

**CITY OF TWO RIVERS  
COUNCIL PROCEEDINGS  
REGULAR MEETING  
Tuesday, September 8, 2020 – 6:00 PM  
Council Chambers – City Hall  
MINUTES**

---

NOTE: TO BETTER ACCOMMODATE PUBLIC INPUT DURING THE GOVERNOR'S EMERGENCY MASK ORDER, CITIZENS MAY CALL 920-793-5534 WHEN THE COUNCIL PRESIDENT REQUESTS PUBLIC INPUT (MEETING CAN BE VIEWED ON CITY WEBSITE, WWW.TWO-RIVERS.ORG, ON TWO RIVERS CITY HALL FACE BOOK PAGE OR SPECTRUM TWO RIVERS CABLE CHANNEL 993)

1. **CALL TO ORDER** by President Curt Andrews at 6:00 PM.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL BY CITY CLERK**

Attendee Name	Title	Status	Arrived
Adam Wachowski	Councilmember	Present	
Bill LeClair	Councilmember	Present	
Bonnie Shimulunas	Councilmember	Present	6:20 PM
Curt Andrews	President	Present	
Darla LeClair	Vice-President	Present	
Jack Powalisz	Councilmember	Present	
Jay Remiker	Councilmember	Present	
John Casavant	Councilmember	Present	
Mark Bittner	Councilmember	Present	

Also present were Jim McDonald, Public Works Director; Steve Denzien, Fire Chief; Brian Delleman, Asst. Electric Director; Brian Kohlmeier, Police Chief; Ross Blaha, Water Director; Elizabeth Runge, Economic Development Director/City Planner; Dave Dassey, City Information Technology; Jack Bruce, City Attorney and Greg Buckley, City Manager.

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

Motion to allow Councilmember Wachowski to participate remotely by phone.

<b>RESULT:</b>	<b>APPROVED VOICE VOTE [UNANIMOUS]</b>
<b>MOVER:</b>	Jack Powalisz, Councilmember
<b>SECONDER:</b>	Mark Bittner, Councilmember
<b>AYES:</b>	Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner

5. **PUBLIC HEARINGS**

- A. **2020-176** Conditional Use Permit for Development of 0.18 Acres of Land Adjacent to Lot 16, Block 2, in Sandy Bay Highlands Subdivision No. 2 as a Conservation Subdivision in the R-1 Single Family Zoning District

Recommended Action:

Motion to waive reading and approve the Resolution authorizing Conditional Use Permit  
President Andrews opened the first call, no one addressed the Council.

On the second and third calls, no one addressed the Council. President Andrews closed the hearing.

<b>RESULT:</b>	<b>APPROVED WITH ROLL CALL [UNANIMOUS]</b>
<b>MOVER:</b>	Adam Wachowski, Councilmember
<b>SECONDER:</b>	Jack Powalisz, Councilmember
<b>AYES:</b>	Adam Wachowski, Bill LeClair, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner
<b>ABSENT:</b>	Bonnie Shimulunas

- B. **2020-177** Ordinance to Amend Municipal Code Section 10-1-28(a)(1), Entitled Principal Permit Uses, to Change "Restaurant with No Outdoor Seating" to "Restaurant" and to Repeal Section 10-1-28(a)(2), Entitled Conditional Uses, to Eliminate Restaurants with Outdoor Seating in the Waterfront Business District (WFB) in the City

Recommended Action:

Motion to waive reading and adopt the Ordinance

President Andrews opened the first call, no one addressed the Council.

On the second and third calls, no one addressed the Council. President Andrews closed the hearing.

<b>RESULT:</b>	<b>APPROVED WITH ROLL CALL [UNANIMOUS]</b>
<b>MOVER:</b>	Darla LeClair, Vice-President
<b>SECONDER:</b>	Bill LeClair, Councilmember
<b>AYES:</b>	Adam Wachowski, Bill LeClair, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner
<b>ABSENT:</b>	Bonnie Shimulunas

- C. Zoning Code Text Amendment to Repeal and Recreate the City's Floodplain Ordinance

Recommended Action:

Motion to table ordinance and schedule a public hearing to the October 19 meeting

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>	<b>Next: 10/19/2020 6:00 PM</b>
<b>MOVER:</b>	Jay Remiker, Councilmember	
<b>SECONDER:</b>	Mark Bittner, Councilmember	
<b>AYES:</b>	Adam Wachowski, Bill LeClair, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner	
<b>ABSENT:</b>	Bonnie Shimulunas	

## 6. INPUT FROM THE PUBLIC

In light of the large number of people in attendance, Council President Andrews asked that each speaker limit his/her comments to no more than three minutes. He added that Council Vice President LeClair would be assisting him as timekeeper, and would advise when speakers were approaching three minutes

Neal Jacquart, 1409 25th Street, addressed the Council stating he does not see huge issues with proposed changes to the Beer Garden Ordinance. The distance change to 20' might affect businesses and the amplified music to 9 PM is fine. He also stated that allowing individuals to use beer garden as a smoking area after 11 PM is being over thought.

Gordon Wilker, 1717 14th Street, addressed the Council regarding the beer garden ordinance. He recommended keeping the ordinance as is; he is not in favor of any of the changes.

Katherine Dahlke, 3727 Adams Street, asked about the Branding & Marketing meetings and the launch of new logo with a budget exceeding \$70,000. She stated the City is losing residents and businesses and she has tracked Face book 664 individual comments where 662 were Two Rivers residents with 98.5% were against the new logo. She asked if such feedback matters, and requested a town hall meeting on the matter of the logo and branding.

Jeff Dahlke, 3727 Adams Street, addressed the Council, stating that it is ok to be wrong with the logo but also stating that Council members are too arrogant to listen to 98.5% of the people. He asked Mr. Buckley for his resignation.

Emily Rysticken, 1405 Terrace Court, stated Face book always has complainers and the new logo did have likes. She asked citizens to voice positive viewpoint and not negative.

Gina Krahn, 3121 Adams Street stated that she had participated in the Branding and Marketing meetings and the surveys for over a year with a lot of opportunities for participation in branding. She also spoke of her family's recent decision to move to Two Rivers and stated that Two Rivers is a great place to live. She added that she appreciates the effort of all what was done with the branding project.

Jeff Dahlke, 3727 Adams Street, addressed a concern from a property owner at Mahogany Run condos who lives near the former gold course and has to deal with long grass now growing in the area that is being converted to an arboretum. He questioned whether nearby properties need to be reassessed, in light of the negative impact on property values that conversion of the golf course to a nature preserve/arboretum might have.

Kate Gadd, 2401 Jefferson Street, addressed the branding efforts, she noted that she did attend meetings and the public was invited to the meetings.

Don Schweiger, 1612 Deerbrook Drive addressed the Council by phone stating he is the caretaker for the arboretum, mows the grass and is very conscientious of the neighbors. He stated the arboretum is a very nice project and is willing to meet with anyone that has concerns.

Mark Grams, 1908 Garfield Street expressed both logos are nice and would like

communication as to where the new logo is going to be used.

Randy Ammerman, 2005 25th Street, former Two Rivers Police Chief, addressed his involvement with the existing logo, when he introduced it as a new logo for use on police shoulder patches and on patrol cars, back in 1995. He noted that the current logo was designed by an area artist for the Two Rivers Business Association, and that he, at the time a Police Captain, got permission from the TRBA to make use of the logo. He added that, prior to 1995, the logo for the Police Department was a keystone, designed by Richard Allie. He added that each of those logos was in use for over 20 years, but sometimes change is in order.

## **7. COUNCIL COMMUNICATIONS**

### **Letters and other communications from citizens**

Councilmember Wachowski stated that the Council President allowed Randy Ammerman to speak more than three minutes during the Input from the Public.

Mr. Wachowski stated he received a call regarding the public removing sand from the beach. He suggested removing a "frequently asked question" taking sand off of the beach from the City's website under Parks and Recreation. Mr. Buckley stated that he would follow up on this matter.

Council Vice-President D. LeClair stated a concern with the change in a polling location that will be addressed later in the agenda. She also received a concern on when will the Lester Public Library open again?

Councilmember Powalisz stated that he received a call regarding parking on both sides of the street on Zlatnik Drive in the area of the new beach and that the Public Works Committee should look at limiting parking to one side of street in this area.

Councilmember Remiker stated he received concerns on the new logo and on various locations where garbage and household items have been left on the curb for a while.

Councilmember Bittner stated the need for additional parking near the beach and concerns with the changes regarding beer gardens. He also addressed the comments on Facebook regarding the logo changes.

Council President Andrews stated he has received eight negative emails regarding the beer garden changes and the branding effort.

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

Councilmember Bitter, member on Personnel and Finance Committee stated that the committee has discussed creation of an ad hoc committee on race and diversity issues.

Council President Andrews read a statement regarding the Branding and Marketing Committee initiatives.

## **9. CITY MANAGER'S REPORT**

A. Invited Guests

## B. Status/Update Reports

### 1. City Branding Project Roll-Out--Celebrate Two Rivers

Mr. Buckley reported on the City Branding Project Roll-Out/Celebrate Two Rivers. He noted that the Branding Project has been ongoing for over two years. The Branding and Marketing Committee was appointed June-July 2018. Branding Consultant-Civic Brand of Richardson, Texas--was selected from among several firms considered, based on their work in other cities, including Waupaca and Jefferson, WI. --Civic Brand contract was approved by City Council in May 2019, to be funded from program income (principal and interest repayments) from the City's Economic Development Revolving Loan Fund.

The City Manager also addressed the various opportunities for public input that were included in the branding process, including on-line surveys, a public branding workshop and a website on Branding Two Rivers.

### 2. Recent Events--Kites Over Lake Michigan, September 5-6

Mr. Buckley thanked Chow Chong, kites, volunteers, sponsors and the Two Rivers Public Schools for providing the venue for the 15th annual Kites over Lake Michigan, held at the high school campus on Labor Day weekend due to the lack of beach at Neshotah Park.

### 3. Paragon Property--Prospective Sale

Mr. Buckley reported the prospective sale of the property is subject to discussion in tonight's closed session.

### 4. Sandy Bay Highlands--Lot Sales, Planned Street Work

Mr. Buckley reported there was one lot sale, in Phase 1, in March and one closing on a Phase 2 lot in August and two closing are scheduled for September. Installation of concrete curbing and a base course of asphalt pavement in Phase 2 is scheduled for late September. A 20% percent off lot sale promotion is underway.

### 5. 2020 Capital Projects: Resurfacing of Community House Parking Lot, Recently Completed

Mr. Buckley reported the resurfacing of the Community House parking lot was completed the week of August 31.

### 6. 2020 Capital Projects: Resurfacing of Mariners Trail, Currently Out for Bids

Mr. Buckley reported the resurfacing of Mariners Trail is currently out for bids, due by September 18.

### 7. Duckweed on Rivers

Mr. Buckley reported that, while a nuisance, the duckweed is not toxic, like blue algae. He commented on a recent erroneous media report on blue algae in the East Twin River.

### 8. Upcoming Event: Movie on the Beach, Jumanji--the Next Level; Friday, September 11, 2020, 8:00 PM, Neshotah Beach

### 9. Upcoming Event: Main Street's Ethnic Festival, Saturday, September 19, 2020, Downtown

10. Other

C. Legislative/Intergovernmental Update

## 10. CONSENT AGENDA

Motion to remove consent agenda item 10. 3; Application for Operator License- Recommended for denial

**RESULT:** APPROVED VOICE VOTE [UNANIMOUS]  
**MOVER:** Bill LeClair, Councilmember  
**SECONDER:** Adam Wachowski, Councilmember  
**AYES:** Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner

A. Presentation of Minutes

1. **2020-178** Regular City Council Minutes-August 17, 2020; and Special Meeting-August 19, 2020

Recommended Action:

Motion to waive reading and adopt the minutes

B. Applications and Petitions

1. Application for Temporary Class B License
  - a. Manitowoc County Mariners, Football Game at Walsh Field, September 12, 19 and October 3, 12:00 PM - 11:00 PM

Recommended Action:

Motion to approve the application and authorize the City Clerk to issue the license

2. Application for Taxi Driver License

- a. Terrence B. Alston, 920 N 16th Street, Apt A, Manitowoc
- b. Becky J. Kriescher, 7054 Tannery Road, Two Rivers
- c. Earl James Smith, 7054 Tannery Road, Two Rivers

Recommended Action:

Motion to approve the application and authorize the City Clerk to issue the license

C. Reports

1. **2020-179** Minutes of Meetings
  - a. Personnel & Finance, May 6, 2020
  - b. Personnel & Finance, June 24, 2020
  - c. Personnel & Finance, July 15, 2020
  - d. Personnel & Finance, August 19, 2020
  - e. Joint City Council & Business & Industrial Development/Community Development Authority, August 17, 2020

- f. Business & Industrial Development/Community Development Authority, August 25, 2020
- g. Board of Review, August 26, 2020
- h. Branding & Marketing, April 16, 2020
- i. Branding & Marketing, June 11, 2020
- j. Branding & Marketing, June 25, 2020
- k. Branding & Marketing, August 5, 2020

Recommended Action:

Motion to receive and place on file

2. **2020-180** Finance Reports

- a. Debt Service, July 2020
- b. General Fund, July 2020
- c. Lester Library, July 2020

Recommended Action:

Motion to receive and place on file

3. **2020-181** Summary of Verified Bills for the Month of August for \$1,938,582.26

Recommended Action:

Motion to receive and place on file

**RECOMMENDED ACTION FOR CONSENT AGENDA**

Motion to approve the Consent Agenda with the various actions recommended

<p><b>RESULT:</b>     <b>APPROVED WITH VOICE VOTE [UNANIMOUS]</b>  <b>MOVER:</b>       Adam Wachowski, Councilmember  <b>SECONDER:</b>   Jay Remiker, Councilmember  <b>AYES:</b>         Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner</p>
---

Removed from the Consent Agenda:

Application for Operator License-Recommended for Denial

Katie M. Vanden Heuvel, 1820 18th Street, Two Rivers

Recommended Action:

Motion to approve operator license

<p><b>RESULT:</b>     <b>FAILED ROLL CALL [2 TO 7]</b>  <b>MOVER:</b>       Bill LeClair, Councilmember  <b>SECONDER:</b>   Jack Powalisz, Councilmember  <b>AYES:</b>         Adam Wachowski, Jay Remiker  <b>NAYS:</b>         Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz, John Casavant, Mark Bittner</p>
---

Motion for the City Clerk to notify applicant of the City Council's intent to deny her license, based on the recommendation of the Chief of Police, and to advise applicant of her right to a hearing before the City Council

**RESULT:** APPROVED ROLL CALL [7 TO 2]  
**MOVER:** Bill LeClair, Councilmember  
**SECONDER:** Jack Powalisz, Councilmember  
**AYES:** Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz, John Casavant, Mark Bittner  
**NAYS:** Adam Wachowski, Jay Remiker

## 11. CITY COUNCIL - FORMAL ITEMS

- A. **2020-182** Ordinance to Amend Section 2-1-2 of the Municipal Code, Changing the Location from Koenig Elementary to the J.E. Hamilton Community House, Behringer Room for Wards Seven and Eight in the 25th Supervisory District, Effective with the November 3, 2020 General Election

Recommended Action:

Motion to waive reading and adopt the Ordinance

**RESULT:** APPROVED WITH ROLL CALL [8 TO 1]  
**MOVER:** Darla LeClair, Vice-President  
**SECONDER:** Jack Powalisz, Councilmember  
**AYES:** Adam Wachowski, Bill LeClair, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner  
**NAYS:** Bonnie Shimulunas

- B. **2020-183** Ordinance to Create Section 6-10-5 of the Municipal Code Regarding Sidewalk Cafes

Recommended Action:

Motion to waive reading and adopt the Ordinance

**RESULT:** APPROVED WITH ROLL CALL [8 TO 0]  
**MOVER:** Mark Bittner, Councilmember  
**SECONDER:** Bill LeClair, Councilmember  
**AYES:** Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner  
**ABSTAIN:** Darla LeClair

- C. Review of Residents' Feedback on Possible Changes to Beer Gardens Ordinance--From Mailing to Over 400 Property Owners Located Within 250 Feet of Existing Taverns

Recommended Action:

Discussion only

Police Chief Kohlmeier discussed the changes that are being considered for the City's Beer Garden Ordinance.

Mr. Buckley stated that the proposed changes to the Beer Gardens Ordinance would next be forwarded to the local Tavern League to distribute for comments, and then brought back to City Council for action. Council members also requested a map of the City, showing residential properties that could be impacted by a change in the



separation requirement between beer gardens and properties used for residential purposes.

D. Discussion of Possible Amendments to Noise Ordinance

Recommended Action:

Discussion only

Police Chief Kohlmeier stated that the Police Department has purchased a decibel meter with a C-Weighted scale to better measure noise levels from music. The modification to this ordinance addresses ongoing issues specifically relating to noise complaints with amplified music as the source.

E. **2020-184** City Manager's Appointments to the Commission for Equal Opportunities in Housing

Recommend Action:

Motion to authorize the appointments, as recommended by the City Manager and Council President

<p><b>RESULT:</b>     <b>APPROVED WITH VOICE VOTE [UNANIMOUS]</b>  <b>MOVER:</b>        Jack Powalisz, Councilmember  <b>SECONDER:</b> Mark Bittner, Councilmember  <b>AYES:</b>         Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner</p>
--

F. Consideration of Re-Activating Environmental Advisory Board to Assist the City Council and City Manager in Addressing Issues Related to Water Quality in Our Rivers and Lake Michigan

Recommended Action:

Motion to Re-Activating Environmental Advisory Board

Councilmember Darla LeClair requested the Environmental Advisory Board be reactivated to look at water quality issues the river and Lake Michigan. Mr. Buckley stated that he would solicit volunteers to serve on this citizen board, if the Council chose to re-activate it.

<p><b>RESULT:</b>     <b>APPROVED WITH VOICE VOTE [UNANIMOUS]</b>  <b>MOVER:</b>        Mark Bittner, Councilmember  <b>SECONDER:</b> Bill LeClair, Councilmember  <b>AYES:</b>         Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner</p>
---

G. **2020-185** Request for City Consent to Property Assessed Clean Energy (Pace) Special Charges Associated with Pace Loan for Two Rivers Cobblestone Hotel Project

Recommended Action:

Motion to authorize the City Manager to sign the acknowledgement and consent on behalf of the City

**RESULT:** APPROVED WITH ROLL CALL [UNANIMOUS]  
**MOVER:** Jay Remiker, Councilmember  
**SECONDER:** Darla LeClair, Vice-President  
**AYES:** Adam Wachowski, Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner

## 12. FOR INFORMATION ONLY

- A. Movie on the Beach: Jumanji--The Next Level, Friday, September 11, 2020, 8:00 PM, Rotary Pavilion, Neshotah Beach
- B. Senior Center Fall Picnic in the Park, Friday, September 11, 2020, Central Park, 12:30-2:30 PM
- C. Shoto Conservation Club FREE Youth Fishing Event, Saturday, September 12, 2020, 8-10:30 AM, Shoto Conservation Club
- D. 29th Annual Two Rivers Ethnic Fest, Saturday, September 19, 2020, 9:30 AM to 5:00 PM, Downtown Two Rivers. More information: [tworiversmainstreet.com](http://tworiversmainstreet.com)
- E. City Council Regular Meeting, Monday, October 2, 2020, 6:00 PM
- F. City Council Work Session Meeting, Monday, September 28, 2020, 6:00 PM

## 13. CLOSED SESSION

At 9:10 PM, a motion to enter into Closed Session, per Wisc. Stats 1985(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 city assistance to economic development projects: Culver's, others. Discuss status of negotiations regarding former Hamilton Property.

Per Wisc. Stats. 19.85(e) deliberating or negotiating the purchasing of public properties, the investment of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Discuss matters pertaining to the sale of the former Paragon property, 606 Parkway Boulevard.

**RESULT:** APPROVED ROLL CALL [8 TO 1]  
**MOVER:** Bill LeClair, Councilmember  
**SECONDER:** Jack Powalisz, Councilmember  
**AYES:** Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz, Jay Remiker, John Casavant, Mark Bittner  
**NAYS:** Adam Wachowski

Councilmembers Wachowski and Powalisz left the meeting.

## 14. RECONVENE IN OPEN SESSION

At 10:12 PM, a motion to reconvene in open session and to consider possible actions in follow-up to closed session discussions.

**RESULT:** APPROVED VOICE VOTE [UNANIMOUS]  
**MOVER:** Darla LeClair, Vice-President  
**SECONDER:** John Casavant, Councilmember  
**AYES:** Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker,  
John Casavant, Mark Bittner  
**ABSENT:** Adam Wachowski, Jack Powalisz

## 15. ADJOURNMENT

At 10:12 PM, a motion to dispense with the reading of the minutes of the meeting and adjourn.

**RESULT:** APPROVED VOICE VOTE [UNANIMOUS]  
**MOVER:** Jay Remiker, Councilmember  
**SECONDER:** Darla LeClair, Vice-President  
**AYES:** Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jay Remiker,  
John Casavant, Mark Bittner  
**ABSENT:** Adam Wachowski, Jack Powalisz

---

Kim M. Graves  
City Clerk