton Home and former hospital site)

**GOALS AND PURPOSE FOR INITIAL CREATION OF TID NO. 7**

TID No. 7 was created to assist with the costs associated with the rehabilitation of former hospital site and nursing home facility. The financing for the project costs assisted with remodeling the building and related site improvements.

Amendment No. 2 for TID No. 7 assisted with infrastructure improvements on 25th Street between Lincoln Avenue and Garfield Street. That project was completed in 2010-2011.

**NEED FOR AMENDMENT No. 3**

Amendment No. 3 is needed to assist with the costs of the projects listed below. These projects have additional sources of funding including Wisconsin Department of Natural Resources Clean Water and Safe Drinking funds entire costs of these projects will not be paid for entirely out of Amendment No. 3 to TID 7. the following projects:

**1. Reconstruction of 17th Street**

The project is necessary as the sewer and water infrastructure is at or near the end of their design life and in need of replacement. The roadway is in need rehabilitation. Project cost would include engineering costs and infrastructure construction. The project would also include lead water service laterals replacements to comply with Wisconsin Department of Natural Resources safe drinking water standards. There is DNR funding assistance that will be contributing to a portion of the costs of this project. This project will enhance the 17th Street corridor and the adjacent area.

**2. Lincoln Street Reconstruction**

This project is along Lincoln Street from 22nd Street on the north to 17th Street on the South, and the depth of lots abutting Lincoln Street between 22nd and 17th. The work to be done includes sewer and water lateral replacement in the right-of-way. Also, there will be storm sewer improvements and resurfacing of the roadway.

**3. Repaving of Zlatnik Drive**

This project is for the repaving of Zlatnik Drive from 17th Street to Pierce Street.

4. Assistance with Façade Improvements

this item provides for the ability to offer grants to commercial businesses for façade improvements, in the district and within a one-half mile radius of the TID No. 7 district boundary. If there are funds available and it is financially feasible, assisting businesses with façade improvements per the criteria of the City's, Façade Improvement Program, it would be a benefit to the business and to the entire community.

5. Administration and Financial Costs Related to Amendment No. 3 Activities

These include the cost of activities to support the TID such as, but not limited to, city staff labor, public financing costs, certified public accountant fees, audit services, real property appraisals and costs to amend the Project Plan.

SUMMARY OF ESTIMATED PROJECT COSTS FOR AMENDMENT NO. 3

1. 17th Street	\$1,412,134
2. Lincoln Street	\$1,388,500
3. Zlatnik Drive	\$ 188,000
4. Façade Improvements	\$ 25,000
5. Administrative and legal costs	\$ 10,000
<b>Total</b>	<b>\$3,023,634</b>

The City reserves the right to advance certain administrative, professional services, and other project costs from available City funds and to be reimbursed by tax increments generated by the TID.

Table 1 is a financial proforma which projects future tax increment revenues and includes a schedule for annual debt reduction for project costs.

The City of Two Rivers reserves the right to issue tax incremental bonds and notes. Should conditions warrant during the life of TID No. 7, the City may elect to refinance the outstanding debt issued to pay project costs with tax incremental bonds or notes issued pursuant to Section 66.1105(9)(b), Wisconsin Statutes.

ECONOMIC FEASIBILITY ANALYSIS

The economic feasibility of financing the \$3,023,634 of additional project costs identified in this Amendment No. 3 to the Project Plan depends on the ability of the City to pay such costs from the tax revenues generated from the development in TID No. 7.

Components of Economic Feasibility

Economic feasibility is based on the ability of the City to pay estimated project costs from a combination of available funds as depicted in Table 1, the Cash Flow Proforma Analysis. That analysis assumes a constant, unchanging equalized valuation throughout the remaining life of this redevelopment TID, and constant tax rates.

Expenditures would be fully recovered by the final year of this TID’s statutory life.

Increment and Revenue Projections

Increment projections have been developed conservatively over the remaining life of the district, and assuming no increase in the aggregate local property tax rate. Accordingly, TIF revenues are projected at a constant level per year.

Debt Service Planning and Economic Feasibility

Based on the analysis on Table 1, TID No. 7 Amendment No 3 is determined to be economically feasible. The district is projected to be dissolved in the year 2028 when all project costs will have been repaid.

**City of Two Rivers**  
**Example Tax Increment District No. 7**  
Cash Flow Proforma Analysis

Assumptions	
Annual Inflation During Life of TID.....	0.00%
2021 Gross Tax Rate (per \$1000 Equalized Value).....	\$23.35
Annual Adjustment to tax rate.....	0.00%
Investment rate.....	0.25%

Data above dashed line are actual

[illegible]

Type of T1D: Rehabilitation

2001	TID Inception
2023	Final Year to Incur TIF Related Costs
2028	Maximum Legal Life of TID (27 Years)
2029	Final Tax Collection Year

Robert W. Baird & Co. Incorporated ("Baird") is not recommending any action to you. Baird is not acting as an advisor to you and does not owe you a fiduciary duty pursuant to Section 15b of the Securities Exchange Act of 1934. Baird is acting for its own interests. You should discuss the information contained herein with any and all internal or external advisors and experts you deem appropriate before acting on the information. Baird seeks to serve as an underwriter (or placement agent) on a future transaction and not as a financial advisor or municipal advisor. The primary role of an underwriter (or placement agent) is to purchase, or arrange for the placement of, securities in an arm's length commercial transaction with the issuer, and it has financial and other interests that differ from those of the issuer. The information provided is for discussion purposes only, in seeking to serve as underwriter (or placement agent). See "Important Disclosures" contained herein.

## ZONING AND BOUNDARIES

See Map No. 1 for zoning and boundaries of TID No. 7

## LOCATION OF IMPROVEMENTS

See Map No. 2 for the location of the proposed project. The projects are located within the project plan and/or the one-half mile radius of the boundaries of TID No. 7.

## EXISTING LAND USES

Map 3 identifies existing land uses in TID NO. 7.

## FUTURE LAND USES

Map 4 shows future land uses in TID NO. 7.

## MASTER PLAN, OFFICIAL MAP, BUILDING CODE, ZONING CODE AND OTHER CITY ORDINANCES

At this time, no identifiable changes in the City's Comprehensive Plan, Official Map, Building Code or other ordinances are required to accommodate the proposed development or construction activities contemplated in TID No. 7.

The City of Two Rivers reserves the right to make any necessary changes as circumstances may require. All City ordinances and code documents are readily available for inspection and are incorporated in this document by reference.

## STATEMENT OF NO RELOCATION REQUIRED

No relocation of families, individuals or business operations are necessary because of activities occurring within TID No. 7.

## NON-PROJECT COSTS

This Project Plan does not include any non-project costs.

## ADDITIONAL PROJECT COSTS AND POSSIBLE BOUNDARY AMENDMENT(S)

The City of Two Rivers reserves the right, in accordance with Section 66.1105(4)(h) and 66.1105(5)(c), to amend this original Project Plan to include additional projects and project costs which are not anticipated at this time. Boundary amendments may also be made in accord with applicable state statute provisions.

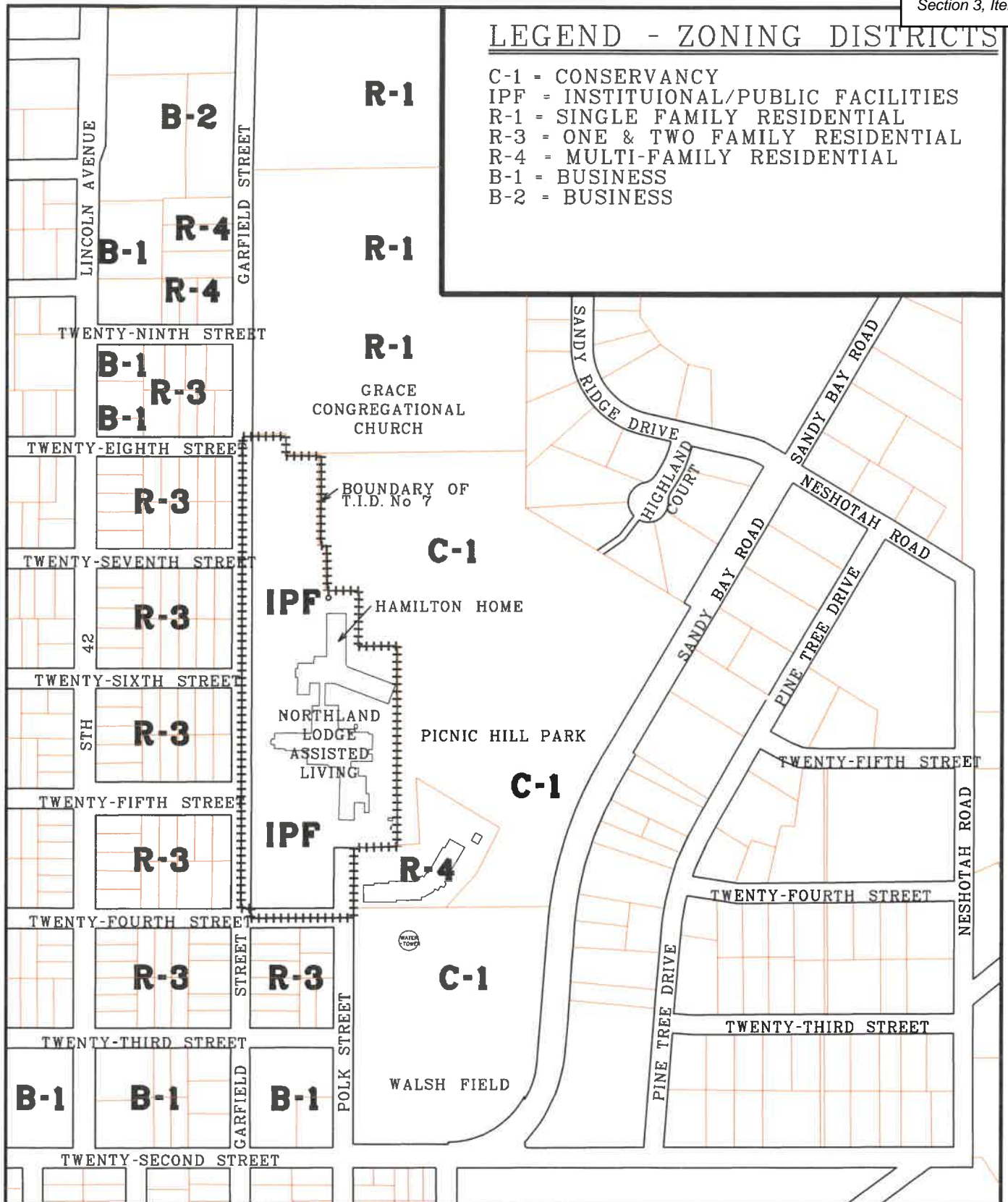
## CONCLUSIONS AND RECOMMENDATIONS

Based on the evaluation and facts contained in this amended Project Plan, the following conclusions and recommendations are made:

- In addition to providing capital necessary for the initial redevelopment of the former hospital TID No. 7 makes it financially feasible to amend the TID for the additional infrastructure projects included in this plan.
- Based upon the above conclusions, it is recommended that this Amended Project Plan for TID No. 7 be adopted in accordance with the applicable statutes by formal resolution of the City of Two Rivers Plan Commission and City Council.

# LEGEND - ZONING DISTRICTS

C-1 = CONSERVANCY  
IPF = INSTITUTIONAL/PUBLIC FACILITIES  
R-1 = SINGLE FAMILY RESIDENTIAL  
R-3 = ONE & TWO FAMILY RESIDENTIAL  
R-4 = MULTI-FAMILY RESIDENTIAL  
B-1 = BUSINESS  
B-2 = BUSINESS



## ZONING & BOUNDARIES OF T.I.D. No. 7 AMENDMENT No. 3



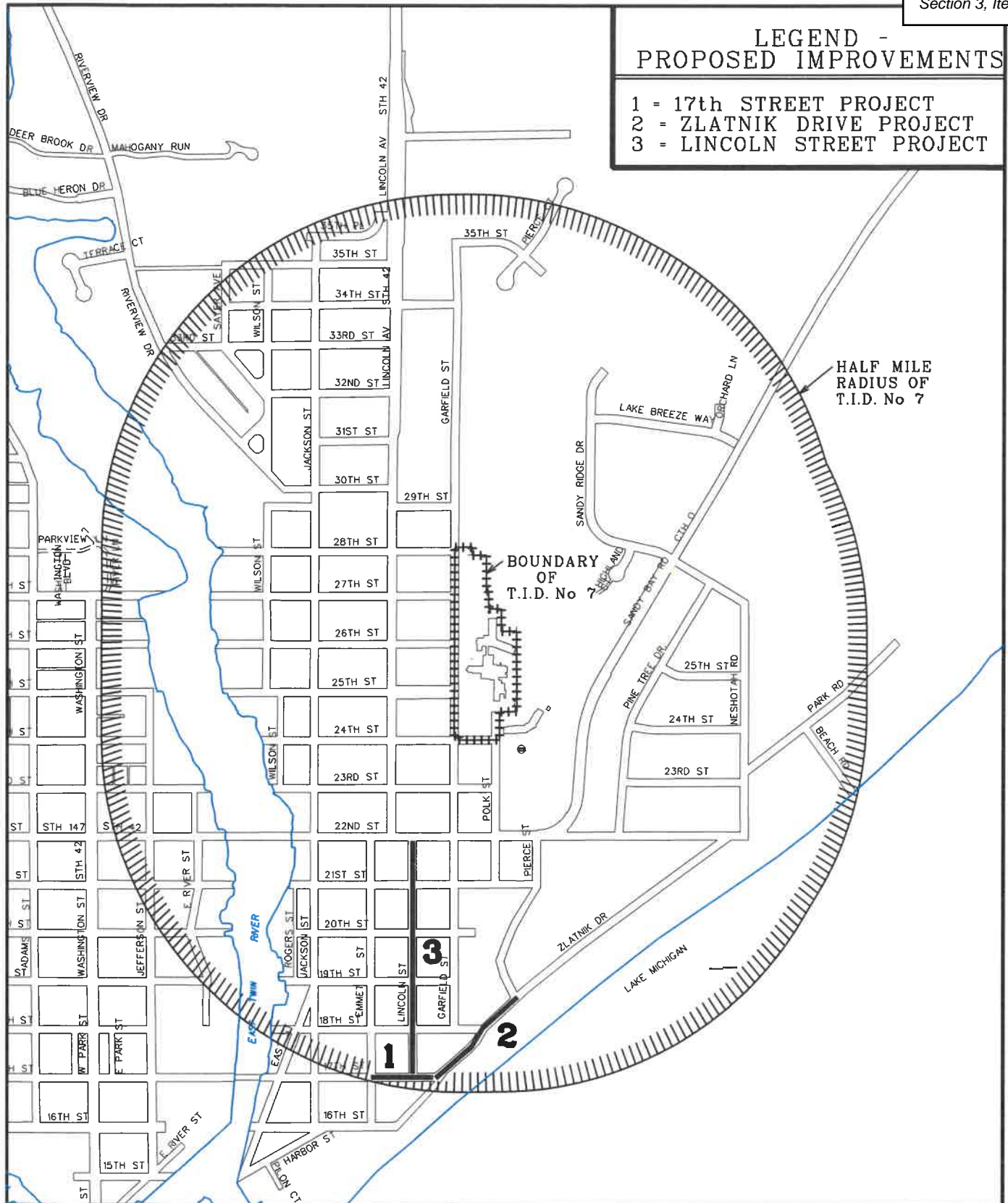
MAP No. 1  
T.I.D. No. 7  
1" = 400'

# LEGEND - PROPOSED IMPROVEMENTS

- 1 = 17th STREET PROJECT
- 2 = ZLATNIK DRIVE PROJECT
- 3 = LINCOLN STREET PROJECT

HALF MILE  
RADIUS OF  
T.I.D. No 7

BOUNDARY  
OF  
T.I.D. No 7



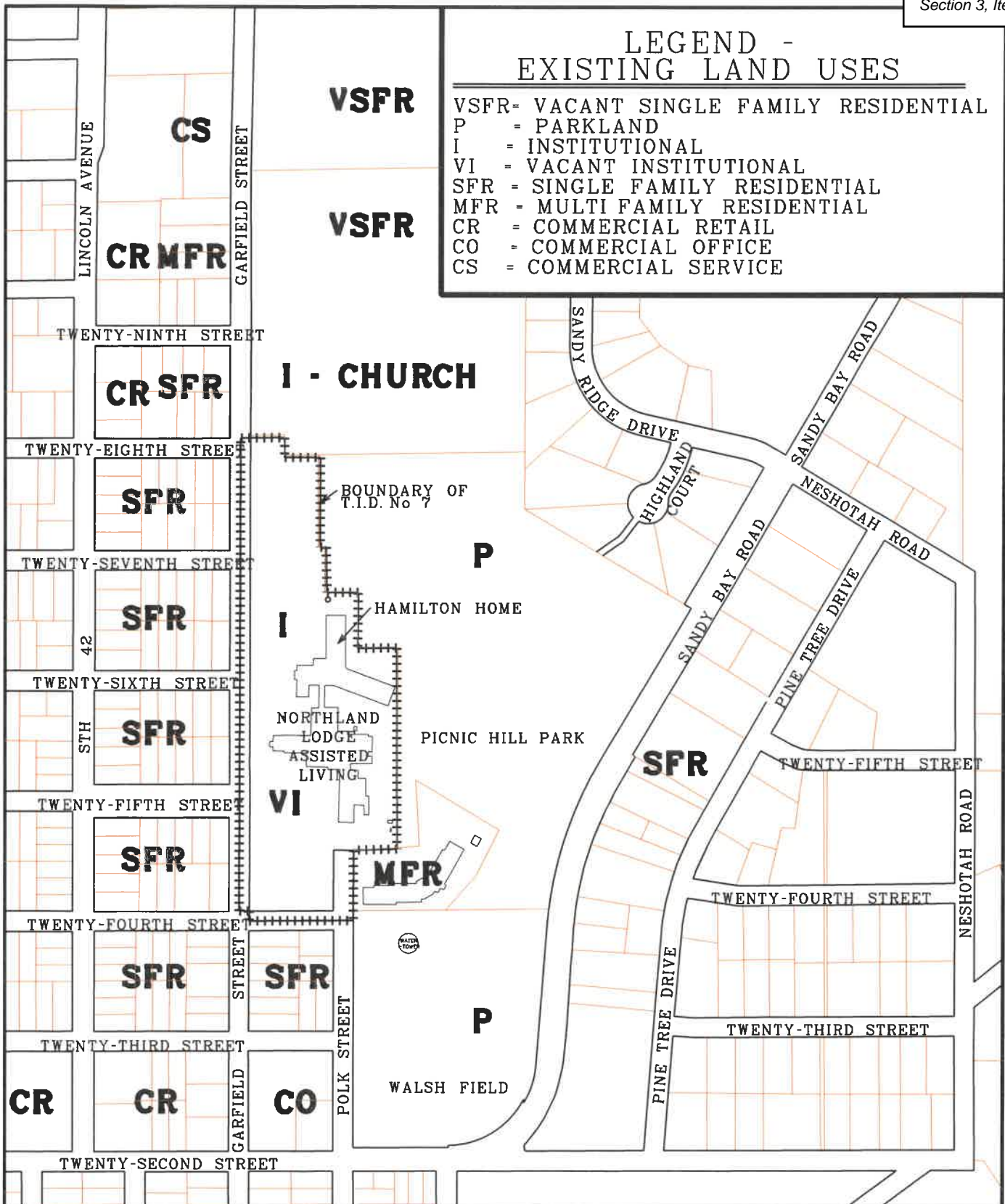
## PROPOSED MUNICIPAL IMPROVEMENTS IN T.I.D. No. 7 AMENDMENT No.3



MAP No. 2  
T.I.D. No. 7  
1"=1000'

# LEGEND - EXISTING LAND USES

VSFR - VACANT SINGLE FAMILY RESIDENTIAL  
P = PARKLAND  
I = INSTITUTIONAL  
VI = VACANT INSTITUTIONAL  
SFR = SINGLE FAMILY RESIDENTIAL  
MFR = MULTI FAMILY RESIDENTIAL  
CR = COMMERCIAL RETAIL  
CO = COMMERCIAL OFFICE  
CS = COMMERCIAL SERVICE



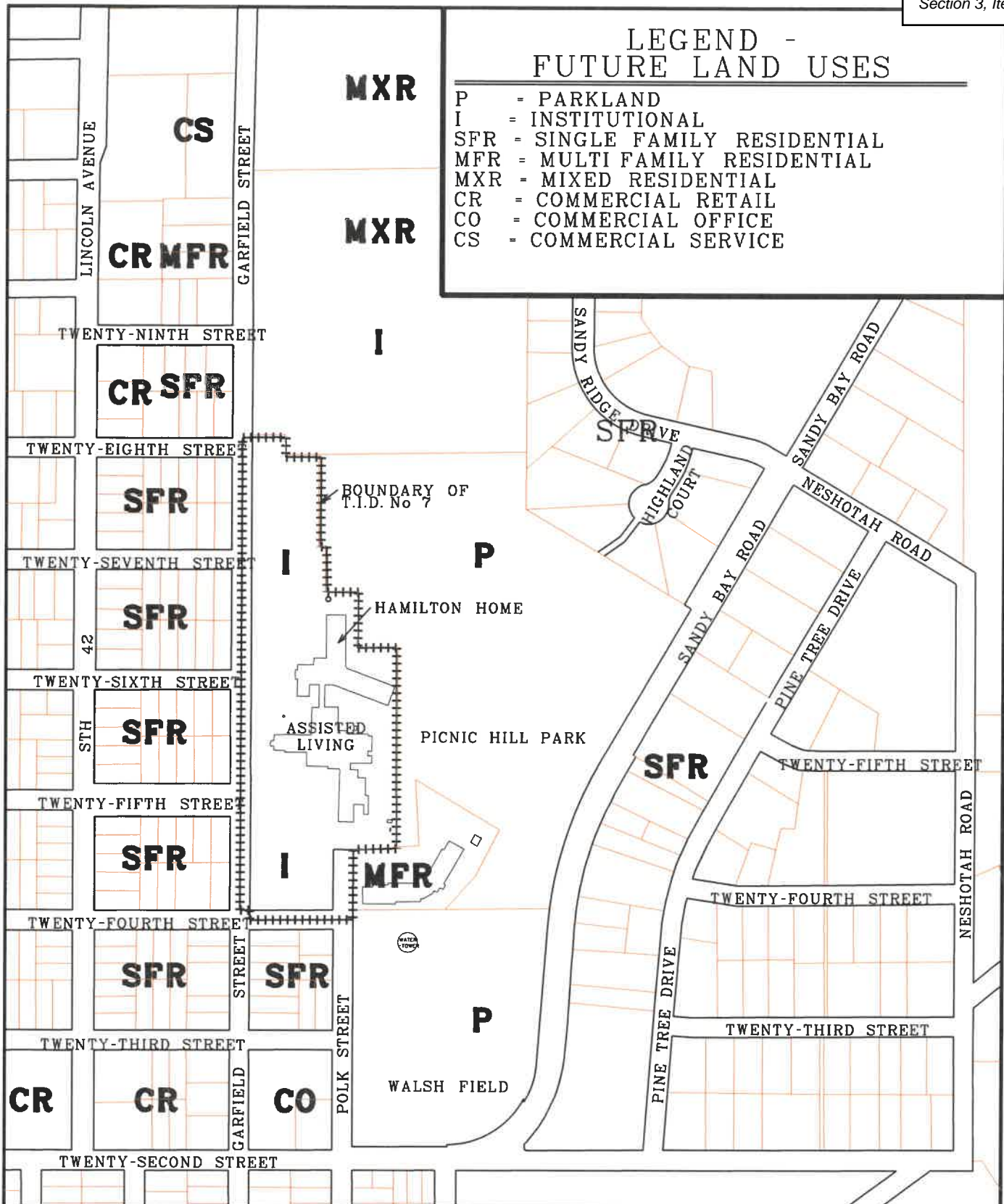
## EXISTING LAND USES IN T.I.D. No. 7 AMENDMENT No. 3



MAP No. 3  
T.I.D. No. 7  
1" = 400'

# LEGEND - FUTURE LAND USES

P = PARKLAND  
I = INSTITUTIONAL  
SFR = SINGLE FAMILY RESIDENTIAL  
MFR = MULTI FAMILY RESIDENTIAL  
MXR = MIXED RESIDENTIAL  
CR = COMMERCIAL RETAIL  
CO = COMMERCIAL OFFICE  
CS = COMMERCIAL SERVICE



## FUTURE LAND USES IN T.I.D. No. 7 AMENDMENT No. 3



MAP No. 4  
T.I.D. No. 7  
1" = 400'

# LEGEND

▤ HALF MILE RADIUS  
OF T.I.D. 7

+++++ BOUNDARY OF T.I.D. 7

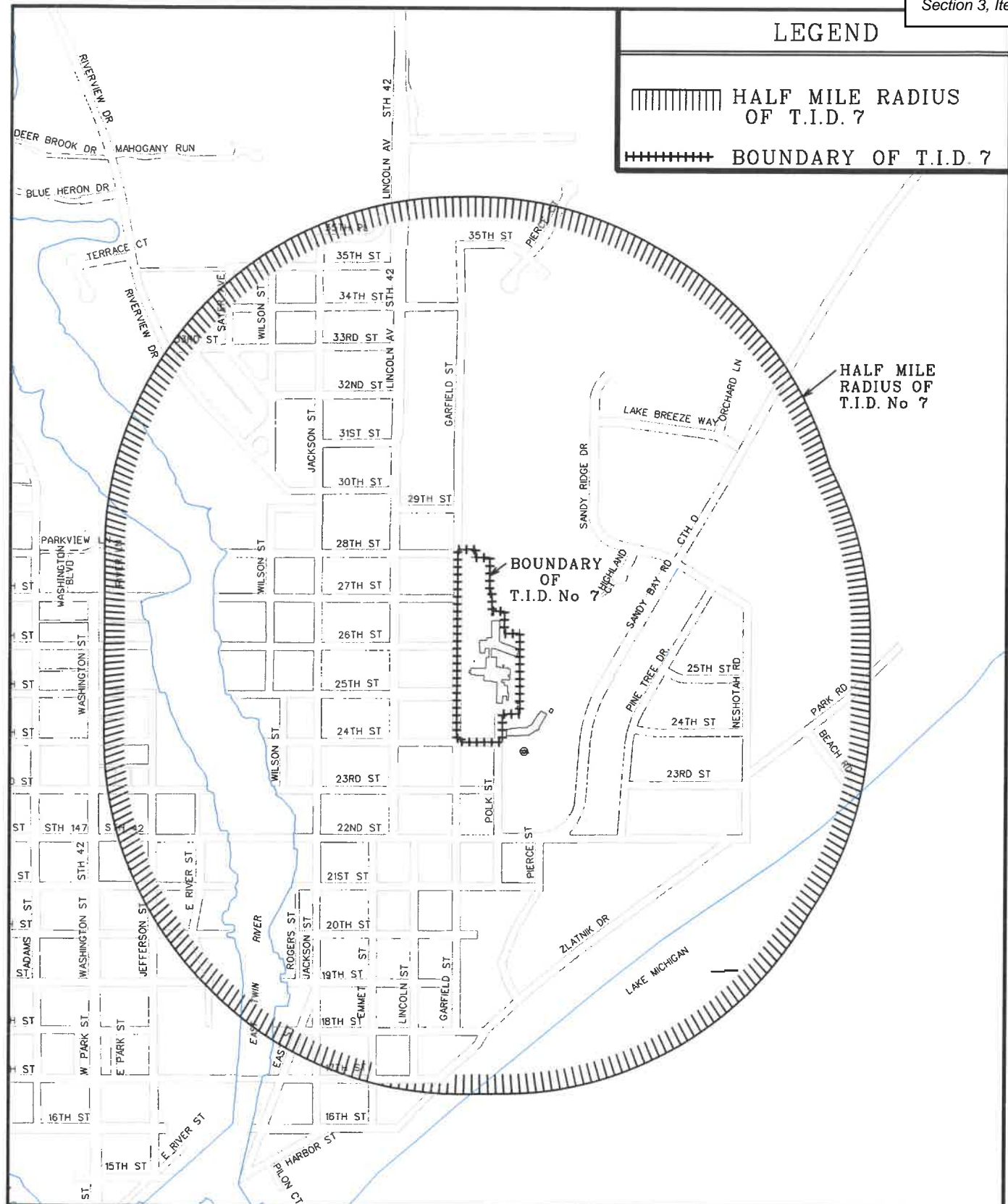
HALF MILE  
RADIUS OF  
T.I.D. No 7

BOUNDARY  
OF  
T.I.D. No 7

HALF MILE RADIUS  
OF T.I.D. No. 7  
AMENDMENT No.3



MAP No. 5  
T.I.D. No. 7  
1"=1000'



**APPENDIX A****DESCRIPTION OF THE BOUNDARY OF TID NO. 7  
CITY OF TWO RIVERS, WISCONSIN**

A tract of land located in the Northwest 1/4 of the Southwest 1/4 and in the Southwest 1/4 of the Southwest 1/4 of Section 31, Township 20 North, Range 25 East, including Block "K" of Picnic Hill Addition, Second Portion, City of Two Rivers, Manitowoc County, Wisconsin, described as follows:

Commencing at the Southwest corner of said Block "K" of Picnic Hill Addition, Second Portion, in the City of Two Rivers, Wisconsin, said point being the point of beginning; thence S.89E27'00"W., 30.0 feet to the centerline of Garfield Street; thence N.00E16'00"W., 1,415.00 feet; thence N.88E43'30"E., 130 feet; thence S.00E16'00"E., 60.00 feet; thence N.88E43'30"E., 100.00 feet; thence S.00E16'00"E., 268.15 feet; thence N.89E27'00"E., 20.24 feet; thence S.00E16'00"E., 135.00 feet; thence N.89E27'00"E., 99.76 feet; thence S.00E16'00"E., 166.00 feet; thence N.89E27'00"E., 120.00 feet; thence S.00E16'00"E., 600.00 feet; thence S.86E03'20"W., (recorded as S.86E19'20"W.), 130.26 feet; thence S.00E16'00"E., 210.68 feet to the centerline of 24th Street; thence S.89E27'00"W., 310.00 feet; thence N.00E16'00"W., 30.00 feet to the point of beginning.

Said TID No. 7 boundary contains 516,869 square feet or 11.86 acres of land, more or less.

## APPENDIX B

### **Notice of Public Hearing List of Governmental Entities Levying Taxes in TID No. 7 Membership of the Joint Review Board**

DRAFT

**CITY OF TWO RIVERS****NOTICE OF PUBLIC HEARING REGARDING  
PROPOSED AMENDMENT NO. 3 TO THE PROJECT PLAN  
FOR TAX INCREMENTAL DISTRICT NO. 7**

NOTICE IS HEREBY GIVEN that on Monday, April 11, 2022, at 5:30 p.m., a public hearing will be held before the Plan Commission of the City of Two Rivers, Wisconsin in the Council Chambers at City Hall, 1717 East Park Street, Two Rivers, Wisconsin regarding amending the Project Plan for Tax Incremental District No. 7 (TID No. 7).

TID No. 7 is generally located along the frontage of Garfield Street between the blocks of 24th Street north to 28th Street within the City's limits. It was created in 2001 to provide for the redevelopment of the former Two Rivers Community Hospital site. It was amended in 2003 and again in 2012.

The proposed Amendment 3 will amend the project plan for the projects described below:

- The reconstruction of 17th Street including the replacement of aging sewer and water facilities in 17th Street estimated to cost \$1,412,134.
- The repaving of Zlatnik Drive estimated to cost \$188,000.
- The resurfacing and replacement of aging sewer and water facilities in Lincoln Street from 17th Street to 22nd Street estimated to cost \$1,388,500.
- Façade improvements for retail and commercial buildings: \$25,000.
- Administrative, planning and legal costs are estimated to cost \$10,000.

The total project costs to be included in Amendment No. 3 is estimated to be \$3,023,634. It is anticipated that other funding sources, such as WDNR Environmental Loan Funds, will contribute to the costs of the projects listed above.

The proposed costs include projects within the TID boundary and within a one-half mile radius of the boundary of the District.

A copy of the Amended Project Plan for TID No. 7 is available for review at the City Manager's office in City Hall or will be provided upon request.

At the public hearing, all persons will be afforded a reasonable opportunity to be heard regarding amending the proposed Project Plan for TID No. 7.

Tentatively, Amendment No. 3 to TID No. 7 could occur in April 2022 after review and approval by the Two Rivers City Council and an approval action by a Joint Review Board consisting of representative members of all affected taxing jurisdictions and a public member.

Dated March 22, 2022

(signed) Jamie Jackson, City Clerk

(signed) Vicky Berg, Zoning Administrator

Published on April 4, 2022

**PUBLISHED BY AUTHORITY OF THE PLAN COMMISSION  
OF THE CITY OF TWO RIVERS, WISCONSIN**

**LIST OF GOVERNMENT ENTITIES WHICH  
MAY LEVY TAXES ON PROPERTY WITHIN  
PROPOSED TID NO. 7  
IN THE CITY OF TWO RIVERS**

- Manitowoc County
- The Two Rivers School District
- Lakeshore Technical College
- City of Two Rivers

**MEMBERSHIP OF THE JOINT REVIEW BOARD**

- Manitowoc County Representative: J.J. Gutman
- Two Rivers School District Representative: Mary Kay Slattery
- Lakeshore Technical College Representative: John Lukas
- City of Two Rivers Representative: Dave Buss
- Public Member: Donald Karman

**APPENDIX C**

**OFFICIAL MINUTES OF JOINT REVIEW BOARD**

DRAFT

**CITY OF TWO RIVERS**  
**NOTICE OF ORGANIZATIONAL MEETING**  
**OF THE JOINT REVIEW BOARD**  
**RELATED TO PROPOSED AMENDMENT NO. 3 FOR TID NO. 7**

NOTICE IS HEREBY GIVEN that on Tuesday, April 5, 2022, at 3:30 PM, a meeting will be held by the Joint Review Board (JRB) of the City of Two Rivers, Wisconsin in the Council Chambers, Third Floor City Hall, 1717 East Park Street, Two Rivers. The purpose of this meeting is for the JRB to review the proposed Project Plan Amendment No. 3.

The proposed Amendment No. 3 for Tax Increment District No. 7 includes assistance for street and infrastructure improvements for 17th Street, Zlatnik Drive and Lincoln Street, façade improvements for retail and commercial buildings, administrative, planning and legal costs. These projects are estimated to be approximately \$3,023,634. It is anticipated that other funding sources, such as WDNR Environmental Loan Funds, will contribute to the project cost listed above.

Amendment No. 3 for Tax Incremental District No. 7 include projects within the TID boundary and within a one-half mile radius of the District pursuant to Wisconsin State Statutes as identified in the project plan amendment.

A copy of the above described proposals is available upon request from the City Manager's office.

Approval of Amendment No. 3 for TID No. 7 could occur in April 2022 after a public hearing by the Plan Commission, review and approval by the City Council and an approval action by the Joint Review Board consisting of representative members of all affected taxing jurisdictions and a public member.

Dated March 23, 2022

(signed) Jamie Jackson, City Clerk  
(signed) Vicky Berg, Zoning Administrator

Published on March 29, 2022

**PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL  
OF THE CITY OF TWO RIVERS, WISCONSIN**

## APPENDIX D

### ATTORNEY'S OPINION

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## APPENDIX E

### RESOLUTIONS APPROVING AMENDMENT NO. 3 TO THE PROJECT PLAN FOR TID NO. 7

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## RESOLUTION

### Approving Amendment No. 3 to the Project Plan For Tax Incremental District No. 7 City of Two Rivers, Wisconsin

**WHEREAS**, the Plan Commission of the City of Two Rivers, Wisconsin (the "City") created Tax Incremental District No. 7 for the purpose of assisting in financing the rehabilitation and redevelopment of underutilized properties in the City and adopted a Project Plan for the District in August 2001 which was amended in August 2003 and again in February 2012; and

**WHEREAS**, the initial and amended Project Plans for Tax Incremental District No. 7 provided financing mechanisms that resulted in a substantial private investment; and

**WHEREAS**, the tax revenues available from the subject property provide the financial feasibility to further amend the Project Plan for Tax Incremental District No. 7 to address infrastructure improvements both in Tax Incremental District No. 7 Project Plan boundaries and within a one-half mile area; and

**WHEREAS**, the initial Project Plan for TID No. 7 does not contain any project costs for public infrastructure improvements located within a one-half mile radius of the boundary of TID No. 7; and

**WHEREAS**, the proposed amendment to the Project Plan for TID No. 7 will not change the boundaries of TID No. 7; and

**WHEREAS**, the Plan Commission held a public hearing at which time interested parties were able to express their views on proposed Amendment No. 3 to the Project Plan for Tax Incremental District No. 7 to provide a portion of the financing for street and infrastructure improvements for 17th Street, Zlatnik Drive and Lincoln Street; to offer grants for facade improvements to retail and commercial buildings and related administration and financing costs; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Plan Commission finds as follows with respect to Amendment No. 3 to the Project Plan for Tax Incremental District No. 7:

1. That the Amended Project Plan is feasible;
2. That the amendment is in conformity with the City's adopted Comprehensive Plan;
3. The Amended Project Plan will promote the orderly development of the City because it will provide funds to assist with needed infrastructure improvements
4. The equalized value of the taxable property in TID No. 12, as amended, plus the value increment of all existing tax incremental districts in the City does not exceed 12% of the total equalized value of property within the City.

**BE IT FURTHER RESOLVED** that Amendment No. 3 to the Project Plan for Tax Incremental District No. 7, dated April 2022, is hereby adopted and recommended to the City Council for adoption subject to any revisions required by legal counsel.

Passed and adopted this 11th day of April, 2022.

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Plan Commissioner

## Licensing of Short-Term Rentals

**SECTION 1.** Section XX-X-XX of the Municipal Code of the City of Two Rivers is hereby created to read as follows:

### Licensing of Short-Term Rentals

1. Definitions.

A. The following definitions apply unless specifically modified:

1. CITY CLERK — The City Clerk of the City of Two Rivers or their designee.
2. CORPORATE ENTITY — A corporation, partnership, limited liability company, or sole proprietorship licensed to conduct business in this state.
3. RESIDENTIAL DWELLING UNIT — One or more rooms with provisions for living, cooking, sanitary, and sleeping facilities and a bathroom arranged for exclusive use by one person or one family. Residential Dwelling Units include any residential dwelling, tourist rooming house licensed by Manitowoc County, seasonal employee housing and dormitory units.
4. LICENSE — The Short-Term Rental License issued after an application for a license is submitted and approved following the process in § X-XX-X.
5. OWNER — The person owning a short-term rental property.
6. PERSON — Shall include a corporation, firm, partnership, association, organization, and any other group acting as a unit as well as individuals, including a personal representative, receiver or other representative appointed according to law. Whenever the word person is used in any section of this code prescribing a penalty or fine, as to partnerships or associations, the word shall include the partners or members hereof, and as to corporations, shall include the officers, agents or members thereof who are responsible for any violation of such section.
7. Property Manager — Any person that is not the property owner and is appointed to act as agent and/or provides property management services to one or more short-term rentals.
8. Short-Term Rental — A residential dwelling unit that is offered for rent for a fee for fewer than 30 consecutive days, as defined in Wis. Stats. § 66.0615(1)(dk).

9. State — The State of Wisconsin Department of Health or its designee.

2. Application for a Short-Term Rental License

No person shall maintain, manage or operate a Short-Term Rental more than ten nights a year without a license issued by the City of Two Rivers pursuant to this section.

Applications for a license shall follow the following procedures:

- A. All applications for a license shall be filed with the City Clerk on forms provided. Applications must be signed by the property owner and, if applicable, the authorized property manager(s). The property owner's contact information including mailing address, physical address, email address and 24-hour phone number shall be provided. No permit shall be issued unless the completed application is accompanied by payment of the required fee.
  - B. The City Clerk shall issue a license to applicants following payment of the required fee, receipt of all completed documentation and information requested in the application. If the City Clerk, in consultation with the City Manager, shall determine if the application meets the requirements of this ordinance, the City Clerk may approve the application. If the City Clerk, in consultation with the City Manager, determines that the application does not meet the requirements of this section, the City Clerk may deny the application.
  - C. Licenses will only be issued if the applicant provides a copy of a completed Manitowoc County Tourist Rooming House License with a copy of the property inspection report dated within one year of the date of filing the application with the City Clerk.
3. Property Manager Required **if property owned will not be available to short term renters.**
- A. Property Manager. No person may act as a property manager for a short-term rental without a Property Manager Permit issued in accordance with this section.
  - B. Property Manager Qualifications. **The property manager shall be accessible 24 hours a day.** {and must reside in or **within 25** miles of the City of Two Rivers or other legal entity with offices located within **25 miles** of the City of Two Rivers.}
  - C. Each property manager shall be authorized by the property owner to act as the agent for the owner to provide or facilitate services to the short-term rental property, in the event of an emergency, for the receipt of notice of ordinance violation(s), and shall be authorized by the owner to allow City employees, officers, and their designees, to enter the owner's property for purposes of inspection and enforcement of this ordinance and/or any other City ordinance.
5. License Renewal.
- A. The license shall be effective for one year and may be renewed for additional one-year periods. The annual license term is from January 1 to December 31 of each year. A fully completed renewal application and renewal fee must be filed with the City Clerk if the short-term rental will be continued. The renewal

application shall contain any updated information since the filling of the original application. Licenses shall lapse upon a change in ownership.

- B. No license shall be renewed if the applicant or property has outstanding fees, taxes or forfeitures owed to the City unless arrangements for payment have been approved by the City Clerk. Also, the license shall not be renewed if the applicant or property is under an order issued by the Building Inspector or Zoning Administrator to bring the premises into compliance with City ordinances.
  - C. A license may be suspended, revoked, or not renewed following a due process hearing of the City Council if the Council determines that the licensee: (a) fails to comply with any of the requirements of this section; (b) owner(s) or renter(s) have been convicted of engaging in illegal activity while on the licensed premises on two or more separate occasions within the past 12 months; or (c) has outstanding fees, taxes, or forfeitures owed to the City.
6. Each short-term rental shall comply with all of the following:
- A. The noise levels shall comply § 9-2-5.
  - B. Signage advertising the short-term rental is not permitted. Off-site advertising in media channels relating to the availability of the rental may take place only after the City and County licenses have been obtained.
  - C. No recreational vehicles (RVs), campers, tents, or other temporary lodging arrangements shall be permitted on any residential dwelling unit site as a means of providing additional accommodations for paying guests or other invitees.
  - D. Activities at the premises shall not become a public nuisance. All activities conducted shall comply with Chapter 9-6.
  - E. All short-term rentals shall be subject to payment of the City of Two Rivers room tax at the applicable rate. Property owners or property managers holding the license are responsible for complying with all room tax requirements as set forth in Chapter 6-11.
  - F. Compliance with all applicable state, county, and local codes, laws and regulations is required.
  - G. Proof of an inspection completed by the Manitowoc County Health Department is required prior to the initial issuance of City's Short-Term Rental license.
  - H. The property owner's or property manager's contact information shall be on file with the City Clerk at the time of application. The property owner or property manager must be available 24 hours a day and must respond within 24 hours in the case of an emergency. The property owner must notify the City within 24 hours of a change in management contact information for the short-term rental.
  - I. Short-term rental licenses are issued for a one-year (January 1 to December 31) period and shall be renewed annually.

- J. Each short-term rental shall maintain a written register. The register shall contain the full name and current address of any person renting the property, the rental term, and the monetary amount or consideration paid. A copy of the register shall be available if requested by the City. The required room tax payments shall be filed as required by Chapter 6-11.
7. Standards for Short-Term Rentals. Each short-term rental shall comply with the following minimum requirements:
- A. Vehicle parking shall be on a paved or gravel surface in accord with Chapter 8-2. A safe, unobstructed means of egress from the dwelling leading to safe, open space at ground level shall be provided.
  - B. Shall have functional smoke detectors and carbon monoxide detectors in accordance with the requirements of Chapter SPS 321 of the Wisconsin Administrative Code.
  - C. Shall not have an accessible wood burning fireplace unless the property owner provides a certificate from a properly licensed inspector, dated no more than 30 days prior to submission of the license application or renewal, certifying that the fireplace and chimney have been inspected and comply with the National Fire Prevention Association Fire Code Chapter 211 Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances.
  - D. Shall not have a hibachi, gas-fired grill, charcoal grill, or other similar devices used for cooking or any other purpose on any balcony, deck or under any overhanging structure or within ten feet of any structure.
  - E. Outdoor cooking and heating devices shall be used in accordance with § 3-1-3.
  - F. All property owners shall carry casualty and liability insurance issued by an insurance company authorized to do business in this state by the Wisconsin Office of the Commissioner of Insurance, with liability limits of not less than \$300,000.00 per individual occurrence and not less than \$1,000,000.00 in the aggregate.
8. Procedure to Appeal a License Denial or Permit Revocation
- A. The denial of any license or permit application or renewal under this section may be appealed by filing a written appeal request with the City Clerk within ten days of the City's notice of denial. The appeal shall be heard by the City Council. The City Council shall consider the application or renewal and recommendations and may approve or deny the application or renewal.
  - B. A license or permit may be revoked by the City Council for one or more of the following reasons:
    - 1. Failure to make payment on taxes or debt owed to the City.
    - 2. Failure to make payment on any City of Two Rivers room tax.

3. Two or more calls in any 12-month period for police department services, fire department services, building code violations, nuisance activities or other ordinance violations as defined in Chapter 9-6.
4. Failure to comply with City building inspection requirements that may occur on an as needed basis.
5. Failure to maintain all required local, county, and state licensing requirements.
6. Failure to comply with any applicable zoning regulations as described in Chapter 10.
7. Any violation of local, county or state laws that harm or adversely impact the predominantly residential uses and nature of the surrounding neighborhood.

9. Penalties

- A. Any person that violates any provisions of this section shall be subject to license revocation. Appeals shall be handled by the process identified per § XX-X-XX.
- B. Penalties set forth in the section shall be in accordance with the bond schedule as identified in § X-XX-X.

10. Fees (to be placed in § 1-2-1 by separate ordinance) TBD:

Initial Short Term Rental Application	Examples:	\$100,\$150	.....
Renewal of Short Term -Rental License		\$75	.....
Late Fee		\$100	.....
Property Manager Permit Application Fee (If Applicable)			.....

and to renumber subsequent sections as appropriate.

**SECTION 2.** This ordinance shall take effect and be in force from and after its date of passage and publication of same.