

Two Rivers City Hall  
1717 East Park Street  
Council Chambers  
Two Rivers, WI 54241  
(920) 793-5532  
www.two-rivers.org



**CITY OF TWO RIVERS  
CITY COUNCIL AGENDA  
Tuesday, September 8, 2020  
Council Chambers – City Hall – 6:00PM  
Regular Meeting**

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**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL BY CITY CLERK**

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

**5. PUBLIC HEARINGS**

- A. 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

- B. 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

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

Recommended Action:

Motion to rescind tabling of public hearing on proposed repeal and recreation of City's Floodplain ordinance to September 21, 2010 and hold the public hearing at the Council's meeting on September 8, 2020, consistent with the published notices of such hearing that state it will take place on September 8, 2020

Motion to waive reading and adopt the Ordinance

**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. City Branding Project Roll-Out--Celebrate Two Rivers
2. Recent Events--Kites Over Lake Michigan, September 5-6
3. Paragon Property--Prospective Sale
4. Sandy Bay Highlands--Lot Sales, Planned Street Work
5. 2020 Capital Projects: Resurfacing of Community House Parking Lot, Recently Completed
6. 2020 Capital Projects: Resurfacing of Mariners Trail, Currently Out for Bids
7. Duckweed on Rivers
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**

A. Presentation of Minutes

1. 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

3. Application for Operator License-Recommended for Denial  
Katie M. Vanden Heuvel, 1820 18th Street, Two Rivers

Recommended Action:

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

C. Reports

1. 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. 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. 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

**11. CITY COUNCIL - FORMAL ITEMS**

- A. 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

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

Recommended Action:

Motion to waive reading and adopt the Ordinance

- 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

- D. Discussion of Possible Amendments to Noise Ordinance

Recommended Action:

Discussion only

- E. 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

- 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:

Council discretion

- G. 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 comment on behalf of the City

**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. Everyone is Invited to Celebrate with the 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, September 21, 2020, 6:00 PM
- F. City Council Work Session Meeting, Monday, September 28, 2020, 6:00 PM

### **13. CLOSED SESSION**

The City Council reserves the right 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

### **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 the meeting and adjourn

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

It is possible that members of and possibly a quorum of governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no 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.

## RESOLUTION

*Authorizing a Conditional Use 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*

**WHEREAS**, the City of Two Rivers has adopted provisions in its Zoning Ordinance, to allow development of Conservations Subdivisions in the City's various Residential Zoning Districts; and

**WHEREAS**, the Plan Commission has recommended, and the City Council has approved a Conditional Use for development of Sandy Bay Highlands Subdivision No. 2 as a Conservation Subdivision; and

**WHEREAS**, said lands adjacent to Lot 16, Block 2, in Sandy Bay Highlands Subdivision No. 2, is further described as follows:

A tract of land in the SE1/4 of the NW1/4 of Section 31, T. 20 N., R. 25 E., City of Two Rivers, Manitowoc County, Wisconsin, described as follows: Commencing at the NW corner of said Section 31, thence N88°56'55"E (recorded as N88°58'56"E) along the section line 1304.66 feet to the 1/16th section line; thence S00°21'32"W (recorded as S00°30'23"E) along said 1/16th section line 1691.00 feet; thence N89°03'54"E 88.00 feet to the point of real beginning; thence S03°38'58"E 129.08 feet; thence S59°14'46"E 90.00 feet to the westerly right-of-way of Sandy Ridge Drive, also being a point on a 266.0 foot radius right-of-way curve to the right; thence northeasterly along the arc of said curve 36.50 feet (chord N35°32'33"E 36.49 feet); thence N36°19'54"W 180.19 feet to the point of real beginning.

Said described land contains 0.18 acres (7900 square feet) more or less.

**WHEREAS**, the City Council on this date has conducted a Public Hearing on the proposed Conditional Use for this property; and

**WHEREAS**, after review and consideration, the City Council finds that the development of the above described parcel of land in Sandy Bay Highlands Subdivision No. 2 as a Conservation Subdivision is not contrary to the purpose and intent of the Municipal Code; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the City Council of the City of Two Rivers does hereby authorize and grant a Conditional Use for the development 0.18 acres of land described herein, adjacent to Lot 16 in Sandy Bay Highlands Subdivision No. 2 as a Conservation Subdivision, subject to the following conditions:

1. Compliance with all provisions of the "Open Space Management Plan" for Sandy Bay Highlands Subdivision, as previously adopted in 2004;

- 2. Compliance with all "Performance Standards and Modified Infrastructure Design Standards for Sandy Bay Highlands", as previously adopted in 2004;
- 3. Compliance with the requirements of the Findings of Fact, Conclusions of Law and Water Quality Certification applicable to this property issued in Case Number 3-NE-00-0114LB before the State of Wisconsin Division of Hearings and Appeals as clarified by subsequent three (3) e-mail messages of the Administrative Law Judge in that matter.

**BE IT RESOLVED FURTHER**, that this Resolution shall take effect upon compliance with all specified conditions, approved plans and specifications.

Dated this 8th day of September, 2020.

\_\_\_\_\_  
Councilmember

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

Attachment: Sandy Bay Resolution (2918 : Sandy Bay Highland)

**ORDINANCE**

**AN 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.

The Council of the City of Two Rivers ordains as follows:

**SECTION 1.** That Section 10-1-28(a)(1) of the Municipal Code shall hereby be amended as follows:

(q) Restaurant.

and to renumber subsequent sections as appropriate.

**SECTION 2.** That Section 10-1-28(a)(2)(m) of the Municipal Code shall hereby be repealed.

and to renumber subsequent sections as appropriate.

**SECTION 3.** This ordinance shall take effect and be in force from and after its date of passage and publication of same.

Dated this 8th day of September, 2020

\_\_\_\_\_  
Curt Andrews  
President, City Council

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

Attest:

\_\_\_\_\_  
Kim M. Graves  
City Clerk

Approved as to form and legality:

\_\_\_\_\_  
John M. Bruce  
City Attorney

Attachment: WFB Restaurant Ordinance (2919 : Restaurant No Outdoor Seating)



## ORDINANCE

**AN ORDINANCE** to repeal and recreate Section 10-2-1 and repeal Sections 10-2-2 through 10-2-10 of the Municipal Code to comply with requirements of the Federal Emergency Management Agency and the Wisconsin Department of Natural Resources related to Flood Protection and Control.

The Council of the City of Two Rivers ordains as follows:

**SECTION 1.** That Sections 10-2-1 through 10-2-10 of the Municipal Code shall hereby be repealed and recreated as follows:

### **SEC10-2-1 FLOODPLAIN**

#### **1.0 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS**

##### **1.1 STATUTORY AUTHORIZATION**

This ordinance is adopted pursuant to the authorization in s. 62.23 and the requirements in s. 87.30, Stats.

##### **1.2 FINDING OF FACT**

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare and tax base.

##### **1.3 STATEMENT OF PURPOSE**

This ordinance is intended to regulate floodplain development to:

- ✓ (1) Protect life, health and property;
- (2) Minimize expenditures of public funds for flood control projects;
- (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- (4) Minimize business interruptions and other economic disruptions;
- (5) Minimize damage to public facilities in the floodplain;
- (6) Minimize the occurrence of future flood blight areas in the floodplain;
- (7) Discourage the victimization of unwary land and homebuyers;

- (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- (9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

#### 1.4 TITLE

This ordinance shall be known as the Floodplain Zoning Ordinance for the City of Two Rivers, Wisconsin.

#### 1.5 GENERAL PROVISIONS

##### (1) AREAS TO BE REGULATED

This ordinance regulates all areas that would be covered by the regional flood or base flood as shown on the Flood Insurance Rate Map (FIRM) or other maps approved by the DNR. Base flood elevations are derived from the flood profiles in the Flood Insurance Study (FIS) and are shown as AE, A1-30 and AH Zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional Flood Elevations (RFE) may be derived from other studies. If more than one map or revision is referenced, the most restrictive information shall apply.

##### (2) OFFICIAL MAPS & REVISIONS

The boundaries of all floodplain districts are designated as A, AE, AH and AO or A1-30 on the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway in the FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the letter of map change process (see 8.0 Amendments) before it is effective. No changes to RFE's on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Zoning Administrator, City of Two Rivers. If more than one map or revision is referenced, the most restrictive approved information shall apply.

- (a) Flood Insurance Rate Map (FIRM), panel numbers 55071C0211D, 55071C0212D, 55071C0213D, 55071C0214D, 55071C0216D, 55071C0218D and 55071C0326D, dated August 2, 2011; with corresponding profiles that are based on the Flood Insurance Study (FIS) dated August 2, 2011, 55071CV000A.

##### (3) ESTABLISHMENT OF FLOODPLAIN ZONING DISTRICTS

The regional floodplain areas are divided into<sup>3</sup> four districts as follows:

- (a) The Floodway District (FW) is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters and are contained within AE Zones as shown on the FIRM.
- (b) The Floodfringe District (FF) is that portion of the floodplain between the regional flood limits and the floodway and displayed as AE Zones on the FIRM.
- (c) The General Floodplain District (GFP) is those areas that have been or may be covered by floodwater during the regional flood and does not have a BFE or floodway boundary determined, including A, AH and AO Zones on the FIRM.
- (d) The Flood Storage District (FSD) is that area of the floodplain where storage of floodwaters is calculated to reduce the regional flood discharge.

(4) LOCATING FLOODPLAIN BOUNDARIES

Discrepancies between boundaries on the official floodplain zoning map and actual field conditions shall be resolved using the criteria in paragraphs (a) or (b) below. If a significant difference exists, the map shall be amended according to s. 8.0. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to s. 7.3(3) and the criteria in (a) and (b) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to s. 8.0 Amendments.

- (a) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- (b) Where flood profiles do not exist, the location of the boundary shall be determined by the map scale.

(5) REMOVAL OF LANDS FROM FLOODPLAIN

Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to s. 8.0 Amendments.

(6) COMPLIANCE

Any development or use within the areas regulated by this ordinance shall be in compliance with the terms of this ordinance, and other applicable local, state, and federal regulations.

(7) MUNICIPALITIES AND STATE AGENCIES REGULATED

Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if s. 13.48(13), Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s. 30.2022, Stats., applies.

(8) ABROGATION AND GREATER RESTRICTIONS

- (a) This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under s. 62.23 or s. 87.30, Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
- (b) This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

(9) INTERPRETATION

In their interpretation and application, the provisions of this ordinance are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

(10) WARNING AND DISCLAIMER OF LIABILITY

The flood protection standards in this ordinance are based on engineering experience and scientific research. Larger floods may occur or the flood height may be increased by man-made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. Nor does this ordinance create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.

(11) SEVERABILITY

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(12) ANNEXED AREAS FOR CITIES AND VILLAGES

The Manitowoc County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of ch. NR 116, Wis. Adm. Code and 44 CFR 59-72, National Flood Insurance Program (NFIP). These annexed lands are described on the municipality's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal zoning administrator. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

2.0 GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS

The community shall review all permit applications to determine whether proposed building sites will be reasonable safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.

Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meet the subdivision definition of this ordinance and all other requirements in s. 7.1(2). Adequate drainage shall be provided to reduce exposure to flood hazards and all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damages.

2.1 HYDRAULIC AND HYDROLOGIC ANALYSES

- (1) No floodplain development shall:
  - (a) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
  - (b) Cause any increase in the regional flood height due to floodplain storage area lost, Removed: "which equals or exceeds 0.01 feet."

- (2) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height based on the officially adopted FIRM or other adopted map, unless the provisions of s. 8.0 Amendments are met. *formally (increase flood heights of 0.01 foot or more)*

**2.2 WATERCOURSE ALTERATIONS**

No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of s. 2.1 must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to s. 8.0 Amendments, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process

**2.3 CHAPTER 30, 31, WIS. STATS., DEVELOPMENT**

Development which requires a permit from the Department, under chs. 30 and 31, Wis. Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to s. 8.0 Amendments.

**2.4 PUBLIC OR PRIVATE CAMPGROUNDS**

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- (1) The campground is approved by the Department of Health Services;
- (2) A land use permit for the campground is issued by the zoning administrator;
- (3) The character of the river system and the elevation of the campground is such that a 72-hour warning of an impending flood can be given to all campground occupants;
- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and

Attachment: Flood Ordinance with changes (2936 : Zoning Code Text Amendment to repeal and recreate the City's Floodplain ordinance)

personnel responsible for conducting the evacuation;

- (5) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in sub. (4) - to remain in compliance with all applicable regulations, including those of the state Department of Health Services and all other applicable regulations;
- (6) Only camping units are allowed;
- (7) The camping units may not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours;
- (8) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section;
- (9) The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
- (10) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either s. 3.0, 4.0 or 5.0 for the floodplain district in which the structure is located;
- (11) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
- (12) All service facilities, including but not limited to refuse collection, electrical service, natural gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.

### **3.0 FLOODWAY DISTRICT (FW)**

#### **3.1 APPLICABILITY**

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 5.1(4).

#### **3.2 PERMITTED USES**

The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if

- they are not prohibited by any other ordinance;

- they meet the standards in s. 3.3 and 3.4; and
  - all permits or certificates have been issued according to s. 7.1.
- (1) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.
  - (2) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
  - (3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of s. 3.3(4).
  - (4) Uses or structures accessory to open space uses or classified as historic structures that comply with ss. 3.3 and 3.4.
  - (5) Extraction of sand, gravel or other materials that comply with s. 3.3(4).
  - (6) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30 and 31, Stats.
  - (7) Public utilities, streets and bridges that comply with s. 3.3(3).

### 3.3 STANDARDS FOR DEVELOPMENTS IN FLOODWAY AREAS

- (1) GENERAL
  - (a) Any development in floodway areas shall comply with s. 2.0 and have a low flood damage potential.
  - (b) Applicants shall provide the following data to determine the effects of the proposal according to s. 2.1 and 7.1(2)(c):
    1. A cross-section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
    2. An analysis calculating the effects of this proposal on regional flood height.
  - (c) The zoning administrator shall deny the permit application if the project will increase flood elevations upstream or downstream based on the data submitted for subd. (b) above.



(2) STRUCTURES

Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

- newly added →
- (a) The structure is not designed for human habitation and does not have a high flood damage potential and is constructed to minimize flood damage;
  - (b) Shall have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings shall be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
  - (c) Must be anchored to resist flotation, collapse and lateral movement;
  - (d) Mechanical and utility equipment must be elevated or flood proofed to or above the flood protection elevation; and
  - (e) It must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

(3) PUBLIC UTILITIES, STREETS AND BRIDGES

Public utilities, streets and bridges may be allowed by permit, if:

- (a) Adequate floodproofing measures are provided to the flood protection elevation; and
- (b) Construction meets the development standards of s. 2.1.

(4) FILLS OR DEPOSITION OF MATERIAL

Fills or deposition of materials may be allowed by permit, if:

- (a) The requirements of s. 2.1 are met;
- (b) No material is deposited in the navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and the other requirements of this section are met;

- (c) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
- (d) The fill is not classified as a solid or hazardous material.

### 3.4 **PROHIBITED USES**

All uses not listed as permitted uses in s. 3.2 are prohibited, including the following uses:

- (1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- (2) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- (3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- (4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code.
- (5) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code.
- (6) Any solid or hazardous waste disposal sites;
- (7) Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code;
- (8) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

### 4.0 **FLOODFRINGE DISTRICT (FF)**

#### 4.1 **APPLICABILITY**

This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to s. 5.1(4).

#### 4.2 **PERMITTED USES**

Any structure, land use, or development is allowed in the Floodfringe District if the standards in s. 4.3 are met, the use is not prohibited by this or any other ordinance or regulation and all permits or certificates specified in s. 7.1 have been issued.

4.3 STANDARDS FOR DEVELOPMENT IN THE FLOODFRINGE

S. 2.1 shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of s. 6.0 Nonconforming Uses;

(1) RESIDENTIAL USES

Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe area, must meet the requirements of s. 6.0 Nonconforming Uses;

- (a) The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of s. 4.3(1)(b) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure;
- (b) The basement or crawlway floor may be placed at the regional flood elevation if it is dry floodproofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation;
- (c) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subd. (d).
- (d) In developments where existing street or sewer line elevations make compliance with subd. (c) impractical, the municipality may permit new development and substantial improvements where access roads are below the regional flood elevation, if:
  - 1. The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
  - 2. The municipality has a DNR-approved emergency evacuation plan.

(2) ACCESSORY STRUCTURES OR USES

Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

(b) removed - 600 sq. ft accessory allowed 2 feet below floodplain level (regional)

(3) COMMERCIAL USES

Any commercial structure which is erected, altered or moved into the floodfringe shall meet the requirements of s. 4.3(1). Subject to the requirements of s. 4.3(5), storage yards, surface parking lots and other such uses may be placed at lower

Attachment: Flood Ordinance with changes (2936 : Zoning Code Text Amendment to repeal and recreate the City's Floodplain ordinance)

elevations if an adequate warning system exists to protect life and property.

(4) MANUFACTURING AND INDUSTRIAL USES

Any manufacturing or industrial structure which is erected, altered or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards s. 7.5. Subject to the requirements of s. 4.3(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(5) STORAGE OF MATERIALS

Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with s. 7.5. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.

(6) PUBLIC UTILITIES, STREETS AND BRIDGES

All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and

- (a) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with s. 7.5;
- (b) Minor roads or nonessential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

(7) SEWAGE SYSTEMS

All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to s. 7.5(3), to the flood protection elevation and meet the provisions of all local ordinances and ch. SPS 83, Wis. Adm. Code.

(8) WELLS

All wells shall be designed to minimize or eliminate infiltration of flood waters into the system pursuant to s. 7.5(3), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.

(9) SOLID WASTE DISPOSAL SITES

Disposal of solid or hazardous waste is prohibited in floodfringe areas.

(10) DEPOSITION OF MATERIALS

Any deposited material must meet all the provisions of this ordinance.

(11) MANUFACTURED HOMES

- (a) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
- (b) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
  1. Have the lowest floor elevated to the flood protection elevation; and
  2. Be anchored so they do not float, collapse or move laterally during a flood.
- (c) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in s. 4.3(1).

(12) MOBILE RECREATIONAL VEHICLES

All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall meet the elevation and anchoring requirements in s. 4.3(11)(b) and (c). A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

**5.0 OTHER FLOODPLAIN DISTRICTS**

Other floodplain districts may be established under the ordinance and reflected on the floodplain zoning map. These districts may include general floodplain districts and flood storage districts.

**5.1 GENERAL FLOOD PLAIN DISTRICT (GFRP)****(1) APPLICABILITY**

The provisions for this district shall apply to all floodplains mapped as A, AO or AH zones.

(2) PERMITTED USES

Pursuant to s. 5.1(4), it shall be determined whether the proposed use is located within a floodway or floodfringe.

Those uses permitted in Floodway (s. 3.2) and Floodfringe (s. 4.2) Districts are allowed within the General Floodplain District, according to the standards of s. 5.1(3), provided that all permits or certificates required under s. 7.1 have been issued.

(3) STANDARDS FOR DEVELOPMENT

S. 3.0 applies to floodway areas, s. 4.0 applies to floodfringe areas. The rest of this ordinance applies to either district.

(a) In AO/AH Zones the structure's lowest floor must meet on the conditions listed below, whichever is higher:

1. At or above the flood protection elevation; or
2. Two feet above the highest adjacent grade around the structure; or
3. The depth as shown on the FIRM.

(b) In AO/AH Zones, provided plans showing adequate drainage path to guide floodwaters around structures.

(4) DETERMINING FLOODWAY AND FLOODFRINGE LIMITS

Upon receiving an application for development within the general floodplain district, the zoning administrator shall:

- (a) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures; and the flood zone as shown on the FIRM.
- (b) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:
  1. A Hydrologic and Hydraulic Study as specified in s. 7.1(2)(c);

2. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;
3. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

## 5.2 FLOOD STORAGE DISTRICT *New section*

The flood storage district delineates that portion of the floodplain where storage of floodwaters has been taken into account and is relied upon to reduce the regional flood discharge. The district protects the flood storage areas and assures that any development in the storage areas will not decrease the effective flood storage capacity which would cause higher flood elevations.

### (1) APPLICABILITY

The provisions of this section apply to all areas within the Flood Storage District (FSD), as shown on the official floodplain zoning maps.

### (2) PERMITTED USES

Any use or development which occurs in the flood storage district must meet the applicable requirements in s. 4.3.

### (3) STANDARDS FOR DEVELOPMENT IN FLOOD STORAGE DISTRICTS

- (a) Development in a flood storage district shall not cause an increase equal or greater than 0.00 of a foot in the height of the regional flood.
- (b) No development shall be allowed which removed flood storage volume unless an equal volume of storage as defined by the pre-development ground surface and the regional flood elevation shall be provided in the immediate area of the proposed development to compensate for the volume of storage which is lost (compensatory storage). Excavation below the groundwater table is not considered to provide an equal volume of storage.
- (c) If compensatory storage cannot be provided, the area may not be developed unless the entire area zoned as flood storage district - on this waterway - is rezoned to the floodfringe district. This must include a revision to the floodplain study and map done for the waterway to revert to the higher regional flood discharge calculated without floodplain storage, as per s. 8.0

*Amendments of this ordinance.*

- (d) No area may be removed from the flood storage district unless it can be shown that the area has been filled to the flood protection elevation and is contiguous to other lands lying outside of the floodplain.

## 6.0 NONCONFORMING USES (6.0)

### 6.1 GENERAL

#### (1) APPLICABILITY

If these standards conform with s. 87.30, Stats. and NR 116.15, Wis. Adm. Code and 44 CFR 59-72, they shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto.

- (2) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:

- (a) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

- (b) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;
- (c) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the



percentage of the structure's total current value those modifications represent;

- (d) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1). The costs of elevating a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- (e) No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1).
- (f) If on a per event basis the total value of the work being done under (d) and (e) equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1).
- (g) Except as provided in subd. (h), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equal or exceeds 50% of the structure's present equalized assessed value.
- (h) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum federal code requirements below are met and all required permits have been granted prior to the start of construction.

#### 1. Residential Structures

- a. Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of s. 7.5(2).
- b. Shall be anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.
- c. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- d. In A Zones, obtain, review and utilize any flood ate available from a federal, state or other source.
- e. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.1(3).
- f. In AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

## 2. Nonresidential Structures

- a. Shall meet the requirements of s. 6.1(2)(h)1a-f.
  - b. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in s. 7.5(1) or (2).
  - c. On AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards of 5.1(3).
- (3) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with s. 3.3(1), flood resistant materials are used, and construction practices and floodproofing methods that comply with s 7.5 are used. Repair of rehabilitation

of historic structures shall be exempt from the development standards of s. 6.1(2)(h)1 if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

## 6.2 FLOODWAY DISTRICT

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in a Floodway District, unless such modification or addition:
- (a) Has been granted a permit or variance which meets all ordinance requirements;
  - (b) Meets the requirements of s. 6.1;
  - (c) Will not increase the obstruction to flood flows or regional flood height;
  - (d) Any addition to the existing structure shall be floodproofed, pursuant to s. 7.5, by means other than the use of fill, to the flood protection elevation; and
  - (e) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
    1. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
    2. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
    3. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
    4. The use must be limited to parking, building access or limited storage.
- (2) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in a Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a Floodway District shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and ch. SPS 383, Wis. Adm. Code.

- (3) No new well or modification to an existing well used to obtain potable water shall be allowed in a Floodway District. Any replacement, repair or maintenance of an existing well in a Floodway District shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and chs. NR 811 and NR 812, Wis. Adm. Code.

### 6.3 FLOODFRINGE AREAS

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and meets the requirements of s. 4.3, except where s. 6.3(2) is applicable.
- (2) Where compliance with the provisions of subd. (1) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Appeals, using the procedures established in s. 7.3, may grant a variance from those provisions of subd. (1) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:
- (a) No floor is allowed below the regional flood elevation for residential or commercial structures;
  - (b) Human lives are not endangered;
  - (c) Public facilities, such as water or sewer, will not be installed;
  - (d) Flood depths will not exceed two feet;
  - (e) Flood velocities will not exceed two feet per second; and
  - (f) The structure shall not be used for storage of materials as described in s. 4.3(5).
- (3) All new private sewage disposal systems, or addition to replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, s. 7.5(3) and ch. SPS 383, Wis. Adm. Code.
- (4) All new wells or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this ordinance, s. 7.5(3) and ch. NR 811 and NR 812, Wis. Adm. Code.

### 6.4 FLOOD STORAGE DISTRICT

No modifications or additions shall be allowed to any nonconforming structure in a flood

storage area unless the standards outlined in 5.2(3) are met.

## 7.0 ADMINISTRATION (7.0)

Where a zoning administrator, planning agency or a board of appeals has already been appointed to administer a zoning ordinance adopted under s. 62.23(7), Stats., these officials shall also administer this ordinance.

## 7.1 ZONING ADMINISTRATOR

### (1) DUTIES AND POWERS

The zoning administrator is authorized to administer this ordinance and shall have the following duties and powers:

- (a) Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
- (b) Issue permits and inspect properties for compliance with provisions of this ordinance, and issue certificates of compliance where appropriate.
- (c) Inspect all damaged floodplain structures and perform a substantial damage assessment to determine if substantial damage to the structures has occurred.
- (d) Keep records of all official actions such as:
  1. All permits issued, inspections made, and work approved.
  2. Documentation of certified lowest floor and regional flood elevations for floodplain development.
  3. Floodproofing certificates.
  4. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
  5. All substantial damage assessment reports for floodplain structures.
  6. List of nonconforming structure and uses.
- (e) Submit copies of the following items to the Department Regional office:
  1. Within 10 days of the decision, a copy of any decisions on variances,

appeals for map or text interpretations, and map or text amendments.

2. Copies of any case-by-case analyses, and any other information required including an annual summary of the number and types of floodplain zoning actions taken.
  3. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
- (f) Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.
- (g) Submit copies of amendments to the FEMA Regional office.

(2) LAND USE PERMIT

A land use permit shall be obtained before any new development; repair, modification or addition to an existing structure; or change in the use of a building or structure including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:

(a) GENERAL INFORMATION:

1. Name and address of the applicant, property owner and contractor;
2. Legal description, proposed use, and whether it is new construction or a modification;

(b) SITE DEVELOPMENT PLAN. A site plan drawn to scale shall be submitted with the permit application form and shall contain:

1. Location, dimensions, area and elevation of the lot;
2. Location of the ordinary highwater mark of any abutting navigable waterways;
3. Location of any structures with distances measured from the lot lines and street center lines;
4. Location of any existing or proposed on-site sewage systems or private water supply systems;
5. Location and elevation of existing or future access roads;
6. Location of floodplain and floodway limits as determined from the

official floodplain zoning maps;

- 7. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study - either national Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
- 8. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of s. 3.0 or 4.0 are met; and
- 9. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to s. 2.1. This may include any of the information noted in s. 3.3(1).

**(c) HYDRAULIC AND HYDROLOGIC STUDIES TO ANALYZE DEVELOPMENT.** *New* *Replaces: "Data Requirements to Analyze Developments"*

All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

**1. Zone A Floodplains:**

**a. Hydrology**

- i. The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, Hydrologic Analysis: Determination of Regional Flood Discharge.

**b. Hydraulic modeling**

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, Hydraulic Analysis: Determination of Regional Flood Elevation and the following:

- i. Determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
- ii. Channel sections must be surveyed.

- iii. Minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
- iv. A maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
- v. The most current version of HEC\_RAS shall be used.
- vi. A survey of bridge and culvert openings and the top of road is required at each structure.
- vii. Additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
- viii. Standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
- ix. The model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.

c. Mapping



A work map of the reach study shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

- i. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
- ii. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

## 2. Zone AE Floodplains

### a. Hydrology

If the proposed hydrology will change the existing study, the appropriate method to be used shall be on ch. NR 116.07(3), Wis. Admin. Code, Hydrologic Analysis: Determination of Regional Flood Discharge.

### b. Hydraulic model

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, Hydraulic Analysis: Determination of Regional Flood Elevation and the following:

- i. Duplicate Effective Model

The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.

ii. Corrected Effective Model

The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for Department review.

iii. Existing (Pre-Project Conditions) Model

The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model

iv. Revised (Post-Project Conditions) Model

The Revised Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

v. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.

vi. Changes to the Hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reaches required. The Effective Model shall not truncated.

c. Mapping

Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:

- i. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs)m construction plans and bridge plans.
- ii. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable terms. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
- iii. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
- iv. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plan Coordinate System in accordance with FEMA mapping specifications.
- v. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
- vi. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
- vii. Both the current and proposed floodways shall be shown on the map.
- viii. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

(d) EXPIRATION. All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause.

(3) CERTIFICATE OF COMPLIANCE

No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:

- (a) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;
- (b) Application for such certificate shall be concurrent with the application for a permit;
- (c) If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
- (d) The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of s. 7.5 are met.

(4) OTHER PERMITS

Prior to obtaining a floodplain development permit, the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

7.2 ZONING AGENCY

- (1) The Plan Commission shall:
  - (a) Oversee the functions of the office of the zoning administrator; and
  - (b) Review and advise the governing body on all proposed amendments to this ordinance, maps and text.
- (2) This zoning agency shall not:
  - (a) Grant variances to the terms of the ordinance in place of action by the Board of Appeals; or
  - (b) Amend the text or zoning maps in place of official action by the governing body.

### 7.3 BOARD OF APPEALS

The Board of Appeals created under s. 62.23(7)(e) Stats. is hereby authorized or shall be appointed to act for the purposes of this ordinance. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The zoning administrator may not be the secretary of the Board.

#### (1) POWERS AND DUTIES

The Board of Appeals shall:

- (a) Appeals - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance;
- (b) Boundary Disputes - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
- (c) Variances - Hear and decide, upon appeal, variances from the ordinance standards.

#### (2) APPEALS TO THE BOARD

- (a) Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.

#### (b) NOTICE AND HEARING FOR APPEALS INCLUDING VARIANCES.

1. Notice - The Board shall:
  - a. Fix a reasonable time for the hearing;
  - b. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing;
  - c. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.

2. Hearing - Any party may appear in person or by agent. The Board shall:
    - a. Resolve boundary disputes according to s. 7.3(3);
    - b. Decide variance applications according to s. 7.3(4); and
    - c. Decide appeals of permit denials according to s. 7.4.
- (c) DECISION. The final decision regarding the appeal or variance application shall:
1. Be made within a reasonable time;
  2. Be sent to the Department Regional office within 10 days of the decision;
  3. Be a written determination signed by the chairman or secretary of the Board;
  4. State the specific facts which are the basis for the Board's decision;
  5. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
  6. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

(3) BOUNDARY DISPUTES

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

- (a) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined;
- (b) In all cases, the person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
- (c) If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the

governing body for a map amendment according to s. 8.0 *Amendments*.

(4) VARIANCE

(a) The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:

1. Literal enforcement of the ordinance provisions will cause unnecessary hardship;
2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
3. The variance is not contrary to the public interest; and
4. The variance is consistent with the purpose of this ordinance in s. 1.3.

(b) In addition to the criteria in subd. (a), to qualify for a variance under FEMA regulations, the following criteria must be met:

1. The variance may not cause any increase in the regional flood elevation;
2. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE; and
3. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.

(c) A variance shall not:

1. Grant, extend or increase any use prohibited in the zoning district;
2. Be granted for a hardship based solely on an economic gain or loss;
3. Be granted for a hardship which is self-created;
4. Damage the rights or property values of other persons in the area;
5. Allow actions without the amendments to this ordinance or map(s)

required in s. 8.0 *Amendments*; and

6. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.
- (d) When a floodplain variance is granted the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 for \$100.00 of coverage. A copy shall be maintained with the variance record.

#### 7.4 TO REVIEW APPEALS OF PERMIT DENIALS

- (1) The Zoning Agency (s. 7.2) or Board shall review all data related to the appeal.

This may include:

- (a) Permit application data listed in s. 7.1(2);
  - (b) Floodway/floodfringe determination data in s. 5.1(4);
  - (c) Data listed in s. 3.3(1)(b) where the applicant has not submitted this information to the zoning administrator; and
  - (d) Other data submitted with the application, or submitted to the Board with the appeal;
- (2) For appeals of all denied permits the Board shall:
    - (a) Follow the procedures of s. 7.3;
    - (b) Consider zoning agency recommendations; and
    - (c) Either uphold the denial or grant the appeal.
  - (3) For appeals concerning increases in regional flood elevation the Board shall:
    - (a) Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of s. 8.0 *Amendments*; and
    - (b) Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.



## 7.5 FLOODPROOFING

- (1) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA Floodproofing Certificate.
- (2) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
  - (a) Certified by a registered professional engineer or architect; or
  - (b) Meets or exceeds the following standards:
    1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
    2. The bottom of all openings shall be no higher than one foot above grade; and
    3. Openings may be equipped with screens, louvers, valves or other covering or devices provided that they permit the automatic entry and exit of floodwaters.
- (3) Floodproofing measures shall be designed, as appropriate, to:
  - (a) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
  - (b) Protect structures to the flood protection elevation;
  - (c) Anchor structures to foundations to resist flotation and lateral movement;
  - (d) Minimize or eliminate infiltration of flood waters;
  - (e) Minimize or eliminate discharges into flood waters.

## 7.6 PUBLIC INFORMATION

- (1) Place marks on structures to show the depth of inundation during the regional flood.
- (2) All maps, engineering data and regulations shall be available and widely distributed.

- (3) All real estate transfers should show what floodplain zoning district any real property is in.

## 8.0 AMENDMENTS

Obstruction or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.1

- (1) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.1.
- (2) In A Zones, increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendment are made to this ordinance, the official floodplain maps, floodway lines and water surface profiles, in accordance with s. 8.1.

## 8.1 GENERAL

The governing body may change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in §.2 below. Actions which require an amendment to the ordinance and/or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- (1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- (2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- (3) Any changes to any other officially adopted floodplain maps listed in s. 1.5(2)(b);
- (4) <sup>was</sup> (a) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- (5) <sup>was</sup> (a) Correction of discrepancies between the water surface profiles and floodplain maps;
- (6) <sup>was</sup> (5) Any upgrade to a floodplain zoning ordinance text requires by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and
- (7) <sup>was</sup> (b) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood

elevation from a FIRM requires prior approval by FEMA.

Any such alterations must be reviewed and approved by FEMA and the DNR.

## 8.2 PROCEDURES

Ordinance amendments may be made upon petition of any party according to the provisions of s. 62.23 Stats. The petitions shall include all data required by ss. 5.1(4) and 7.1(2). The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- (1) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of s. 62.23, Stats.
- (2) No amendments shall become effective until reviewed and approved by the Department.
- (3) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

## 9.0 ENFORCEMENT AND PENALTIES

Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not less than \$5.00 (five dollars) and not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to s. 87.30, Stats.

## 10.0 DEFINITIONS

Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

1. A ZONES - Those areas shown on the Official Floodplain Zoning Map which

- would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.
2. AH ZONE - See AREA OF SHALLOW FLOODING.
  3. AO ZONE - See AREA OF SHALLOW FLOODING.
  4. ACCESSORY STRUCTURE OR USE - A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.
  5. ALTERATION - An enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.
  6. AREA OF SHALLOW FLOODING - A designated AO, AH, AR/AO or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual change of flooding to an average dept of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.
  7. BASE FLOOD - Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.
  8. BASEMENT - Any enclosed area of a building having its floor sub-grade, i.e., below ground level, on all sides.
  9. BUILDING - See STRUCTURE.
  10. BULKHEAD LINE - A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.
  11. CAMPGROUND - Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.
  12. CAMPING UNIT - Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, tent that is fully licensed, if required, and ready for highway use.

13. **CERTIFICATE OF COMPLIANCE** - A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.
14. **CHANNEL** - A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.
15. **CRAWLWAYS OR CRAWL SPACE** - An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.
16. **DECK** - An unenclosed exterior structure that has no roof or sides but has a permeable floor which allows the infiltration of precipitation.
17. **DEPARTMENT** - The Wisconsin Department of Natural Resources.
18. **DEVELOPMENT** - Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.
19. **DRYLAND ACCESS** - A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.
20. **ENCROACHMENT** - Any fill, structure, equipment, building, use or development in the floodway.
21. **FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)** - The federal agency that administers the National Flood Insurance Program.
22. **FLOOD INSURANCE RATE MAP (FIRM)** - A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.
23. **FLOOD or FLOODING** - A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- The overflow or rise of inland waters;
  - The rapid accumulation or runoff of surface waters from any source;
  - The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior, or
  - The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.
24. **FLOOD FREQUENCY** - The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.
25. **FLOODFRINGE** - That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.
26. **FLOOD HAZARD BOUNDARY MAP** - A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.
27. **FLOOD INSURANCE STUDY** - A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.
28. **FLOODPLAIN** - Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe and may include other designated floodplain areas for regulatory purposes.
29. **FLOODPLAIN ISLAND** - A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.
30. **FLOODPLAIN MANAGEMENT** - Policy and procedures to insure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.
31. **FLOOD PROFILE** - A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations

- along a stream or river.
32. **FLOODPROOFING** - Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.
  33. **FLOOD PROTECTION ELEVATION** - An elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see: FREEBOARD)
  34. **FLOOD STORAGE** - Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.
  35. **FLOODWAY** - The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.
  36. **FREEBOARD** - A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.
  37. **HABITABLE STRUCTURE** - Any structure or portion thereof used or designed for human habitation.
  38. **HEARING NOTICE** - Publication or posting meeting the requirements of Ch. 985, Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.
  39. **HIGH FLOOD DAMAGE POTENTIAL** - Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.
  40. **HIGHEST ADJACENT GRADE** - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
  41. **HISTORIC STRUCTURE** - Any structure that is either:
    - Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
  - Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
  - Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.
42. INCREASE IN REGIONAL FLOOD HEIGHT - A calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.
43. LAND USE - Any nonstructural use made of unimproved or improved real estate. (Also see DEVELOPMENT)
44. LOWEST ADJACENG GRADE - Elevation of the lowest ground surface that touches any of the exterior walls of a building.
45. LOWEST FLOOR - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.
46. MAINTENANCE - The act or process to restoring to original soundness, including redecorating, refinishing, non-structural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or equipment.
47. MANUFACTURED HOME - A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."
48. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION - A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.
49. MOBILE/MANUFACTURED HOME PARK OF SUBDIVISION, EXISTING -



A parcel of land, divided into two or more manufacture home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading, or the pouring of concrete pads.

50. **MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING** - The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacture homes are to be affixed. This include installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.
51. **MOBILE RECREATIONAL VEHICLE** - A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."
52. **MODEL, CORRECTEE EFFECTIVE** - A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.
53. **MODEL, DUPLICATE EFFECTIVE** - A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.
54. **MODEL, EFFECTIVE** - The Hydraulic engineering model that was used t produce he current effective Flood Insurance Study.
55. **MODEL, EXISTING (PRE-PROJECT)** - A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.
56. **MODEL, REVISED (POST-PROJECT)** - A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.
57. **MUNICIPALITY or MUNICIPAL** - The county, city or village governmental units enacting, administering and enforcing this zoning ordinance.

58. NAVD or NORTH AMERICAN VERTICAL DATUM - Elevations referenced to mean sea level datum, 1988 adjustment.
59. NGVD or NATIONAL GEODETIC VERTICAL DATUM - Elevations referenced to mean sea level datum, 1929 adjustment.
60. NEW CONSTRUCTION - For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.
61. NONCONFORMING STRUCTURE - An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)
62. NONCONFORMING USE - An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)
63. OBSTRUCTION TO FLOW - Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.
64. OFFICIAL FLOODPLAIN ZONING MAP - That map, adopted and made part of this ordinance, as described in s. 1.5(2), which has been approved by the Department and FEMA.
65. OPEN SPACE USE - Those uses having a relatively low flood damage potential and not involving structures.
66. ORDINARY HIGHWATER MARK - The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.
67. PERSON - An individual, or group of individuals, corporation, partnership, association, municipality or state agency.

68. PRIVATE SEWAGE SYSTEM - A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.
69. PUBLIC UTILITIES - Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.
70. "REASONABLY SAFE FROM FLOODING - Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.
71. REGIONAL FLOOD - A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.
72. START OF CONSTRUCTION - The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
73. STRUCTURE - Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.
74. SUBDIVISION - Has the meaning given in s. 236.02(12), Wis. Stats.
75. SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would

equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.

76. **SUBSTANTIAL IMPROVEMENT** - Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.
77. **UNNECESSARY HARDSHIP** - Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.
78. **VARIANCE** - An authorization by the board of appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.
79. **VIOLATION** - The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.
80. **WATERSHED** - The entire region contributing runoff or surface water to a watercourse or body of water.
81. **WATER SURFACE PROFILE** - A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.
82. **WELL** - Means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

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.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Curt Andrews  
President, City Council

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

Attest:

\_\_\_\_\_  
Kim M. Graves  
City Clerk

Approved as to form and legality:

\_\_\_\_\_  
John M. Bruce  
City Attorney

DRAFT

Attachment: Flood Ordinance with changes (2936 : Zoning Code Text Amendment to repeal and recreate the City's Floodplain ordinance)

## ORDINANCE

**AN ORDINANCE** to repeal and recreate Section 10-2-1 and repeal Sections 10-2-2 through 10-2-10 of the Municipal Code to comply with requirements of the Federal Emergency Management Agency and the Wisconsin Department of Natural Resources related to Flood Protection and Control.

The Council of the City of Two Rivers ordains as follows:

**SECTION 1.** That Sections 10-2-1 through 10-2-10 of the Municipal Code shall hereby be repealed and recreated as follows:

### **SEC10-2-1 FLOODPLAIN**

#### **1.0 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS**

##### **1.1 STATUTORY AUTHORIZATION**

This ordinance is adopted pursuant to the authorization in s. 62.23 and the requirements in s. 87.30, Stats.

##### **1.2 FINDING OF FACT**

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare and tax base.

##### **1.3 STATEMENT OF PURPOSE**

This ordinance is intended to regulate floodplain development to:

- (1) Protect life, health and property;
- (2) Minimize expenditures of public funds for flood control projects;
- (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- (4) Minimize business interruptions and other economic disruptions;
- (5) Minimize damage to public facilities in the floodplain;
- (6) Minimize the occurrence of future flood blight areas in the floodplain;
- (7) Discourage the victimization of unwary land and homebuyers;

Attachment: Floodplain Ordinance (2936 : Zoning Code Text Amendment to repeal and recreate the City's Floodplain ordinance)

- (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- (9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

#### 1.4 TITLE

This ordinance shall be known as the Floodplain Zoning Ordinance for the City of Two Rivers, Wisconsin.

#### 1.5 GENERAL PROVISIONS

##### (1) AREAS TO BE REGULATED

This ordinance regulates all areas that would be covered by the regional flood or base flood as shown on the Flood Insurance Rate Map (FIRM) or other maps approved by the DNR. Base flood elevations are derived from the flood profiles in the Flood Insurance Study (FIS) and are shown as AE, A1-30 and AH Zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional Flood Elevations (RFE) may be derived from other studies. If more than one map or revision is referenced, the most restrictive information shall apply.

##### (2) OFFICIAL MAPS & REVISIONS

The boundaries of all floodplain districts are designated as A, AE, AH and AO or A1-30 on the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway in the FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the letter of map change process (see 8.0 *Amendments*) before it is effective. No changes to RFE's on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Zoning Administrator, City of Two Rivers. If more than one map or revision is referenced, the most restrictive approved information shall apply.

- (a) Flood Insurance Rate Map (FIRM), panel numbers 55071C0211D, 55071C0212D, 55071C0213D, 55071C0214D, 55071C0216D, 55071C0218D and 55071C0326D, dated August 2, 2011; with corresponding profiles that are based on the Flood Insurance Study (FIS) dated August 2, 2011, 55071CV000A.

##### (3) ESTABLISHMENT OF FLOODPLAIN ZONING DISTRICTS

The regional floodplain areas are divided into four districts as follows:

- (a) The Floodway District (FW) is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters and are contained within AE Zones as shown on the FIRM.
- (b) The Floodfringe District (FF) is that portion of the floodplain between the regional flood limits and the floodway and displayed as AE Zones on the FIRM.
- (c) The General Floodplain District (GFP) is those areas that have been or may be covered by floodwater during the regional flood and does not have a BFE or floodway boundary determined, including A, AH and AO Zones on the FIRM.
- (d) The Flood Storage District (FSD) is that area of the floodplain where storage of floodwaters is calculated to reduce the regional flood discharge.

(4) LOCATING FLOODPLAIN BOUNDARIES

Discrepancies between boundaries on the official floodplain zoning map and actual field conditions shall be resolved using the criteria in paragraphs (a) or (b) below. If a significant difference exists, the map shall be amended according to s. 8.0. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to s. 7.3(3) and the criteria in (a) and (b) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to s. 8.0 *Amendments*.

- (a) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- (b) Where flood profiles do not exist, the location of the boundary shall be determined by the map scale.

(5) REMOVAL OF LANDS FROM FLOODPLAIN

Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to s. 8.0 *Amendments*.



(6) COMPLIANCE

Any development or use within the areas regulated by this ordinance shall be in compliance with the terms of this ordinance, and other applicable local, state, and federal regulations.

(7) MUNICIPALITIES AND STATE AGENCIES REGULATED

Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if s. 13.48(13), Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s. 30.2022, Stats., applies.

(8) ABROGATION AND GREATER RESTRICTIONS

- (a) This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under s. 62.23 or s. 87.30, Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
- (b) This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

(9) INTERPRETATION

In their interpretation and application, the provisions of this ordinance are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

(10) WARNING AND DISCLAIMER OF LIABILITY

The flood protection standards in this ordinance are based on engineering experience and scientific research. Larger floods may occur or the flood height may be increased by man-made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. Nor does this ordinance create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.

(11) SEVERABILITY

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(12) ANNEXED AREAS FOR CITIES AND VILLAGES

The Manitowoc County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of ch. NR 116, Wis. Adm. Code and 44 CFR 59-72, National Flood Insurance Program (NFIP). These annexed lands are described on the municipality's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal zoning administrator. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

**2.0 GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS**

The community shall review all permit applications to determine whether proposed building sites will be reasonable safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.

Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meet the subdivision definition of this ordinance and all other requirements in s. 7.1(2). Adequate drainage shall be provided to reduce exposure to flood hazards and all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damages.

**2.1 HYDRAULIC AND HYDROLOGIC ANALYSES**

- (1) No floodplain development shall:
- (a) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
  - (b) Cause any increase in the regional flood height due to floodplain storage area lost.

- (2) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height based on the officially adopted FIRM or other adopted map, unless the provisions of s. 8.0 *Amendments* are met.

## 2.2 WATERCOURSE ALTERATIONS

No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of s. 2.1 must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to s. 8.0 *Amendments*, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process

## 2.3 CHAPTER 30, 31, WIS. STATS., DEVELOPMENT

Development which requires a permit from the Department, under chs. 30 and 31, Wis. Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to s. 8.0 *Amendments*.

## 2.4 PUBLIC OR PRIVATE CAMPGROUNDS

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- (1) The campground is approved by the Department of Health Services;
- (2) A land use permit for the campground is issued by the zoning administrator;
- (3) The character of the river system and the elevation of the campground is such that a 72-hour warning of an impending flood can be given to all campground occupants;
- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and

personnel responsible for conducting the evacuation;

- (5) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in sub. (4) - to remain in compliance with all applicable regulations, including those of the state Department of Health Services and all other applicable regulations;
- (6) Only camping units are allowed;
- (7) The camping units may not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours;
- (8) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section;
- (9) The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
- (10) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either s. 3.0, 4.0 or 5.0 for the floodplain district in which the structure is located;
- (11) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
- (12) All service facilities, including but not limited to refuse collection, electrical service, natural gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.

### **3.0 FLOODWAY DISTRICT (FW)**

#### **3.1 APPLICABILITY**

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 5.1(4).

#### **3.2 PERMITTED USES**

The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if

- they are not prohibited by any other ordinance;

- they meet the standards in s. 3.3 and 3.4; and
  - all permits or certificates have been issued according to s. 7.1.
- (1) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.
  - (2) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
  - (3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of s. 3.3(4).
  - (4) Uses or structures accessory to open space uses or classified as historic structures that comply with ss. 3.3 and 3.4.
  - (5) Extraction of sand, gravel or other materials that comply with s. 3.3(4).
  - (6) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30 and 31, Stats.
  - (7) Public utilities, streets and bridges that comply with s. 3.3(3).

### 3.3 STANDARDS FOR DEVELOPMENTS IN FLOODWAY AREAS

- (1) GENERAL
  - (a) Any development in floodway areas shall comply with s. 2.0 and have a low flood damage potential.
  - (b) Applicants shall provide the following data to determine the effects of the proposal according to s. 2.1 and 7.1(2)(c):
    1. A cross-section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
    2. An analysis calculating the effects of this proposal on regional flood height.
  - (c) The zoning administrator shall deny the permit application if the project will increase flood elevations upstream or downstream based on the data submitted for subd. (b) above.

(2) STRUCTURES

Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

- (a) The structure is not designed for human habitation and does not have a high flood damage potential and is constructed to minimize flood damage;
- (b) Shall have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings shall be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (c) Must be anchored to resist flotation, collapse and lateral movement;
- (d) Mechanical and utility equipment must be elevated or flood proofed to or above the flood protection elevation; and
- (e) It must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

(3) PUBLIC UTILITIES, STREETS AND BRIDGES

Public utilities, streets and bridges may be allowed by permit, if:

- (a) Adequate floodproofing measures are provided to the flood protection elevation; and
- (b) Construction meets the development standards of s. 2.1.

(4) FILLS OR DEPOSITION OF MATERIAL

Fills or deposition of materials may be allowed by permit, if:

- (a) The requirements of s. 2.1 are met;
- (b) No material is deposited in the navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and the other requirements of this section are met;

- (c) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
- (d) The fill is not classified as a solid or hazardous material.

### **3.4 PROHIBITED USES**

All uses not listed as permitted uses in s. 3.2 are prohibited, including the following uses:

- (1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- (2) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- (3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- (4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code.
- (5) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code;
- (6) Any solid or hazardous waste disposal sites;
- (7) Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code;
- (8) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

### **4.0 FLOODFRINGE DISTRICT (FF)**

#### **4.1 APPLICABILITY**

This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to s. 5.1(4).

#### **4.2 PERMITTED USES**

Any structure, land use, or development is allowed in the Floodfringe District if the standards in s. 4.3 are met, the use is not prohibited by this or any other ordinance or regulation and all permits or certificates specified in s. 7.1 have been issued.

### 4.3 STANDARDS FOR DEVELOPMENT IN THE FLOODFRINGE

S. 2.1 shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of s. 6.0 Nonconforming Uses;

#### (1) RESIDENTIAL USES

Any structure, including a manufactured home, which is to be newly constructed-or moved into the floodfringe area, must meet the requirements of s. 6.0 *Nonconforming Uses*;

- (a) The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of s. 4.3(1)(b) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure;
- (b) The basement or crawlway floor may be placed at the regional flood elevation if it is dry floodproofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation;
- (c) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subd. (d).
- (d) In developments where existing street or sewer line elevations make compliance with subd. (c) impractical, the municipality may permit new development and substantial improvements where access roads are below the regional flood elevation, if:
  1. The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
  2. The municipality has a DNR-approved emergency evacuation plan.

#### (2) ACCESSORY STRUCTURES OR USES

Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

#### (3) COMMERCIAL USES

Any commercial structure which is erected, altered or moved into the floodfringe shall meet the requirements of s. 4.3(1). Subject to the requirements of s. 4.3(5), storage yards, surface parking lots and other such uses may be placed at lower



elevations if an adequate warning system exists to protect life and property.

(4) MANUFACTURING AND INDUSTRIAL USES

Any manufacturing or industrial structure which is erected, altered or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards s. 7.5. Subject to the requirements of s. 4.3(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(5) STORAGE OF MATERIALS

Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with s. 7.5. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.

(6) PUBLIC UTILITIES, STREETS AND BRIDGES

All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and

- (a) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with s. 7.5;
- (b) Minor roads or nonessential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

(7) SEWAGE SYSTEMS

All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to s. 7.5(3), to the flood protection elevation and meet the provisions of all local ordinances and ch. SPS 83, Wis. Adm. Code.

(8) WELLS

All wells shall be designed to minimize or eliminate infiltration of flood waters into the system pursuant to s. 7.5(3), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.

(9) SOLID WASTE DISPOSAL SITES

Disposal of solid or hazardous waste is prohibited in floodfringe areas.

(10) DEPOSITION OF MATERIALS

Any deposited material must meet all the provisions of this ordinance.

(11) MANUFACTURED HOMES

- (a) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
- (b) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
  - 1. Have the lowest floor elevated to the flood protection elevation; and
  - 2. Be anchored so they do not float, collapse or move laterally during a flood.
- (c) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in s. 4.3(1).

(12) MOBILE RECREATIONAL VEHICLES

All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall meet the elevation and anchoring requirements in s. 4.3(11)(b) and (c). A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

**5.0 OTHER FLOODPLAIN DISTRICTS**

Other floodplain districts may be established under the ordinance and reflected on the floodplain zoning map. These districts may include general floodplain districts and flood storage districts.

**5.1 GENERAL FLOOD PLAIN DISTRICT (GFRP)**(1) APPLICABILITY

The provisions for this district shall apply to all floodplains mapped as A, AO or AH zones.

(2) PERMITTED USES

Pursuant to s. 5.1(4), it shall be determined whether the proposed use is located within a floodway or floodfringe.

Those uses permitted in Floodway (s. 3.2) and Floodfringe (s. 4.2) Districts are allowed within the General Floodplain District, according to the standards of s. 5.1(3), provided that all permits or certificates required under s. 7.1 have been issued.

(3) STANDARDS FOR DEVELOPMENT

S. 3.0 applies to floodway areas, s. 4.0 applies to floodfringe areas. The rest of this ordinance applies to either district.

- (a) In AO/AH Zones the structure's lowest floor must meet on the conditions listed below, whichever is higher:
1. At or above the flood protection elevation; or
  2. Two feet above the highest adjacent grade around the structure; or
  3. The depth as shown on the FIRM.
- (b) In AO/AH Zones, provided plans showing adequate drainage path to guide floodwaters around structures.

(4) DETERMINING FLOODWAY AND FLOODFRINGE LIMITS

Upon receiving an application for development within the general floodplain district, the zoning administrator shall:

- (a) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures; and the flood zone as shown on the FIRM.
- (b) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:
1. A Hydrologic and Hydraulic Study as specified in s. 7.1(2)(c);

2. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;
3. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

## 5.2 **FLOOD STORAGE DISTRICT**

The flood storage district delineates that portion of the floodplain where storage of floodwaters has been taken into account and is relied upon to reduce the regional flood discharge. The district protects the flood storage areas and assures that any development in the storage areas will not decrease the effective flood storage capacity which would cause higher flood elevations.

### (1) **APPLICABILITY**

The provisions of this section apply to all areas within the Flood Storage District (FSD), as shown on the official floodplain zoning maps.

### (2) **PERMITTED USES**

Any use or development which occurs in the flood storage district must meet the applicable requirements in s. 4.3.

### (3) **STANDARDS FOR DEVELOPMENT IN FLOOD STORAGE DISTRICTS**

- (a) Development in a flood storage district shall not cause an increase equal or greater than 0.00 of a foot in the height of the regional flood.
- (b) No development shall be allowed which removed flood storage volume unless an equal volume of storage as defined by the pre-development ground surface and the regional flood elevation shall be provided in the immediate area of the proposed development to compensate for the volume of storage which is lost (compensatory storage). Excavation below the groundwater table is not considered to provide an equal volume of storage.
- (c) If compensatory storage cannot be provided, the area may not be developed unless the entire area zoned as flood storage district - on this waterway - is rezoned to the floodfringe district. This must include a revision to the floodplain study and map done for the waterway to revert to the higher regional flood discharge calculated without floodplain storage, as per s. 8.0

*Amendments* of this ordinance.

- (d) No area may be removed from the flood storage district unless it can be shown that the area has been filled to the flood protection elevation and is contiguous to other lands lying outside of the floodplain.

## **6.0 NONCONFORMING USES (6.0)**

### **6.1 GENERAL**

#### **(1) APPLICABILITY**

If these standards conform with s. 87.30, Stats. and NR 116.15, Wis. Adm. Code and 44 CFR 59-72, they shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto.

- (2) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:

- (a) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

- (b) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;
- (c) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the

percentage of the structure's total current value those modifications represent;

- (d) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1). The costs of elevating a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- (e) No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1).
- (f) If on a per event basis the total value of the work being done under (d) and (e) equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1).
- (g) Except as provided in subd. (h), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equal or exceeds 50% of the structure's present equalized assessed value.
- (h) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum federal code requirements below are met and all required permits have been granted prior to the start of construction.

#### 1. Residential Structures

- a. Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of s. 7.5(2).
- b. Shall be anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.
- c. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- d. In A Zones, obtain, review and utilize any flood ate available from a federal, state or other source.
- e. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.1(3).
- f. In AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

## 2. Nonresidential Structures

- a. Shall meet the requirements of s. 6.1(2)(h)1a-f.
  - b. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in s. 7.5(1) or (2).
  - c. On AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards of 5.1(3).
- (3) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with s. 3.3(1), flood resistant materials are used, and construction practices and floodproofing methods that comply with s 7.5 are used. Repair of rehabilitation

of historic structures shall be exempt from the development standards of s. 6.1(2)(h)1 if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

## 6.2 **FLOODWAY DISTRICT**

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in a Floodway District, unless such modification or addition:
  - (a) Has been granted a permit or variance which meets all ordinance requirements;
  - (b) Meets the requirements of s. 6.1;
  - (c) Will not increase the obstruction to flood flows or regional flood height;
  - (d) Any addition to the existing structure shall be floodproofed, pursuant to s. 7.5, by means other than the use of fill, to the flood protection elevation; and
  - (e) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
    1. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
    2. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
    3. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
    4. The use must be limited to parking, building access or limited storage.
- (2) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in a Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a Floodway District shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and ch. SPS 383, Wis. Adm. Code.



- (3) No new well or modification to an existing well used to obtain potable water shall be allowed in a Floodway District. Any replacement, repair or maintenance of an existing well in a Floodway District shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and chs. NR 811 and NR 812, Wis. Adm. Code.

### **6.3 FLOODFRINGE AREAS**

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and meets the requirements of s. 4.3, except where s. 6.3(2) is applicable.
- (2) Where compliance with the provisions of subd. (1) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Appeals, using the procedures established in s. 7.3, may grant a variance from those provisions of subd. (1) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:
- (a) No floor is allowed below the regional flood elevation for residential or commercial structures;
  - (b) Human lives are not endangered;
  - (c) Public facilities, such as water or sewer, will not be installed;
  - (d) Flood depths will not exceed two feet;
  - (e) Flood velocities will not exceed two feet per second; and
  - (f) The structure shall not be used for storage of materials as described in s. 4.3(5).
- (3) All new private sewage disposal systems, or addition to replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, s. 7.5(3) and ch. SPS 383, Wis. Adm. Code.
- (4) All new wells or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this ordinance, s. 7.5(3) and ch. NR 811 and NR 812, Wis. Adm. Code.

### **6.4 FLOOD STORAGE DISTRICT**

No modifications or additions shall be allowed to any nonconforming structure in a flood

storage area unless the standards outlined in 5.2(3) are met.

## **7.0 ADMINISTRATION (7.0)**

Where a zoning administrator, planning agency or a board of appeals has already been appointed to administer a zoning ordinance adopted under s. 62.23(7), Stats., these officials shall also administer this ordinance.

## **7.1 ZONING ADMINISTRATOR**

### **(1) DUTIES AND POWERS**

The zoning administrator is authorized to administer this ordinance and shall have the following duties and powers:

- (a) Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
- (b) Issue permits and inspect properties for compliance with provisions of this ordinance, and issue certificates of compliance where appropriate.
- (c) Inspect all damaged floodplain structures and perform a substantial damage assessment to determine if substantial damage to the structures has occurred.
- (d) Keep records of all official actions such as:
  - 1. All permits issued, inspections made, and work approved.
  - 2. Documentation of certified lowest floor and regional flood elevations for floodplain development.
  - 3. Floodproofing certificates.
  - 4. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
  - 5. All substantial damage assessment reports for floodplain structures.
  - 6. List of nonconforming structure and uses.
- (e) Submit copies of the following items to the Department Regional office:
  - 1. Within 10 days of the decision, a copy of any decisions on variances,

appeals for map or text interpretations, and map or text amendments.

2. Copies of any case-by-case analyses, and any other information required including an annual summary of the number and types of floodplain zoning actions taken.
  3. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
- (f) Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.
- (g) Submit copies of amendments to the FEMA Regional office.

(2) LAND USE PERMIT

A land use permit shall be obtained before any new development; repair, modification or addition to an existing structure; or change in the use of a building or structure including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:

- (a) GENERAL INFORMATION.
1. Name and address of the applicant, property owner and contractor;
  2. Legal description, proposed use, and whether it is new construction or a modification;
- (b) SITE DEVELOPMENT PLAN. A site plan drawn to scale shall be submitted with the permit application form and shall contain:
1. Location, dimensions, area and elevation of the lot;
  2. Location of the ordinary highwater mark of any abutting navigable waterways;
  3. Location of any structures with distances measured from the lot lines and street center lines;
  4. Location of any existing or proposed on-site sewage systems or private water supply systems;
  5. Location and elevation of existing or future access roads;
  6. Location of floodplain and floodway limits as determined from the

official floodplain zoning maps;

7. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study - either national Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
8. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of s. 3.0 or 4.0 are met; and
9. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to s. 2.1. This may include any of the information noted in s. 3.3(1).

(c) **HYDRAULIC AND HYDROLOGIC STUDIES TO ANALYZE DEVELOPMENT.**

All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

1. **Zone A Floodplains:**

a. **Hydrology**

- i. The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, Hydrologic Analysis: Determination of Regional Flood Discharge.

b. **Hydraulic modeling**

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, Hydraulic Analysis: Determination of Regional Flood Elevation and the following:

- i. Determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
- ii. Channel sections must be surveyed.

- iii. Minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
  - iv. A maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
  - v. The most current version of HEC\_RAS shall be used.
  - vi. A survey of bridge and culvert openings and the top of road is required at each structure.
  - vii. Additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
  - viii. Standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
  - ix. The model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
- c. Mapping

A work map of the reach study shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

- i. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
- ii. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

## 2. Zone AE Floodplains

### a. Hydrology

If the proposed hydrology will change the existing study, the appropriate method to be used shall be on ch. NR 116.07(3), Wis. Admin. Code, Hydrologic Analysis: Determination of Regional Flood Discharge.

### b. Hydraulic model

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, Hydraulic Analysis: Determination of Regional Flood Elevation and the following:

#### i. Duplicate Effective Model

The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.

ii. Corrected Effective Model

The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for Department review.

iii. Existing (Pre-Project Conditions) Model

The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model

iv. Revised (Post-Project Conditions) Model

The Revised Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

v. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.

vi. Changes to the Hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reaches required. The Effective Model shall not truncated.

c. Mapping

Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:

- i. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs)m construction plans and bridge plans.
- ii. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable terms. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
- iii. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
- iv. If an annotated FIRM and/or FBFM and digital mapping date (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plan Coordinate System in accordance with FEMA mapping specifications.
- v. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
- vi. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
- vii. Both the current and proposed floodways shall be shown on the map.
- viii. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

- (d) EXPIRATION. All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause.

(3) CERTIFICATE OF COMPLIANCE



No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:

- (a) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;
- (b) Application for such certificate shall be concurrent with the application for a permit;
- (c) If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
- (d) The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of s. 7.5 are met.

(4) OTHER PERMITS

Prior to obtaining a floodplain development permit, the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

**7.2 ZONING AGENCY**

- (1) The Plan Commission shall:
  - (a) Oversee the functions of the office of the zoning administrator; and
  - (b) Review and advise the governing body on all proposed amendments to this ordinance, maps and text.
- (2) This zoning agency shall not:
  - (a) Grant variances to the terms of the ordinance in place of action by the Board of Appeals; or
  - (b) Amend the text or zoning maps in place of official action by the governing body.

### 7.3 BOARD OF APPEALS

The Board of Appeals created under s. 62.23(7)(e) Stats. is hereby authorized or shall be appointed to act for the purposes of this ordinance. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The zoning administrator may not be the secretary of the Board.

#### (1) POWERS AND DUTIES

The Board of Appeals shall:

- (a) Appeals - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance;
- (b) Boundary Disputes - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
- (c) Variances - Hear and decide, upon appeal, variances from the ordinance standards.

#### (2) APPEALS TO THE BOARD

- (a) Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.
- (b) NOTICE AND HEARING FOR APPEALS INCLUDING VARIANCES.
  - 1. Notice - The Board shall:
    - a. Fix a reasonable time for the hearing;
    - b. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing;
    - c. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.

2. Hearing - Any party may appear in person or by agent. The Board shall:
    - a. Resolve boundary disputes according to s. 7.3(3);
    - b. Decide variance applications according to s. 7.3(4); and
    - c. Decide appeals of permit denials according to s. 7.4.
- (c) **DECISION.** The final decision regarding the appeal or variance application shall:
1. Be made within a reasonable time;
  2. Be sent to the Department Regional office within 10 days of the decision;
  3. Be a written determination signed by the chairman or secretary of the Board;
  4. State the specific facts which are the basis for the Board's decision;
  5. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
  6. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

(3) **BOUNDARY DISPUTES**

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

- (a) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined;
- (b) In all cases, the person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
- (c) If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the

governing body for a map amendment according to s. 8.0 *Amendments*.

(4) VARIANCE

- (a) The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:
1. Literal enforcement of the ordinance provisions will cause unnecessary hardship;
  2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
  3. The variance is not contrary to the public interest; and
  4. The variance is consistent with the purpose of this ordinance in s. 1.3.
- (b) In addition to the criteria in subd. (a), to qualify for a variance under FEMA regulations, the following criteria must be met:
1. The variance may not cause any increase in the regional flood elevation;
  2. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE; and
  3. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.
- (c) A variance shall not:
1. Grant, extend or increase any use prohibited in the zoning district;
  2. Be granted for a hardship based solely on an economic gain or loss;
  3. Be granted for a hardship which is self-created;
  4. Damage the rights or property values of other persons in the area;
  5. Allow actions without the amendments to this ordinance or map(s)

required in s. 8.0 *Amendments*; and

6. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.
- (d) When a floodplain variance is granted the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 for \$100.00 of coverage. A copy shall be maintained with the variance record.

#### **7.4 TO REVIEW APPEALS OF PERMIT DENIALS**

- (1) The Zoning Agency (s. 7.2) or Board shall review all data related to the appeal.

This may include:

- (a) Permit application data listed in s. 7.1(2);
  - (b) Floodway/floodfringe determination data in s. 5.1(4);
  - (c) Data listed in s. 3.3(1)(b) where the applicant has not submitted this information to the zoning administrator; and
  - (d) Other data submitted with the application, or submitted to the Board with the appeal;
- (2) For appeals of all denied permits the Board shall:
    - (a) Follow the procedures of s. 7.3;
    - (b) Consider zoning agency recommendations; and
    - (c) Either uphold the denial or grant the appeal.
  - (3) For appeals concerning increases in regional flood elevation the Board shall:
    - (a) Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of s. 8.0 *Amendments*; and
    - (b) Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

## 7.5 FLOODPROOFING

- (1) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA Floodproofing Certificate.
- (2) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
  - (a) Certified by a registered professional engineer or architect; or
  - (b) Meets or exceeds the following standards:
    1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
    2. The bottom of all openings shall be no higher than one foot above grade; and
    3. Openings may be equipped with screens, louvers, valves or other covering or devices provided that they permit the automatic entry and exit of floodwaters.
- (3) Floodproofing measures shall be designed, as appropriate, to:
  - (a) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
  - (b) Protect structures to the flood protection elevation;
  - (c) Anchor structures to foundations to resist flotation and lateral movement;
  - (d) Minimize or eliminate infiltration of flood waters;
  - (e) Minimize or eliminate discharges into flood waters.

## 7.6 PUBLIC INFORMATION

- (1) Place marks on structures to show the depth of inundation during the regional flood.
- (2) All maps, engineering data and regulations shall be available and widely distributed.

- (3) All real estate transfers should show what floodplain zoning district any real property is in.

## **8.0 AMENDMENTS**

Obstruction or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.1

- (1) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.1.
- (2) In A Zones, increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendment are made to this ordinance, the official floodplain maps, floodway lines and water surface profiles, in accordance with s. 8.1.

## **8.1 GENERAL**

The governing body may change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in 8.2 below. Actions which require an amendment to the ordinance and/or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- (1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- (2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- (3) Any changes to any other officially adopted floodplain maps listed in s. 1.5(2)(b);
- (4) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- (5) Correction of discrepancies between the water surface profiles and floodplain maps;
- (6) Any upgrade to a floodplain zoning ordinance text requires by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and
- (7) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood

elevation from a FIRM requires prior approval by FEMA.

Any such alterations must be reviewed and approved by FEMA and the DNR.

## **8.2 PROCEDURES**

Ordinance amendments may be made upon petition of any party according to the provisions of s. 62.23 Stats. The petitions shall include all data required by ss. 5.1(4) and 7.1(2). The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- (1) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of s. 62.23, Stats.
- (2) No amendments shall become effective until reviewed and approved by the Department.
- (3) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

## **9.0 ENFORCEMENT AND PENALTIES**

Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not less than \$5.00 (five dollars) and not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to s. 87.30, Stats.

## **10.0 DEFINITIONS**

Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

1. A ZONES - Those areas shown on the Official Floodplain Zoning Map which



would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

2. AH ZONE - See AREA OF SHALLOW FLOODING.
3. AO ZONE - See AREA OF SHALLOW FLOODING.
4. ACCESSORY STRUCTURE OR USE - A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.
5. ALTERATION - An enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.
6. AREA OF SHALLOW FLOODING - A designated AO, AH, AR/AO or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual change of flooding to an average dept of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.
7. BASE FLOOD - Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.
8. BASEMENT - Any enclosed area of a building having its floor sub-grade, i.e., below ground level, on all sides.
9. BUILDING - See STRUCTURE.
10. BULKHEAD LINE - A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.
11. CAMPGROUND - Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.
12. CAMPING UNIT - Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, tent that is fully licensed, if required, and ready for highway use.

13. CERTIFICATE OF COMPLIANCE - A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.
14. CHANNEL - A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.
15. CRAWLWAYS OR CRAWL SPACE - An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.
16. DECK - An unenclosed exterior structure that has no roof or sides but has a permeable floor which allows the infiltration of precipitation.
17. DEPARTMENT - The Wisconsin Department of Natural Resources.
18. DEVELOPMENT - Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.
19. DRYLAND ACCESS - A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.
20. ENCROACHMENT - Any fill, structure, equipment, building, use or development in the floodway.
21. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) - The federal agency that administers the National Flood Insurance Program.
22. FLOOD INSURANCE RATE MAP (FIRM) - A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.
23. FLOOD or FLOODING - A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- The overflow or rise of inland waters;
  - The rapid accumulation or runoff of surface waters from any source;
  - The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior, or
  - The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.
24. FLOOD FREQUENCY - The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.
  25. FLOODFRINGE - That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.
  26. FLOOD HAZARD BOUNDARY MAP - A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.
  27. FLOOD INSURANCE STUDY - A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.
  28. FLOODPLAIN - Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe and may include other designated floodplain areas for regulatory purposes.
  29. FLOODPLAIN ISLAND - A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.
  30. FLOODPLAIN MANAGEMENT - Policy and procedures to insure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.
  31. FLOOD PROFILE - A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations

along a stream or river.

32. **FLOODPROOFING** - Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.
33. **FLOOD PROTECTION ELEVATION** - An elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see: **FREEBOARD**)
34. **FLOOD STORAGE** - Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.
35. **FLOODWAY** - The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.
36. **FREEBOARD** - A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.
37. **HABITABLE STRUCTURE** - Any structure or portion thereof used or designed for human habitation.
38. **HEARING NOTICE** - Publication or posting meeting the requirements of Ch. 985, Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.
39. **HIGH FLOOD DAMAGE POTENTIAL** - Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.
40. **HIGHEST ADJACENT GRADE** - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
41. **HISTORIC STRUCTURE** - Any structure that is either:
  - Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
  - Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
  - Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.
42. INCREASE IN REGIONAL FLOOD HEIGHT - A calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.
43. LAND USE - Any nonstructural use made of unimproved or improved real estate. (Also see DEVELOPMENT)
44. LOWEST ADJACENG GRADE - Elevation of the lowest ground surface that touches any of the exterior walls of a building.
45. LOWEST FLOOR - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.
46. MAINTENANCE - The act or process to restoring to original soundness, including redecorating, refinishing, non-structural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or equipment.
47. MANUFACTURED HOME - A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."
48. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION - A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.
49. MOBILE/MANUFACTURED HOME PARK OF SUBDIVISION, EXISTING -

A parcel of land, divided into two or more manufacture home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading, or the pouring of concrete pads.

50. **MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING** - The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacture homes are to be affixed. This include installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.
51. **MOBILE RECREATIONAL VEHICLE** - A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."
52. **MODEL, CORRECTEE EFFECTIVE** - A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.
53. **MODEL, DUPLICATE EFFECTIVE** - A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.
54. **MODEL, EFFECTIVE** - The Hydraulic engineering model that was used t produce he current effective Flood Insurance Study.
55. **MODEL, EXISTING (PRE-PROJECT)** - A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.
56. **MODEL, REVISED (POST-PROJECT)** - A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.
57. **MUNICIPALITY or MUNICIPAL** - The county, city or village governmental units enacting, administering and enforcing this zoning ordinance.

58. NAVD or NORTH AMERICAN VERTICAL DATUM - Elevations referenced to mean sea level datum, 1988 adjustment.
59. NGVD or NATIONAL GEODETIC VERTICAL DATUM - Elevations referenced to mean sea level datum, 1929 adjustment.
60. NEW CONSTRUCTION - For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.
61. NONCONFORMING STRUCTURE - An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)
62. NONCONFORMING USE - An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)
63. OBSTRUCTION TO FLOW - Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.
64. OFFICIAL FLOODPLAIN ZONING MAP - That map, adopted and made part of this ordinance, as described in s. 1.5(2), which has been approved by the Department and FEMA.
65. OPEN SPACE USE - Those uses having a relatively low flood damage potential and not involving structures.
66. ORDINARY HIGHWATER MARK - The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.
67. PERSON - An individual, or group of individuals, corporation, partnership, association, municipality or state agency.

68. **PRIVATE SEWAGE SYSTEM** - A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.
69. **PUBLIC UTILITIES** - Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.
70. **"REASONABLY SAFE FROM FLOODING** - Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.
71. **REGIONAL FLOOD** - A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.
72. **START OF CONSTRUCTION** - The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
73. **STRUCTURE** - Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.
74. **SUBDIVISION** - Has the meaning given in s. 236.02(12), Wis. Stats.
75. **SUBSTANTIAL DAMAGE** - Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would



equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.

76. **SUBSTANTIAL IMPROVEMENT** - Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.
77. **UNNECESSARY HARDSHIP** - Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.
78. **VARIANCE** - An authorization by the board of appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.
79. **VIOLATION** - The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.
80. **WATERSHED** - The entire region contributing runoff or surface water to a watercourse or body of water.
81. **WATER SURFACE PROFILE** - A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.
82. **WELL** - Means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

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.

Dated this 8th day of September 2020

\_\_\_\_\_  
Curt Andrews  
President, City Council

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

Attest:

\_\_\_\_\_  
Kim M. Graves  
City Clerk

Approved as to form and legality:

\_\_\_\_\_  
John M. Bruce  
City Attorney

Attachment: Floodplain Ordinance (2936 : Zoning Code Text Amendment to repeal and recreate the City's Floodplain ordinance)

**CITY OF TWO RIVERS  
COUNCIL PROCEEDINGS  
REGULAR MEETING  
Monday, August 17, 2020 – 6:00 PM  
Council Chambers – City Hall  
MINUTES**

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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	
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 Jeff Dawson, Lester Library Director; Jim McDonald, Public Works Director; Steve Denzien, Fire Chief; Ken Kozak, Electric Director; Brian Delleman, Electric; Brian Kohlmeier, Police Chief; Ross Blaha, Water Director; Dave Buss, Finance Director; Elizabeth Runge, Economic Development Director/City Planner; Rick Powell, EDP Supervisor; 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>	Mark Bittner, 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

5. **PUBLIC HEARING**

None.

## 6. INPUT FROM THE PUBLIC (PERMITTED BY PHONE DURING GOVERNOR'S MASK ORDER)

Jayne Rulseh, 1409 24th Street addressed the Council by phone regarding the cost of repairs on the 2021 Street and Utility Improvement Project on 24th, 25th and Madison Street. She stated Public Works Committee should take a look at the City's assessment policy with possibly using tools for pursuing other options or funds from borrowing or creating a TID.

## 7. COUNCIL COMMUNICATIONS

### Letters and other communications from citizens

Councilmember Bittner stated that he received a letter regarding the recently filled communication position. He stated the position is a part-time, contracted position. Two persons were interviewed with the hiring of Whitney Froelich for 20-25 hours per week.

Council President Andrew stated that he received a concern from Peter Becker about parking problem at the new beach area. He suggested limiting parking to one side of the street to eliminate congestion on Zlatnik Drive.

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

None.

## 9. CITY MANAGER'S REPORT

### A. Invited Guests

#### 1. Introduction and Swearing in Police Lieutenant--Robert Strandt

Brian Kohlmeier, Police Chief introduced Police Lieutenant Robert Strandt and City Clerk Graves administered the Oath of Office.

### B. Status/Update Reports

#### 1. Parks and Recreation Department Temporary Curtailment of Services and Activities

Mr. Buckley reported that in the interest of protecting the health and safety of our residents and employees and following the guidance of the Manitowoc County Health Department, the City has closed public access to the J.E. Hamilton Community House from Friday, August 14 through at least Sunday, August 23, 2020. Outdoor activities remain ongoing. This follows the exposure of several employees to COVID-19.

#### 2. Cobblestone Hotel Ribbon-Cutting: Thursday, August 20 at 12:00 Noon

Mr. Buckley reported the downtown Cobblestone Hotel grand opening event is Thursday, August 20, 2020 from 12:00 PM - 2:00 PM.

#### 3. State Department of Revenue Report on 2020 Equalized Valuations

Mr. Buckley reported the City's Equalized Valuation is up 4 percent over 2019. Residential values are up 5%, with existing residential up 4%, commercial values up 1%, manufacturing values up 4%.

4. Status of City's Active Tax Incremental Districts--2020 Equalized Valuations from Department of Revenue

Mr. Buckley reported on the status of the City's active tax incremental districts.

5. 2020 Budget: YTD Statistics for Room Tax Proceeds, Launch Ramp Fees

Mr. Buckley reported the 2019 room tax was \$44,450 through the end of July and 2020 through that to date is \$44,445. The 2019 launch ramp fees were \$3,564 and 2020 year to date fees year to date is \$7,624. Also, the 2019 beach concession revenue was \$1,791 and 2020 year to date is \$2,058.

6. Recent Event: Lakeshore Park Trail and Bench Dedication in Memory of Patrick Gagnon

Mr. Buckley stated the Sunday, August 16 Lakeshore Park Trail and bench dedication ceremony was attended by over 60 people and livestreamed on the City's Face book page.

7. Recent Event: Catamaran Association of Wisconsin (CRAW) Two Rivers Regatta

Mr. Buckley reported he received a thank you email from the Catamaran Racing Association of Wisconsin for hosting their event on Neshotah Beach. They plan to return in the future.

8. Recent Event: Simple Sundae Thursday and Cool City Car Cruise and Show

Mr. Buckley reported on Super Simple Sundae Thursday and the Cool City Car Cruise and Show events.

9. Upcoming Event: Two Rivers Water & Light Recycle Event, Tuesday, August 25, 7:30 AM - 5:00 PM

Mr. Buckley stated Two Rivers Water & Light Recycle event is Tuesday, August 25, from 7:30 AM - 5:00 PM. This will be the only recycling event in 2020 due to COVID. He reminded citizens to stay in your vehicle and the staff will do the unloading.

10. Upcoming Event: Celebrate Two Rivers, August 29, 4:00 to 10:00 PM

Mr. Buckley encouraged people to find out about upcoming events by going to [exploretworivers.com](http://exploretworivers.com) for a complete up-to-date detailed listing for Bands on the Beach, Kites Over Lake Michigan, Celebrate Two Rivers and more.

11. Other

Mr. Buckley gave an update from the joint City Council and BIDC/CDA meeting regarding lot sales at Sandy Bay Highlands Conservation Subdivision and the interest in the former Paragon property.

#### C. Legislative/Intergovernmental Update

1. State Budget Update
2. 2020-169 Resolution Urging Congress to Support Emergency Funding to Sustain State and Local Services

Recommended Action:

Motion to read and adopt the Resolution

**RESULT:** APPROVED WITH ROLL CALL [UNANIMOUS]  
**MOVER:** Mark Bittner, 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

3. Other

## 10. CONSENT AGENDA

**RESULT:** APPROVED WITH VOICE VOTE [UNANIMOUS]  
**MOVER:** Jay Remiker, Councilmember  
**SECONDER:** John Casavant, 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. **2020-170** Regular City Council Minutes-July 20, 2020 and August 3, 2020

Recommended Action:

Motion to waive reading and adopt the minutes

B. Applications and Petitions

1. Application for Operator License-Recommended for Denial

Briana L. Williams, 1013 20th Street, Two Rivers

Recommended Action:

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

2. Application for Landscaping/Tree Removal License, Kupla's Trees, for the period August 18, 2020 to June 30, 2021

Recommended Action:

Motion to approve the application and authorize the City Clerk to issue the license for the period of August 18, 2020 to June 30, 2021

C. Reports

1. **2020-171** Minutes of Meetings

- a. Library Board, July 14, 2020
- b. Public Works, August 3, 2020
- c. Public Utilities, August 4, 2020
- d. Plan Commission, August 10, 2020

Recommended Action:

Motion to receive and place on file

2. **2020-172** Department Reports for July 2020

- a. City Clerk
- b. Community Development
- c. Electric
- d. Fire
- e. Inspections
- f. Library
- g. Parks & Recreation-June, July
- h. Public Works
- i. Safety Program
- j. Water

Recommended Action:  
Motion to receive and file

- 3. **2020-173** Summary of Verified Bills for the Month of July 2020 for \$2,178,292.02

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

**11. CITY COUNCIL - FORMAL ITEMS**

- A. **2020-174** Project Acceptance Certification for 2018 Headworks Improvements at Wastewater Treatment Plant

Recommended Action:  
Motion to approve the project acceptance certifications and authorize signature by the City Manager

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

- B. **2020-175** Resolution Adopting Updated Manitowoc County Multi-Hazard Mitigation Plan, 2020-2025

Recommended Action:  
Motion to waive reading and adopt the Resolution

**RESULT:**     **APPROVED WITH ROLL CALL [UNANIMOUS]**  
**MOVER:**       Bonnie Shimulunas, 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

- C. Report on Possible Accessibility Improvements at North Pier (U.S. Army Corps of Engineers Property)

Attachment: 08.17.20 CC min final (2912 : City Council - Regular Meeting)

Recommended Action:  
Discussion Only

Mr. Buckley informed the Council the City was submitting a grant application for major improvements at the North Pier (U.S. Army Corps of Engineers Property) to the Coastal Management Group and will report back with regard to the application process at the first regular meeting in September.

- D. Letter to Property Owners on Those Sections of 24th Street, 25th Street and Madison Streets Planned for Reconstruction in 2021

Recommended Action:  
Discussion Only

Mr. Buckley stated the engineering department mailed out letters to the owner of 24<sup>th</sup> between Forest Avenue and Jefferson Street, 25<sup>th</sup> between West Rivers Street and Forest Avenue, Madison Street between 19<sup>th</sup> and 22<sup>nd</sup> Streets regarding the street and utility project that is planned for reconstruction in 2021. This letter was communicated to the owners regarding plans for special assessment and lateral replacement charges that will be associated with the street and utility projects.

- E. Notice/Request for Feedback Sent to Property Owners Within 250 Feet of Existing Licensed Taverns, Seeking Feedback on Possible Changes to Beer Garden Regulations (Set for Further Discussion at September 8 Meeting)

Recommended Action:  
Discussion Only

Mr. Buckley stated the police department mailed out over 400 letter requesting feedback on possible changes to the beer garden regulations. This matter will be brought back to the City Council at its meeting on September 8.

- F. Report on Existing City Tax Incremental Financing Districts; Opportunities for Funding Additional Projects

Recommended Action:  
Discussion Only

Mr. Buckley stated he will add this item to the August 31 Work Session meeting agenda. No action taken on this item.

- G. Permission for Fireworks to be Shot from Beach adjacent to North Pier or the Pier Itself with Safety Precautions--Kites Over Lake Michigan, Saturday, September 5

Recommended Action:

Motion to approve the request, contingent on fireworks contractor (Spielbauer Fireworks) obtaining Fire Department permit and providing certificate of liability insurance in the amount of \$5 million for public liability and property damage

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

Attachment: 08.17.20 CC min final (2912 : City Council - Regular Meeting)



## RECOMMENDATION FROM THE PLAN COMMISSION MEETING AUGUST 10, 2020

- H. Schedule Public Hearing Regarding Ordinance Change to Zoning Code Text Amendments in the Waterfront Business District Related to Restaurants with Indoor or Outdoor Seating

Recommended Action:

Motion to schedule a Public Hearing on September 8, 2020

**RESULT:** APPROVED WITH VOICE VOTE [UNANIMOUS]  
**MOVER:** Jack Powalisz, 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

- I. Schedule Public Hearing to Designate 0.18 Acres of Land Adjacent to Lot 16, Block 2 in Sandy Bay Highland Subdivision No. 2 as Conservation Subdivision District as a Conditional Use in the R-1 Single and Double Family Residence District, Submitted by the City of Two Rivers (owner)

Recommended Action:

Motion to schedule a Public Hearing on September 8, 2020

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

- J. Schedule Public Hearing on Zoning Code Text Amendment to Repeal and Recreate the City's Floodplain Ordinance

Recommended Action:

Motion to table to the September 20 Council meeting, in order for staff to do additional research on the potential impacts of this ordinance change

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

## 12. FOR INFORMATION ONLY

- A. Music in the Park Series, Thursday, August 20, 2020, 6-8 PM, Tony Rucker-Elvis, Central Park
- B. Bands on the Beach-Copperbox, Saturday, August 22, 2020, 6-10 PM, Rotary Pavilion Neshotah Beach

- C. Two Rivers Water & Light Recycle Event, Tuesday, August 25, 2020, 7:30 AM to 5:00 PM, 1415 Lake Street (Next Door to McDonalds)
- D. Central Park Concert Series, Thursday, August 27, 2020, 6:00-8:00 PM, Jerry Voelker and the Jolly Gents, Two Rivers Central Park
- E. Movie on the Beach: Pirates of the Caribbean - Dead Man's Chest, Friday, August 28, 2020, 7:30 PM, Neshotah Beach
- F. Celebrate Two Rivers, Saturday, August 29, 2020, 4-10 PM, Walsh Field, Music from Nettle Hill, food trucks, beer, concessions and more
- G. Kites Over Lake Michigan, Saturday, September 5 and Sunday, September 6, 2020, Two Rivers High School, 11:00 AM - 4:00 PM

**13. CLOSED SESSION**

At 7:48 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.

And per Wisc. 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. Discuss matters pertaining to City Manager's performance evaluation

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

**14. RECONVENE IN OPEN SESSION**

At 8:49 PM, motion reconvene in open session and to consider possible actions in follow-up to closed session discussions.

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

**15. ADJOURNMENT**

Attachment: 08.17.20 CC min final (2912 : City Council - Regular Meeting)

At 8:49 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:** Bill LeClair, Councilmember  
**AYES:** Bill LeClair, Bonnie Shimulunas, Curt Andrews, Darla LeClair, Jack Powalisz,  
Jay Remiker, John Casavant, Mark Bittner  
**ABSENT:** Adam Wachowski

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Kim M. Graves  
City Clerk

**CITY OF TWO RIVERS  
CITY COUNCIL PROCEEDINGS  
SPECIAL MEETING  
Wednesday, August 19, 2020  
Council Chambers - City Hall  
MINUTES**

**Call to Order**

The City Council meeting was called to order by President Curt Andrews at 6:00 PM.

**Roll Call**

Members present: Bonnie Shimulunas, Curt Andrews, Mark Bittner, John Casavant, Darla LeClair, William LeClair, Jack Powalisz. Absent and Excused: Jay Remiker, Adam Wachowski.

Staff Members present were: Gregory E. Buckley, City Manager; Brian Kohlmeier, Police Chief; Elizabeth Runge, Economic Development Director/City Planner; David Buss, Finance Director.

**Authorize Conveyance of Approximately 8,000 SF of City-Owned Property To The Community Development Authority of the City, to be Added to Lot 16 of Block 2 Located in the Phase 2 Area of the Sandy Bay Highlands Subdivision (Lot Inclusive of This Additional Land, is Under Contract for Sale)**

Mr. Buckley distributed a map of the properties. He stated that the CDA has entered into an agreement to sell Lot 16 of block 2, with the addition of the identified area of approximately 8,000 SF from the unplatted, City-owned lands to the north. While the subdivision lots are owned by the CDA, the unplatted land to the north are owned by the City; thus, the area to be added to Lot 16, block 2 needs to be conveyed to the Community Development Authority. The closing on the sale to a local couple, for construction of a new home, is scheduled for Friday, August 28, 2020.

A motion was made by Councilmember Powalisz, seconded by Councilmember Bittner, to authorize the conveyance of the property, as identified on certified survey map, by quit-claim deed to the Community Development Authority. Upon a voice vote, motion carried. Mr. Buckley thanked the Councilmembers for attending this special meeting.

**Adjournment**

At 6:05 PM, a motion was made by Councilmember Bill LeClair, seconded by Councilmember Casavant, to adjourn the meeting. Upon a voice vote, motion carried.

---

Kim M. Graves  
City Clerk

pd 9-2-20 #1.080

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

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

FEE \$ 15.00

Application Date: 9-2-20

Town  Village  City of Two Rivers

County of Manitowoc

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

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
- A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning Time 12pm and ending Time 11pm and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. Organization (check appropriate box) →
- Bona fide Club
  - Church
  - Lodge/Society
  - Veteran's Organization
  - Fair Association or Agricultural Society
  - Chamber of Commerce or similar Civic or Trade Organization organized under ch. 181, Wis. Stats.

(a) Name Manitowoc County Mariners

(b) Address 1632 25th St, Two Rivers, WI 54241  
(Street)  Town  Village  City

(c) Date organized Sept. 2009

(d) If corporation, give date of incorporation \_\_\_\_\_

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

(f) Names and addresses of all officers:

President Marcos Alfaro Sr.

Vice President \_\_\_\_\_

Secretary Anita Alfaro

Treasurer \_\_\_\_\_

(g) Name and address of manager or person in charge of affair: Marcos + Anita Alfaro  
Phone Number: 920-645-8655

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

(a) Street number \_\_\_\_\_

(b) Lot Walsh Field Block \_\_\_\_\_

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

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: \_\_\_\_\_

### 3. Name of Event

(a) List name of the event Football game

(b) Dates of event 9/12, 9/19 & 10/3

### DECLARATION

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

Officer [Signature]  
(Signature / Date) 8/31/2020

Manitowoc County Mariners  
(Name of Organization)

Date Filed with Clerk \_\_\_\_\_

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

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

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

Attachment: Temp B Appl (2938 : Applications for Temporary Class "B" Retailer's Licenses)



FEE: \$5.00

RECEIPT #: 1084979

DATE: 06/16/2020

CITY OF TWO RIVERS  
APPLICATION FOR TAXI DRIVER LICENSE  
(Municipal Code: 6-6-8)

FULL LEGAL NAME: Terrence B Alston  
(PLEASE PRINT) (First) (Middle Initial) (Last) (List ALL Former Names)  
Address: 920 N 16th St A Manitowish WI 54220  
(Number) (Street) (Apt.#) (City) (State) (Zip Code)  
Telephone Number(s): N/A / 920-629-1677  
(Home) (Cell) (Other)  
Date of Birth: 08/29/1971  
Driver's License # A423-8027-1309-05

Have you ever had your Driver's License Revoked or Suspended?

Yes  No

Have you ever been arrested OR convicted of a Felony?

Yes  No

a. Date of Conviction: N/A

Pardoned:  Yes  No Date Pardoned: N/A

Nature of Offense: N/A

Arresting Agency: N/A

Have you ever been arrested OR convicted of a Misdemeanor?

Yes  No

a. Date of Conviction: 4/13/2013

Pardoned:  Yes  No Date Pardoned:

Nature of Offense: Disorderly Conduct

Arresting Agency: Manitowish PD

Have you ever been arrested OR convicted of Operating a Motor Vehicle While Under the Influence of an Intoxicant or Drug? (List All)

Yes  No

B. Date of Arrest or Conviction:

Arresting Agency:

Date of Arrest or Conviction: N/A

Arresting Agency: N/A

Date of Arrest or Conviction: N/A

Arresting Agency: N/A

Are there ANY charges pending against you? (If yes, complete questions below)

Yes  No

CONTINUED ON BACK SIDE



Attachment: Taxi Driver Alston (2917 : Applications for Taxi Drivers)

a. Nature of Offense: N/A  
Date of Offense: N/A Arresting agency: N/A

**NOTE: LICENSE NOT VALID until approved by the City Council of the City of Two Rivers. Any inquiries regarding the denial of a license should be directed to the City Manager's Office. In the event an application is denied:**

STATE OF WISCONSIN  
MANITOWOC COUNTY

I hereby swear on oath that I am the person who made the foregoing application for a Taxi Driver License; that all statements made by me are true. I also understand that withholding information or making false statements will be basis for the denial of a license.

Subscribed and sworn to before me

this 15 day of June 2020

Notary Signature \_\_\_\_\_

Applicant Signature: [Signature]

Information on this application if found to be correct and complete:

Chief of Police: [Signature]

Date: 06-18-20

Council has approved this application? [ ] Yes [ ] NO

Date of Approval: \_\_\_\_\_

License #: \_\_\_\_\_

Attachment: Taxi Driver Alston (2917 : Applications for Taxi Drivers)

20-04411



FEE: \$5.00

RECEIPT #: 1086181

DATE: 8-17-20

CITY OF TWO RIVERS
APPLICATION FOR TAXI DRIVER LICENSE
(Municipal Code: 6-6-8)

FULL LEGAL NAME: Becky J Kriescher
(PLEASE PRINT) (First) (Middle Initial) (Last) (List ALL Former Names)

Address: 2054 Tannery Rd Two Rivers WI 54241
(Number) (Street) (Apt.#) (City) (State) (Zip Code)

Telephone Number(s): 920-973-2570
(Home) (Cell) (Other)

Date of Birth: 10-23-1970 Driver's License # K626-0707-0883-08

Have you ever had your Driver's License Revoked or Suspended? [ ] Yes [X] No

Have you ever been arrested OR convicted of a Felony? [ ] Yes [X] No

a. Date of Conviction: \_\_\_\_\_ Pardoned: [ ] Yes [ ] No Date Pardoned: \_\_\_\_\_

Nature of Offense: \_\_\_\_\_ Arresting Agency: \_\_\_\_\_

Have you ever been arrested OR convicted of a Misdemeanor? [ ] Yes [X] No

a. Date of Conviction: \_\_\_\_\_ Pardoned: [ ] Yes [ ] No Date Pardoned: \_\_\_\_\_

Nature of Offense: \_\_\_\_\_ Arresting Agency: \_\_\_\_\_

Have you ever been arrested OR convicted of Operating a Motor Vehicle While Under the Influence of an Intoxicant or Drug? (List All) [ ] Yes [X] No

B. Date of Arrest or Conviction: \_\_\_\_\_ Arresting Agency: \_\_\_\_\_

Date of Arrest or Conviction: \_\_\_\_\_ Arresting Agency: \_\_\_\_\_

Date of Arrest or Conviction: \_\_\_\_\_ Arresting Agency: \_\_\_\_\_

Are there ANY charges pending against you? (If yes, complete questions below)

[ ] Yes [ ] No

CONTINUED ON BACK SIDE

Attachment: Taxi Driver Kriescher (2917 : Applications for Taxi Drivers)

Signature and date: 08-19-20



a. Nature of Offense: \_\_\_\_\_

Date of Offense: \_\_\_\_\_ Arresting agency: \_\_\_\_\_

**NOTE: LICENSE NOT VALID until approved by the City Council of the City of Two Rivers. Any inquiries regarding the denial of a license should be directed to the City Manager's Office. In the event an application is denied:**

STATE OF WISCONSIN  
MANITOWOC COUNTY

I hereby swear on oath that I am the person who made the foregoing application for a Taxi Driver License; that all statements made by me are true. I also understand that withholding information or making false statements will be basis for the denial of a license.

Subscribed and sworn to before me

this 17 day of August, 2020.

Melissa Lopez  
Notary Signature

Applicant Signature: Bucky Kriescher

Information on this application if found to be correct and complete:

Chief of Police: Buck

Date: 08-18-20

Council has approved this application? [ ]Yes [ ]NO

Date of Approval: \_\_\_\_\_

License #: \_\_\_\_\_

Attachment: Taxi Driver Kriescher (2917 : Applications for Taxi Drivers)





FEE: \$5.00  
RECEIPT #: 1086180  
DATE: 8-17-20

CITY OF TWO RIVERS  
APPLICATION FOR TAXI DRIVER LICENSE  
(Municipal Code: 6-6-8)

FULL LEGAL NAME: EARL JAMES SMITH  
(PLEASE PRINT) (First) (Middle Initial) (Last) (List ALL Former Names)  
Address: 7054 TANNERY Two Rivers WI 54241  
(Number) (Street) (Apt.#) (City) (State) (Zip Code)  
Telephone Number(s): 920 645 4199  
(Home) (Cell) (Other)  
Date of Birth: 08/28/71 Driver's License # 5530-2107-1308-00

Have you ever had your Driver's License Revoked or Suspended?  Yes  No

Have you ever been arrested OR convicted of a Felony?  Yes  No

a. Date of Conviction: \_\_\_\_\_ Pardoned:  Yes  No Date Pardoned: \_\_\_\_\_  
Nature of Offense: \_\_\_\_\_ Arresting Agency: \_\_\_\_\_

Have you ever been arrested OR convicted of a Misdemeanor?  Yes  No

a. Date of Conviction: \_\_\_\_\_ Pardoned:  Yes  No Date Pardoned: \_\_\_\_\_  
Nature of Offense: \_\_\_\_\_ Arresting Agency: \_\_\_\_\_

Have you ever been arrested OR convicted of Operating a Motor Vehicle While Under the Influence of an Intoxicant or Drug? (List All)  Yes  No

B. Date of Arrest or Conviction: \_\_\_\_\_ Arresting Agency: \_\_\_\_\_  
Date of Arrest or Conviction: \_\_\_\_\_ Arresting Agency: \_\_\_\_\_  
Date of Arrest or Conviction: \_\_\_\_\_ Arresting Agency: \_\_\_\_\_

Are there ANY charges pending against you? (If yes, complete questions below)  
CONTINUED ON BACK SIDE

Document Scanned TRPD  Yes  No

EO 08-17-20

Attachment: Taxi Driver Smith (2917 : Applications for Taxi Drivers)

a. Nature of Offense: \_\_\_\_\_

Date of Offense: \_\_\_\_\_ Arresting agency: \_\_\_\_\_

**NOTE: LICENSE NOT VALID until approved by the City Council of the City of Two Rivers. Any inquiries regarding the denial of a license should be directed to the City Manager's Office. In the event an application is denied:**

STATE OF WISCONSIN  
MANITOWOC COUNTY

I hereby swear on oath that I am the person who made the foregoing application for a Taxi Driver License; that all statements made by me are true. I also understand that withholding information or making false statements will be basis for the denial of a license.

Subscribed and sworn to before me

this 17 day of August 2020

Melissa Cedepe  
Notary Signature

Applicant Signature: [Signature]

Information on this application if found to be correct and complete:

Chief of Police: [Signature]

Date: 08-19-20

Council has approved this application? [ ]Yes [ ]NO

Date of Approval: \_\_\_\_\_

License #: \_\_\_\_\_

Attachment: Taxi Driver Smith (2917 : Applications for Taxi Drivers)



**CITY OF TWO RIVERS CITY COUNCIL  
PERSONNEL AND FINANCE COMMITTEE  
Wednesday, May 6, 2020  
5:00 PM  
3<sup>rd</sup> Floor Committee Room**

**Call to Order**

The meeting was called to order by Committee Chairman Curt Andrews at 5:00 PM.

**Roll Call**

Committee Members present: Curt Andrews, Jack Powalisz, Mark Bittner.

Also present were Gregory Buckley, City Manager, Dave Buss, Finance Director, Steve Denzien, Fire Chief and Bonnie Shimulunas, City Councilmember.

**Discuss Status of 2020 City Budget, Year to Date and Outlook for Revenues, Balance of 2020 and 2021 Budget Year; Budget Impacts of the COVID-19 Pandemic, Possible Impacts to City Budget and Contingency Planning**

Mr. Buckley reviewed the first three-month period of the General Fund Summary Budgets. To date the Revenue budget is \$2,990,171.99 and the Expenditure budget is 2,7554,807. The Committee continued discussing concerns associated with COVID-19. Per Mr. Buckley he stated the amount of State Shared Revenues for 2020 should not be affected, but he stated his concerns for the years 2021-2022. The City's budget has always been prudent. He is recommending borrowing for a contingency "bucket" of 5%. The Council will need to pass a Budget Amendment with the identified 2020 budget cuts as presented.

A motion was made by Councilmember Bittner, seconded by Councilmember Powalisz, to proceed with the contingency plan as presented. Upon a voice vote, motion carried.

**Discuss Current and Upcoming Staff Vacancies**

Mr. Buckley stated there are positions that are on hold from filling to date. Parks and Recreation Maintenance/Forestry position; Parks and Recreation Part time programming/PR position; Park and Recreation Director; Police Officer position; Part time Finance Clerk and Public Works summer help.

He further stated Officer Tim Culligan has retired from the Police Department and that position will not be filled currently. Due to the schools being closed, the three School Resource Officers have been added to the Patrol Shifts. The Two Rivers School District is continuing to fund the three School Resource Officers through 2020.

Personnel and Finance Committee  
 May 6, 2020  
 Page Two

Councilmember Powalisz excused himself from the meeting at 6:30 PM.

### **Discuss Status of Financing for 2020 Projects**

Mr. Buckley stated the paperwork for the financing is all in place that the Council approved at their last meeting on April 20, 2020. The loans were all approved and the city is preparing to use these funds in the next months.

### **Closed Executive Session**

At 7:06 a motion was made by Councilmember Andrews, seconded by Councilmember Bittner, to enter into Closed Session per Wisc. Stats. 19.85(1)€ deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session:

- Discuss possible City assistance to economic development projects
- Discuss status of negotiations with Thermo Fisher Scientific for purchase of former Hamilton Property
- Discuss strategy related to other prospective property purchases

Upon a roll call vote, Ayes (2) Curt Andrews, Mark Bittner; Noes (0) None. Motion carried.

### **Reconvene in Open Session – Possible Action on Matters Discussed in Closed Session**

At 7:50 PM, a motion was made by Councilmember Andrews, seconded by Councilmember Bittner, to reconvene in Open Session. Upon a voice vote, motion carried. There were no actions taken on any matters discussed in Closed Session.

### **Discuss Date for Next Meeting**

It was the consensus of the Committee to meet on Wednesday, May 13, 2020 at 5:00 PM.

### **Adjournment**

There being no further business, a motion was made by Councilmember Andrews, seconded by Councilmember Bittner, to adjourn at 7:55 PM. Upon a voice vote, motion carried.

---

Kim M. Graves  
 City Clerk

**CITY OF TWO RIVERS CITY COUNCIL  
PERSONNEL AND FINANCE COMMITTEE  
Wednesday, June 24, 2020  
5:30 PM  
3<sup>rd</sup> Floor Council Chambers**

**Call to Order**

The meeting was called to order by Committee Chairman Mark Bittner at 5:30 PM.

**Roll Call**

Committee Members present: Curt Andrews, Jack Powalisz, Mark Bittner.

Also present were Gregory Buckley, City Manager, Dave Buss, Finance Director; City Attorney Jack Bruce via telephone.

**Review and Discuss Draft Code of Conduct for Elected Officials**

The draft of the Code of Conduct was reviewed by the Committee with City Attorney Jack Bruce. After review, it was the consensus to include this draft on the Monday, June 29, 2020 Work Session Agenda for review and comment and approve it on the Monday, July 6, 2020 City Council Meeting.

Committee Member Powalisz excused himself from the meeting at 6:30 PM.

**Closed Session**

At 7:40 a motion was made by Councilmember Andrews, seconded by Councilmember Bittner, to enter into Closed Session per Wisc. Stats. 19.85(1)€ deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session:

- Possible Assistance to Economic Development Projects
- Discuss Property Sale
- Discuss Property Acquisition

Upon a roll call vote, Ayes (2) Curt Andrews, Mark Bittner; Noes (0) None. Motion carried.

**Reconvene in Open Session – Possible Action on Matters Discussed in Closed Session**

At 8:10 PM, a motion was made by Councilmember Andrews, seconded by Councilmember Bittner, to reconvene in Open Session. Upon a voice vote, motion carried. There were no actions taken on any matters discussed in Closed Session.

Personnel and Finance Committee  
 June 24, 2020  
 Page Two

### **Review 2020 Budget Status as of May 31**

Mr. Buckley stated that State Shared Revenues should remain constant for this year. To date the city has received 88.8% of the property taxes and residents are continuing to pay them even with the extension of October. Mr. Buckley distributed the Utilities 2020 Budget Savings. The Water Department totaled \$51,120; Wastewater totaled \$50,000 and Electric totaled \$118,775.

### **Review May 2020 Overtime Report/Possible Additional Amendment to 2020 General Fund Budget**

The Committee reviewed the overtime report for the month of May. No action was taken.

Mr. Buckley recommended an amendment to 2020 General Fund Budget. The General Fund Budget was previously amended on May 18, 2020 to reduce various operating budgets by a total of \$358,742, to move \$258,742 to budgeted Contingency and to provide \$100,000 in funding for a COVID-19 Emergency Grant Program for local small businesses. He further stated there is an opportunity for \$25,000 additional expenditure reductions from the Police Department Budget and Parks and Recreation Budget for a total of \$25,000.

Mr. Buckley stated \$15,000 will be available to secure an employment contract for a Two Rivers Communications Coordinator who will assist in the city's branding initiative, communications related to economic development efforts and communications with the general public through social media and city website. The additional \$10,000 will be added to budget contingency.

After discussion, a motion was made by Councilmember Andrews, seconded by Councilmember Bittner, to put the Budget Amendment on the Monday, June 29, 2020 Work Session Agenda for the full council approval. Upon a voice vote, motion carried.

### **Possible Inter-Fund Loans to Cover Deficit Balances in TID's 6, 10 and 12 with Temporary Advances from Other TID's**

Mr. Buckley recommended inter fund loans from Tax Incremental Districts to cover deficit balances. He stated that TID No. 7 (Old Hospital TID) has a current cash balance of approximately \$714,000; has annual revenues of \$158,000, annual debt service expense of \$72,200 which was transferred to Water and Sewer Fund for the Lincoln Avenue utility project.

TID No. 7 would loan \$210,000 to TID No, 6 to cover entire amount of that fund's negative fund balance at an interest rate of 3%, to be repaid over the remaining 8 years of that TID and a loan in the amount of \$500,000 to cover a portion of a negative fund balance in the Water Fund with an annual 3% interest to be repaid over the next 6 years.

Personnel and Finance Committee  
June 24, 2020  
Page Three

After review, it was the consensus of the Committee to recommend to full council for approval at its meeting on Monday, June 29, 2020

**Consider a Quarterly Form to Track Progress on Strategic Goals**

Mr. Buckley stated he will have this item on the next Personnel and Finance Committee meeting.

**Consider Measure to Encourage Local Purchasing by City Wherever Practical**

Councilmember Bittner would like to see a purchasing policy for the City of Two Rivers. Mr. Buss stated the City already has a Policy in place. Mr. Buss will share the policy with this Committee at the next meeting for more discussion.

**Set Date for Next Meeting**

It was the consensus of the Committee to meet on Wednesday, July 15 at 5:00 PM.

**Adjournment**

There being no further business, a motion was made by Councilmember Andrews, seconded by Councilmember Bittner, to adjourn at 9:00 PM. Upon a voice vote, motion carried.

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Kim M. Graves  
City Clerk



**CITY OF TWO RIVERS CITY COUNCIL  
PERSONNEL AND FINANCE COMMITTEE  
Wednesday, July 15, 2020  
5:00 PM  
3<sup>rd</sup> Floor Council Chambers**

**Call to Order**

The meeting was called to order by Committee Chairman Mark Bittner at 5:00 PM.

**Roll Call**

Committee Members present: Curt Andrews, Jack Powalisz, Mark Bittner.

Also present were Gregory Buckley, City Manager; Dave Buss, Finance Director; City Attorney Jack Bruce; Adam Wachowski, Councilmember.

**Review and Discuss Draft Code of Conduct for Elected Officials**

The revised draft of the Code of Conduct was reviewed by the Committee with City Attorney Jack Bruce. Councilmember Wachowski had concerns about certain sections of the Code of Conduct. After review, it was the consensus to include this revised document on the Monday, July 20, 2020 City Council Meeting Agenda for approval by the City Council.

Committee Member Powalisz excused himself from the meeting at 6:30 PM.

**Consider Measures to Encourage Local Purchasing by City Wherever Practical**

Mr. Buckley stated there have been concerns raised to where the City purchases their vehicles, equipment and supplies from. He stated Department Heads do purchase with local businesses whenever possible. He further stated he will discuss this in more detail with the Department Head Group and bring back recommendations on a purchase plan.

A motion was made by Councilmember Bittner, seconded by Councilmember Andrews, to direct staff to discuss and bring back recommendations on a purchase plan for the City to follow. Upon a voice vote, motion carried.

**Review 2020 Budget Status as of June 30**

Mr. Buckley stated that State Shared Revenues should remain constant for this year. To date the city has received 88.8% of the property taxes and residents are continuing to pay them even with the extension of October. Mr. Buckley distributed the Utilities 2020 Budget Savings. The Water Department totaled \$51,120; Wastewater totaled \$50,000 and Electric totaled \$118,775.

Personnel and Finance Meeting  
July 16, 2020  
Page Two

### **Review June 2020 Overtime Report**

The Committee reviewed the overtime report for the month of June. No action was taken.

### **Consider a Quarterly Form to Track Progress on Strategic Goals**

Mr. Buckley stated the Goals are on the website and the City's Facebook page. He requested a special meeting to discuss the goals and create a mechanism to track the progress. The consensus of the committee is to meet on Wednesday, July 29, 2020 at 5:00PM solely for this item.

### **Closed Session**

Mr. Buckley stated there was no need for the Closed Session that was listed on this Agenda.

### **Set Date for Next Meeting**

It was the consensus of the Committee to meet on Wednesday, August 19, 2020 at 5:00 PM.

### **Adjournment**

There being no further business, a motion was made by Councilmember Andrews, seconded by Councilmember Bittner, to adjourn at 8:15 PM. Upon a voice vote, motion carried.

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Kim M. Graves  
City Clerk

**CITY OF TWO RIVERS CITY COUNCIL  
PERSONNEL AND FINANCE COMMITTEE  
Wednesday, August 19, 2020  
5:30 PM  
3<sup>rd</sup> Floor Council Chambers**

**Call to Order**

The meeting was called to order by Committee Chairman Mark Bittner at 5:30 PM.

**Roll Call**

Committee Members present: Curt Andrews, Jack Powalisz, Mark Bittner.

Also present were Gregory Buckley, City Manager; Dave Buss, Finance Director; Brian Kohlmeier, Police Chief; Elizabeth Runge, Economic Development Director.

Invited Guests: Kate Gadd, Abigail Diaz.

**Discussion Regarding Community Racial Education**

Ms Gadd and Ms Diaz addressed the committee with the concept of creating a Task Force or Ad Hoc Committee which would include members of the community to further educate the community with awareness and communication regarding racial and diversity within our city.

Ms Gadd will reach out to Two Rivers Public Schools, TRBA, Main Street, Library Director and other departments within the city.

After discussion, the Personnel and Finance Committee is in support of creating this task force/ad hoc committee, but it should be community driven, not city driven.

A motion was made by Councilmember Andrews, seconded by Councilmember Powalisz, to recommend Ms Gadd and Ms Diaz to craft the concept of the proposed task force/ad hoc committee and present at the next work session which is scheduled for Monday, August 31, 2020. Upon a voice vote, motion carried.

**Recess**

At 6:00 PM, a motion was made by Councilmember Andrews, seconded by Councilmember Powalisz, to recess the Personnel and Finance Committee Meeting for the Special City Council Meeting at 6:00 PM. Upon a voice, vote, motion carried.

Personnel and Finance Meeting  
 August 19, 2020  
 Page Two

### **Reconvene the Personnel and Finance Committee Meeting**

At 6:05 PM, a motion was made by Councilmember Andrews, seconded by Councilmember Powalisz, to reconvene the Personnel and Finance Committee Meeting. Upon a voice vote, motion carried.

### **July Month-End Reports**

The Committee reviewed the overtime report for the month of July. No action was taken. Budget preparation was discussed and Finance Director Buss will be creating the guidelines for Departments and will review at the September meeting.

### **Quarterly Form to Track Progress on Strategic Goals**

Mr. Buckley presented a project management software called Envisio that tracks progress on strategic goals. He stated the City of Oshkosh uses this software and he and Elizabeth Runge participated in a webinar on this product. The initial cost is \$5,000 and then \$15,000 per year after. He will contact the City of Oshkosh and report back to the Committee.

At 6:40PM, Councilmember Powalisz excused himself from the meeting.

### **Closed Session**

At 6:40 PM, a motion was made by Councilmember Andrews, seconded by Councilmember Bittner, to enter into Closed Session per Wisc. Stats. 19.85(1)€ deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public nosiness, whenever competitive or bargaining reasons require a closed session

- Possible Assistance to Economic Development Projects
- Discuss Property Sale
- Discuss Property Acquisition

Upon a roll call vote, Ayes (2) Curt Andrews, Mark Bittner; Noes (0) None. Motion carried.

### **Reconvene in Open Session**

At 7:20 PM, a motion was made by Councilmember Andrews, seconded by Councilmember Bittner, to reconvene in Open Session. Upon a voice vote, motion carried.

Personnel and Finance Meeting  
August 19, 2020  
Page Three

**Set Date for Next Meeting**

It was the consensus of the Committee to meet on Wednesday, September 23, 2020 at 5:00 PM.

**Adjournment**

There being no further business, a motion was made by Councilmember Andrews, seconded by Councilmember Bittner, to adjourn at 7:30 PM. Upon a voice vote, motion carried.

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Kim M. Graves  
City Clerk

CITY OF TWO RIVERS  
 JOINT MEETING OF TWO RIVERS CITY COUNCIL AND  
 COMMUNITY DEVELOPMENT AUTHORITY AND  
 BUSINESS AND INDUSTRIAL DEVELOPMENT COMMITTEE  
 PROCEEDINGS

Monday, August 17, 2020

5:00 PM

3<sup>rd</sup> Floor Council Chambers - City Hall

**Call to Order**

The meeting of both boards was called to order by City Council President Andrews at 5:00 PM.

**Roll Call**

Council Members present: Curt Andrews, Mark Bittner, John Casavant, Darla LeClair, Jack Powalisz, Bonnie Shimulunas, Jay Remiker. Absent and Excused: Adam Wachowski.

BIDC/CDA Members present: Curt Andrews, Darla LeClair, Gregory Coenen, Keith Lyons, Dick Klinkner, Don Karman, Betty Bittner and Dan Wettstein. Absent and Excused: Tracy Yaggie and Tracey Koach.

Also present were: Gregory Buckley, City Manager, Elizabeth Runge, Community Development Director; and Peter Wills, Executive Director Progress Lakeshore.

**CDA Matter:** Consideration of Offers to Purchase Lots in the Sandy Bay Highlands Conservation Subdivision

A. Lot 3, Block 4 of Sandy Bay Highlands Subdivision, Phase 2  
 Lot located on Sandy Ridge Drive for listed for \$32,000, with an offer of \$22,000 and a counteroffer of \$25,600.

A motion by BIDC/CDA member Betty Bittner, seconded by Dick Klinkner to accept offer at 20% of lot price. Upon a voice vote, motion carried.

B. Lot 7, Block 2 of Sandy Bay Highlands Subdivision, Phase 1

A motion by BIDC/CDA member Dick Klinkner, seconded by BIDC/CDA member Don Karmen to accept offer at full price. Upon a voice vote, motion carried.

Joint Meeting of City Council and BIDC/CDA  
 August 17, 2020  
 Page Two

### **Closed Executive Session**

The City Council and the Business and Industrial Development Committee and Community Development Authority reserve the right to enter into closed session per Wisc. Stats. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session;

--Consider Proposals for Possible Purchase of the former Paragon Property, 606 Parkway Boulevard

A motion was made by Councilmember LeClair, seconded by Councilmember Remiker to enter into Closed Session. Upon a roll call vote, Ayes (8) Darla LeClair, William LeClair, Jack Powalisz, Jay Remiker, Bonnie Shimulunas, Curt Andrews, Mark Bittner, and John Casavant; Noes (0) None. Motion carried.

At 5:15 PM, a motion by BIDC/CDA Council representative Curt Andrews, seconded by BIDC/CDA member Dick Klinkner to enter into Closed Session. Upon a roll call vote, Ayes (7) Betty Bittner, Greg Coenen, Richard Klinkner, Don Karman, Keith Lyons, Curt Andrews and Darla LeClair. Noes (0) None. Motion carried.

### **Reconvene in Open Session**

At 6:40 PM, a motion by Councilmember Jack Powalisz, seconded by John Casavant, to reconvene in open session for possible action on matters discussed in closed session. Upon a voice vote, motion carried.

A motion by BIDC/CDA member Betty Bittner, seconded BIDC/CDA member Don Karman, to accept the purchase agreement with Art Dumke for 606 Parkway Boulevard. A motion by Councilmember Mark Bittner, seconded by Council Vice-President Darla LeClair to accept the purchase agreement with Art Dumke for 606 Parkway Boulevard. Upon a voice vote, motion carried.

### **Adjournment**

At 6:45 PM, a motion was made by Councilmember Jack Powalisz, seconded by Councilmember Bill LeClair, to adjourn. Upon a voice vote, motion carried.

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Kim M. Graves  
 City Clerk





CITY OF TWO RIVERS  
COMMUNITY DEVELOPMENT AUTHORITY AND  
BUSINESS AND INDUSTRIAL DEVELOPMENT COMMITTEE  
PROCEEDINGS

Tuesday, August 25, 2020  
5:15 PM  
3<sup>rd</sup> Floor Council Chambers - City Hall

**Call to Order**

The meeting was called to order by Chair Gregory Coenen at 5:15 PM.

**Roll Call**

BIDC/CDA Members present: Curt Andrews, Darla LeClair, Gregory Coenen, Keith Lyons, Dick Klinkner, Don Karman, Tracey Koach, and Dan Wettstein. Absent and Excused: Tracy Yaggie and Elizabeth Bittner.

Also present were: Gregory Buckley, City Manager, Elizabeth Runge, Community Development Director; and Peter Wills, Executive Director Progress Lakeshore.

**Approve Minutes of July 28, 2020 Meeting**

A motion was made by Dick Klinkner, seconded by Keith Lyons to approve the minutes. Upon a voice vote, motion carried.

**Sandy Bay Highlands**

**a. Contract with Berkshire Hathaway expires on 9/30/20**

A motion was made by Curt Andrews, seconded by Darla LeClair to extend the contract, under the current terms and conditions, the CDA has with Berkshire Hathaway for the marketing of Sandy Bay Highlands. Upon a voice vote, motion carried.

**b. Subdivision configuration and future promotions**

Staff updated the committees that a meeting with a developer for potential condominium development is scheduled for early September. Also, staff requested confirmation of fall promotion before developing "sale" materials. A motion was made to confirm the "fall sale" of land should proceed by Don Karman and seconded by Darla LeClair. The motion carried on a voice vote.

**Discussion and Recommended Action for 2023 Washington Street**

At the directive of City Council, the committee has asked staff to prepare materials for a request for proposals to solicit realtors to list this property for sale. Currently the city is marketing it for sale.

**Revolving Loan Fund Application:** Committee heard a summary of Hartman's application for loan assistance for a location on Washington Street.

Attachment: 08.25.20 BIDC - CDA MINUTES (2913 : Minutes of Meetings)

### **Closed Executive Session**

The Business and Industrial Development Committee and Community Development Authority reserve the right to enter into closed session per Wisc. Stats. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session;

A motion was made to enter into closed session by Keith Lyons and seconded by Dick Klinkner. Upon a roll call vote, Ayes (8) Curt Andrews, Darla LeClair, Gregory Coenen, Keith Lyons, Dick Klinkner, Don Karman, Tracey Koach, and Dan Wettstein. Noes (0) None. Motion carried.

--Consider Revolving Loan Fund Application: Hartman's Bakery (Second Location) First Retail Location in Two Rivers

### **Reconvene in Open Session**

A motion by Curt Andrews, seconded by Dick Klinkner, to reconvene in open session for possible action on matters discussed in closed session. Upon a voice vote, motion carried.

The committee informed the applicant of the additional materials needed for the loan review to continue. A meeting will be scheduled when the items are received.

### **Brownfield application to US EAP**

Staff informed the committee about the next Brownfield cycle that has been announced. The City of Two Rivers has been approached by the City of Manitowoc to pursue a Coalition application in the program. The applications are due October 28, 2020.

A motion was made by Keith Lyons seconded Tracey Koach to support the City's participation in a Brownfield Coalition application. Upon a voice vote, motion carried.

### **Adjournment**

At 6:45 PM, a motion was made by Curt Andrews, seconded by Don Karman, to adjourn. Upon a voice vote, motion carried.

**CITY OF TWO RIVERS  
BOARD OF REVIEW PROCEEDINGS  
Wednesday, August 26, 2020 at 4:00 P.M.  
Council Chambers, City Hall**

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**Call to Order** – John Casavant, Chairperson called the August 26, 2020 Board of Review to order at 4:00 P.M. in the Council Chambers.

**Roll Call** – Members Present: William LeClair, Bonnie Shimulunas, John Casavant, Gregory Buckley, City Clerk Kim Graves and City Assessor Sally Vanderveren.

**Verification of Mandatory Training Requirements** – City Clerk Graves verified that all Board Members completed the Board of Review training.

**Receipt of Assessment Roll and Sworn Statements** – City Clerk Graves stated that she received the assessment roll and sworn statements from the City Assessor.

**Swear in City Assessor** – City Clerk Graves swore in City Assessor Vanderveren.

**Report from City Assessor** – Ms. Vanderveren gave the 2020 Final Report.

A motion was made by William LeClair, seconded by Bonnie Shimulunas, to accept the City Assessor Report. Upon a voice vote, motion carried. Mr. Buckley excused himself from the meeting at this time.

**Review Notices of Intent to File Objection.** City Clerk Graves stated she received a notice from Property Owner at 117 Gardner Street, Two Rivers, WI who filed the objection in a timely manner.

**Testimony of Property Owners-Objections to Assessments.**

Mr. Craig Froelich, 117 Gardner Street, Two Rivers WI 54241 addressed the Board with his objection of assessment in the amount of \$143,000.00. He is requesting it be lowered to \$98,469.30 as he stated his building is used as an office building and not residential. He stated this parcel is currently zoned residential with a conditional use permit to operate as an office building. He stated he feels this parcel should be zoned commercial and not residential. The Board advised him to contact Vicky Berg, Inspections Dept for information on how to apply for rezoning.

After discussion of the Board, a motion was made by William LeClair, seconded by Bonnie Shimulunas, to affirm the Assessor's assessment at \$143,000.00. Upon a voice vote, motion carried.

Board of Review Proceedings  
August 26, 2020  
Page Two

**Recess Board of Review.**

At 5:15 PM, a motion was made by William LeClair, seconded by Bonnie Shimulunas, to recess until 6:00PM as there were no other objections. Upon a voice vote, motion carried.

**Reconvene Board of Review**

At 6:00 PM, a motion was made by Bonnie Shimulunas, seconded by William LeClair, to reconvene the Board of Review. Upon a voice vote, motion carried. Mr. Buckley re-joined the meeting at this point.

**Adopt 2020 Property Assessment Roll**

A motion was made by William LeClair, seconded by Bonnie Shimulunas, to adopt the 2020 Property Assessment Roll as submitted by City Assessor Vanderveren. Upon a voice vote, motion carried.

**Adjournment**

At 6:01 PM, a motion was made by William LeClair, seconded by Bonnie Shimulunas, to adjourn the Board of Review. On a voice vote, motion carried. The Board of Review was in session from 4:00 PM until 6:01 PM.

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Kim M. Graves  
City Clerk

MINUTES  
 Special Committee on Branding and Marketing  
 Thursday, APRIL 16th 2020  
 5:30 PM-7:00 PM  
 THIRD FLOOR COUNCIL CHAMBERS, CITY HALL

Curt Andrews called the meeting to order at 5:30 PM.  
 (Zoom Call – Rick Powell)  
 Meeting # 721 478 384  
 Password 687751

Members present (or on Zoom): Ryan (Civic Brand) Darla Le Clair, Curt Andrews, Jeff Dawson, Michael Ditmer, Mark Bittner, Greg Buckley, Stephanie Carpenter, Jeff Sashe Joan Kerstien, Todd Nilson, Elizabeth Runge

Moved to closed session with Civic Brand: Darla LeClair, & Mark Bittner

The Branding and Marketing Committee reserves the right to enter into Closed Session, per Wis. Stat. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session

- Civic Brand Update on Logo and Tag Line (proposed to be Trademarked and/or Copyrighted by the City for Exclusive Use by the City, its Agents and Permittees)
- Review Implementation Plan Draft, Including Standards for Use of Logo and Tag Line by the City and its Agents and Permittees
- Confirm Catalyst Projects for Implementation of Logo and Tag Line

Civic Brand ZOOM Call: Ryan & Civic Brand Team. *(High level closed session)*

- *Reviewed UPDATE ON LOGO DESIGN and approval and Hash Tag line options. Possible Testing*
- *Reviewed Implementation Plan draft, open discussion and feedback provided*
- *Confirm Catalyst Projects*

Reconvened on open session: Motion by Michael Ditmer, Second by Darla LeClair

Jeff Dawson made motion to adjourn, second by Stephanie Carpenter 7:22 PM

Next Meeting will be Tuesday May 14<sup>th</sup> 2020  
 Zoom Call again (Lisa to again set up) 5:30-6:30 Council Chambers.

Curt Andrews, Chairman

MINUTES  
 Special Committee on Branding and Marketing  
 Wednesday, June 11<sup>th</sup> 2020  
 5:30 PM-7:00 PM  
 THIRD FLOOR COUNCIL CHAMBERS, CITY HALL

Curt Andrews called the meeting to order at 5:30 PM.

**Members present:**

Jeff Sache, Darla Le Clair,  
 Curt Andrews, Jeff Dawson, Michael Ditmer,  
 Mark Bittner, Greg Buckley, Elizabeth Runge,  
 Stephanie Carpenter, Roger Russove, Todd Nilson

**Recap of NEW cross Functional Committee to Launch agreed upon event 8/29**

- Set separate Budget for funding leveraging Room and Tax funds
- Reviewed Budget details with Michael Ditmer and Greg Buckley

**Pre- event True to Two video update status (Michael)**

**Curt Provided Civic Brand Catalysis Project update**

- (Home page landing page / Lic agreement site/Digital assets files, including photo files

**True to Two usage Guidelines**

- (Todd reviewed separate handout attached)
- Social sites reviewed and decision to set up critical to success of the launch

**Reviewed Implementation Plan proposed deck from Civic Brand**

- How do we share with civic groups (TRBA / LAKESIDE, ETC)?
- Solicit funding
- Prioritize
- Project manages
- Can Room Tax dollars NOT used for event be shifted to help? (TBD)

**Other business**

- *Council presentation of Documentary 6/15 at Closed (Curt)*
- Curt to Call Jim Boyle Lic. Attorney to seek costs to protect marks &TM

Darla LeClair made motion to adjourn, Mark Bittner second, at 7:02 PM approved  
 Next Meeting will be Tuesday June 18<sup>th</sup> : 5:30-6:30.

Curt Andrews, Chairman

MINUTES  
Special Committee on Branding and Marketing  
Wednesday, June 25<sup>th</sup> 2020  
5:30 PM-7:00 PM  
THIRD FLOOR COUNCIL CHAMBERS,  
Social Distance Set  
CITY HALL

Curt Andrews Chair called the meeting to order at 5:30 PM.  
Zoom Call for several members

**Members present:**

Darla Le Clair, Curt Andrews, Michael Ditmer, Mark Bittner, Greg Buckley, Elizabeth Runge, Stephanie Carpenter, (Phone) Todd Nilson, (Phone) Loredana Ispas, Jeff Sache, Whitney

**Recap from Functional Committee Event Launch 8/29**

- Committee review
- Assignments
- Open issues
- Logo wear design
- Budget
- Reviewed Budget details with Michael and Greg for event support through summer / Bands/ Movie/ Etc.

**Lic Project update and steps needed based on feedback from Lawyer.**

- Classes submitted and costs provided. Holding off on filing until we have actual use in classes before spending money

**True to Two Hashtag usage / Social Media Guidelines reviewed again and need to set up**

- Social sites reviewed and decision to set up critical see about transferring ownership on several accounts NOT owned by the city. (Whitney provided insights)

**Reviewed Implementation Plan Project Management**

- Todd Volunteered to manage

**Other business**

- Need to establish a license fee structure for use of logos
- Sign off's and system to track and monitor use of licenses

Darla LeClair made motion to adjourn, Mark Bittner seconded, approved at 6:45 PM

Next Meeting will be Tuesday August 5<sup>th</sup> / Set up Zoom: 5:30-7:00

Curt Andrews, Chairman

Attachment: Branding & Marketing, June 25 2020 (2913 : Minutes of Meetings)

MINUTES  
 Special Committee on Branding and Marketing  
 Wednesday, August 5<sup>th</sup> 2020  
 5:30 PM-7:00 PM  
 Third Floor Council Chambers, City Hall  
 Zoom Call Set Up  
 828 1034 0344

Curt Andrews Chair called the meeting to order at 5:33 PM.

- Zoom Call with several members

**Roll Call:** Darla Le Clair, Curt Andrews, Michael Ditmer, Mark Bittner, Greg Buckley, Elizabeth Runge, Stephanie Carpenter, (Phone) Todd Nilson, (Phone) Loredana Ispas, Jeff Sache, Whitney (Communications Coordinator)

**Recap AGAIN from Cross-Functional Committee Planning Event Launch 8/29 (Curt Andrews, Darla LeClair, Michael Ditmer, Stephanie Carpenter, Todd Nilson, Jeff Sache**

- Committee review
- Assignments
- Confirm attendees from this committee
- True to Two Video Shorts reassigned to Civic Brands based on Michaels schedule funded out of funds not used in Summer event marketing due to cancellations, Room Tax dollars. \$1500 for 6 episodes
- Feeling positive all giveaways identified and designed and several ordered.
- Distributed Flyers and posters (Curt and Gina)
- Layout / Stage and lighting secured
- Fireworks sponsors (\$1500 Sepia & Bank First)
- Seeking sponsor for Giveaway funding (Metalware)

**Civic Brand Catalyst project (Video above Considered)**

**True to Two Hashtag: Review on use of hashtab by Todd TM on all Logowear**

**Whitney reviewed all secured social media sites and id names.**

**Implementation Plan phases need to be reviewed NOT finalized**

- NEED To set up separate session to dive deeper into this and lay out multiyear plan
1. PR / Radio interview scheduled for Celebrate TR event
  2. Darla/ Hello Lakeshore/TR Talks
  3. Loradana proposal for possible added value
- Todd Volunteered to manage

**Other business**

- Report or presentation to City Council on June 15 in closed session
- Darla LeClair made a motion to adjourn, Mark Bittner seconded, approved at 6:45 PM

Next Meeting TBD based on Launch activities and focus on first phased implementation following

Curt Andrews, Chairman



# Debt Service Fund Summary Financial Report July 2020

A detailed report can be provided upon request.



**CITY OF TWO RIVERS**  
**2020 MONTHLY DEBT SERVICE FUND REPORT**  
**JULY 31, 2020 BUDGET**

**DEBT SERVICE F 300 REVENUE AND EXPENSE DETAIL**

	PERIOD ACTUAL	2020 BUDGET	2020 YTD ACTUAL	OVER (UNDER) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL	
<b><u>DEBT SERVICE</u></b>							
<b>REVENUES</b>							
<i>REVENUES</i>							
300-41110	GENERAL PROPERTY TAX	0	2,305,271	2,305,271	0	100.00	2,445,283
300-48100	INTEREST ON INVESTMENTS	242	20,000	7,450	( 12,550)	37.25	5,046
300-49110	PROCEEDS FROM DEBT	0	1,200,000	7,204,000	6,004,000	600.33	500,000
300-49417	TRNSFR FROM OTHER FUNDS	0	138,694	592,157	453,463	426.95	426,398
<b>TOTAL REVENUES</b>							
		242	3,663,965	10,108,879	6,444,914	275.90	3,376,727
<i>EXPENDITURES</i>							
300-58100-2940	PAYMENT BOND ESCROW AGENT	0	0	650	650	.00	0
300-58100-2950	DEBT ISSUANCE COSTS	0	0	99,115	99,115	.00	0
300-58100-2960	DEBT PREMIUM	0	0	( 313,636)	( 313,636)	.00	( 87,268)
300-58100-2970	DEBT UNDERWRITERS DISCOUNT	0	0	123,150	123,150	.00	0
300-58100-5970	TRANSFER TO OTHER FUNDS	0	0	41,811	41,811	.00	0
300-58100-6200	PRINCIPAL PAYMENTS	253	1,872,458	8,327,451	6,454,993	444.73	2,087,718
300-58100-6210	INTEREST PAYMENTS	0	508,218	461,148	( 47,070)	90.74	441,348
300-58100-6220	PENSION LIABILITY PAYMENTS	0	1,600,000	1,582,279	( 17,721)	98.89	0
300-58100-6230	CAPITAL LEASE PAYMENTS	0	79,789	10,324	( 69,465)	12.94	33,113
300-58100-6900	OTHER SERVICES	0	3,500	475	( 3,025)	13.57	475
<b>TOTAL EXPENDITURES</b>							
		253	4,063,965	10,332,768	6,268,803	254.25	2,475,386
<b>REVENUE OVER EXPENDITURES - YTD</b>							
		( 11)	( 400,000)	( 223,889)	176,111	55.97-	901,341

Attachment: July 2020 Debt Service Report (2933 : Finance Reports)



July 2020

General Fund  
Summary  
Financial Report

A detailed report can be provided upon request.

CITY OF TWO RIVERS  
 FUND SUMMARY  
 FOR THE 7 MONTHS ENDING JULY 31, 2020

GENERAL FUND

	PERIOD ACT	BUDGET	YTD ACTUAL	OVR (UND)	% OF BDGT	PR YTD ACT
<b>REVENUE</b>						
TAXES	61,647	2,971,720	2,830,166.81	( 341,553)	88.51	2,518,638
SPECIAL ASSESSMENTS	0	109,000	49,448.38	( 59,552)	45.37	77,918
INTERGOVERNMENTAL REVENUE	966,306	4,717,382	1,320,461.05	( 3,396,921)	27.99	1,307,805
LICENSES & PERMITS	25,075	279,300	106,582.61	( 172,717)	38.16	106,092
FINES & FORFEITURES	5,984	91,900	50,973.36	( 40,927)	55.47	43,175
CHARGES FOR SERVICE	141,940	1,533,500	675,834.82	( 857,665)	44.07	757,938
INTERDEPARTMENTAL REVENUE	31,944	522,710	168,816.83	( 353,893)	32.30	75,994
MISCELLANEOUS REVENUE	41,899	269,000	193,934.31	( 75,066)	72.09	100,176
OTHER FINANCING SOURCES	28,070	83,720	59,779.92	( 23,940)	71.40	11,607
<b>TOTAL FUND REVENUE</b>	<b>1,302,865</b>	<b>10,578,232</b>	<b>5,255,998.09</b>	<b>( 5,322,234)</b>	<b>49.69</b>	<b>4,999,345</b>
<b>EXPENDITURES</b>						
COUNCIL	1,121	15,942	10,517.80	( 5,424)	65.98	8,030
JUDICIAL	5,394	59,151	40,715.12	( 18,436)	68.83	39,734
LEGAL COUNSEL	1,768	54,210	16,506.37	( 37,704)	30.45	18,528
CITY MANAGER	17,599	166,282	100,522.99	( 65,759)	60.45	87,329
CLERK	7,040	83,201	48,508.98	( 34,692)	58.30	50,747
ELECTION	2,853	26,350	12,628.61	( 13,721)	47.93	4,148
INFORMATION SYSTEMS	9,947	102,178	60,672.84	( 41,505)	59.38	55,159
FINANCE DEPARTMENT	15,176	157,162	93,225.06	( 63,937)	59.32	91,482
ASSESSING	11,795	103,055	63,761.14	( 39,294)	61.87	59,482
CITY HALL	5,366	81,273	50,435.93	( 30,837)	62.06	56,896
GENERAL GOVERNMENT	1,633	15,450	2,579.58	( 12,870)	16.70	3,032
INSURANCE	24,293	318,315	170,183.99	( 148,131)	53.46	183,446
POLICE ADMINISTRATION	97,864	1,344,218	749,971.40	( 594,247)	55.79	776,914
POLICE PATROL	133,681	1,664,272	971,586.42	( 692,686)	58.38	915,416
POLICE CROSSING GUARDS	( 508)	14,846	4,909.39	( 9,937)	33.07	9,187
POLICE & FIRE COMMISSION	525	5,000	1,050.00	( 3,950)	21.00	3,105
FIRE ADMINISTRATION	42,436	461,485	305,576.60	( 155,908)	66.22	249,276
FIREFIGHTERS	130,806	1,512,500	865,779.91	( 646,720)	57.24	894,959
AMBULANCE	39,518	507,220	287,435.89	( 219,784)	56.67	348,362
INSPECTION	10,824	131,555	74,632.90	( 56,922)	56.73	71,162
HIGHWAY ADMINISTRATION	16,445	184,789	119,812.85	( 64,976)	64.84	113,929
PUBLIC WORKS SHOP	35,875	617,012	365,048.78	( 251,963)	59.16	366,137
STREET MAINTENANCE	26,580	238,656	136,049.24	( 102,607)	57.01	140,528
TRAFFIC CONTROL	4,341	55,714	30,466.90	( 25,247)	54.68	31,554
SNOW & ICE	( 533)	186,823	97,279.86	( 89,543)	52.07	206,189
BRIDGE REPAIR/MAINTENANCE	5,909	43,996	14,709.10	( 29,287)	33.43	18,959
TRANSIT	0	108,000	53,938.50	( 54,062)	49.94	26,466
WORK DONE FOR OTHER DEPTS	26,446	134,794	97,298.89	( 37,495)	72.18	53,148
SENIOR CENTER	13,826	188,729	108,727.56	( 80,001)	57.61	103,557
CEMETERIES	22,678	139,714	91,192.71	( 48,521)	65.27	99,807
COMMUNITY CENTER	24,891	396,818	188,590.67	( 208,227)	47.53	231,540
PARKS	50,940	267,835	166,236.48	( 101,599)	62.07	173,983
RECREATION	15,247	245,832	115,533.89	( 130,298)	47.00	135,817
SPECIAL EVENTS	4,221	38,274	15,905.72	( 22,368)	41.56	16,099
RECREATION FIELDS	14,939	82,542	47,368.60	( 35,173)	57.39	42,885
TRAILS/MEDIAN MAINTENANCE	5,847	25,105	13,163.38	( 11,942)	52.43	8,513
PLANNING	0	0	.00	0	.00	2,345
ECONOMIC DEVELOPMENT	( 106)	0	.00	0	.00	22,683
OTHER FINANCING USES	30,791	798,982	300,154.64	( 498,827)	37.57	284,235

Attachment: July 2020 General Report (2933 : Finance Reports)

CITY OF TWO RIVERS  
 FUND SUMMARY  
 FOR THE 7 MONTHS ENDING JULY 31, 2020

GENERAL FUND

	PERIOD ACT	BUDGET	YTD ACTUAL	OVR (UND)	% OF BDGT	PR YTD ACT
TOTAL FUND EXPENDITURES	857,467	10,577,280	5,892,678.69	( 4,684,601)	55.71	6,004,766
REVENUE OVER (UNDER) EXPENSES	445,398	952	( 636,680.60)	( 637,633)	( 66,878.21)	( 1,005,421)

Attachment: July 2020 General Report (2933 : Finance Reports)

CITY OF TWO RIVERS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2020

GENERAL FUND DETAIL

	PERIOD ACT	BUDGET	YTD ACTUAL	OV(UN)BUD	% OF BDGT	PR YTD ACT	
<u>TAXES</u>							
100-41110	GENERAL PROPERTY TAX	0	2,198,500	2,198,499	( 1)	100.00	2,083,001
100-41310	LOCAL UTILITY TAX EQUIV	61,671	749,000	431,697	( 317,303)	57.64	435,729
100-41320	OTHER TAX EXEMPT ENTITIES	0	20	17	( 3)	83.80	19
100-41800	INTEREST DELINQ. TAXES	( 24)	10,000	( 46)	( 10,046)	( .46)	( 111)
100-41900	TIF/TID CLOSE REFUND	0	14,200	0	( 14,200)	.00	0
	<b>TOTAL TAXES</b>	<b>61,647</b>	<b>2,971,720</b>	<b>2,630,167</b>	<b>( 341,553)</b>	<b>88.51</b>	<b>2,518,638</b>
<u>SPECIAL ASSESSMENTS</u>							
100-42300	STREET PAVING & CONSTRUCT	0	100,000	42,853	( 57,147)	42.85	69,003
100-42401	OTHER SPECIAL ASSESSMENTS	0	9,000	6,595	( 2,405)	73.28	8,916
	<b>TOTAL SPECIAL ASSESSMENTS</b>	<b>0</b>	<b>109,000</b>	<b>49,448</b>	<b>( 59,552)</b>	<b>45.37</b>	<b>77,918</b>
<u>INTERGOVERNMENTAL REVENUE</u>							
100-43310	SHARED ELECTION EXPENSE	0	0	0	0	.00	390
100-43410	STATE SHARED TAXES	568,301	3,768,673	568,301	( 3,200,372)	15.08	568,343
100-43411	EXPENDITURE RESTRAINT	194,416	194,416	194,416	0	100.00	186,676
100-43412	EXEMPT COMPUTER STATE AID	15,023	15,023	15,023	0	100.00	13,998
100-43413	PERSONAL PROPERTY AID	0	18,785	18,785	0	100.00	24,856
100-43420	STATE FIRE INS TAX	23,985	24,000	23,985	( 15)	99.94	23,575
100-43520	STATE AID/POLICE TRAINING	1,188	12,000	6,309	( 5,691)	52.58	2,808
100-43529	STATE AID-OTH PUB SAFETY	0	26,000	0	( 26,000)	.00	0
100-43610	PAYMENT MUN. SERVICES	0	4,150	3,462	( 688)	83.42	4,171
100-43710	HIGHWAY AIDS-LOCAL	141,049	564,960	423,147	( 141,813)	74.90	415,788
100-43711	CONNECTING STREETS	22,344	89,375	67,032	( 22,343)	75.00	67,200
	<b>TOTAL INTERGOVERNMENTAL REVE</b>	<b>966,306</b>	<b>4,717,382</b>	<b>1,320,461</b>	<b>( 3,396,921)</b>	<b>27.99</b>	<b>1,307,805</b>

Attachment: July 2020 General Report (2933 : Finance Reports)

CITY OF TWO RIVERS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2020

GENERAL FUND DETAIL

	PERIOD ACT	BUDGET	YTD ACTUAL	OV(UN)BUD	% OF BDGT	PR YTD ACT
<u>LICENSES &amp; PERMITS</u>						
100-44110 LIQUOR LICENSE	50	16,000	7,580	( 8,420)	47.38	14,123
100-44120 BAR OPERATOR LICENSE	385	6,000	4,555	( 1,445)	75.92	4,660
100-44125 CIGARETTE LICENSE	0	800	0	( 800)	.00	700
100-44130 BUSINESS OR OCCUPATION	45	2,000	655	( 1,345)	32.75	1,795
100-44140 CABLE TV FRANCHISE	13,136	134,000	42,980	( 91,020)	32.07	33,162
100-44200 BICYCLE LIC/GOLF CART PERMIT	0	300	500	200	166.67	200
100-44210 DOG LICENSE	0	8,000	0	( 8,000)	.00	3,570
100-44300 BUILDING PERMITS	6,712	70,000	26,517	( 43,483)	37.88	26,123
100-44310 ELECTRICAL PERMITS	1,040	13,000	8,250	( 4,750)	63.46	6,175
100-44320 PLUMBING PERMITS	2,445	20,000	7,950	( 12,050)	39.75	11,345
100-44330 SIGN PERMIT	420	2,200	1,440	( 760)	65.45	1,630
100-44340 CONDITIONAL USE PERMIT	350	2,000	3,500	1,500	175.00	1,050
100-44900 OTHER PERMITS	492	5,000	2,655	( 2,345)	53.11	1,559
<b>TOTAL LICENSES &amp; PERMITS</b>	<b>25,075</b>	<b>279,300</b>	<b>106,583</b>	<b>( 172,717)</b>	<b>38.16</b>	<b>106,092</b>
<u>FINES &amp; FORFEITURES</u>						
100-45110 MUN. COURT FINES/COSTS	3,948	70,000	22,834	( 47,166)	32.62	29,192
100-45115 POLICE DEPT TRIP PAYMENTS	948	3,500	15,713	12,213	448.96	2,421
100-45130 PARKING VIOLATIONS	910	18,000	11,728	( 6,272)	65.16	11,402
100-45131 UNPAID TRAFFIC JUDGEMENTS	27	400	( 52)	( 452)	( 13.00)	161
100-45220 ANIMAL TRANSPORTS	150	0	750	750	.00	0
<b>TOTAL FINES &amp; FORFEITURES</b>	<b>5,984</b>	<b>91,900</b>	<b>50,973</b>	<b>( 40,927)</b>	<b>55.47</b>	<b>43,175</b>
<u>CHARGES FOR SERVICE</u>						
100-46110 GENERAL GOVERNMENT FEES	1,668	24,000	14,266	( 9,734)	59.44	14,725
100-46111 PUBLICATIONS FEES	0	0	0	0	.00	0
100-46210 LAW ENFORCEMENT FEES	174	3,000	1,705	( 1,295)	56.84	1,881
100-46220 FIRE DEPARTMENT FEES	246	2,500	686	( 1,814)	27.44	1,875
100-46225 FIRE DEPT TRIP PAYMENTS	2,954	82,000	45,212	( 36,788)	55.14	57,782
100-46230 AMBULANCE FEES	49,011	815,000	424,561	( 390,439)	52.09	485,987
100-46240 POLICE LIAISON FEES	72,114	137,000	72,114	( 64,886)	52.64	68,400
100-46310 PUBLIC WORKS FEES	886	200,000	7,823	( 192,177)	3.91	702
100-46540 CEMETERY PLOTS	9,400	100,000	50,200	( 49,800)	50.20	39,750
100-46720 RECREATION FEES	2,046	85,000	29,806	( 55,194)	35.07	45,699
100-46743 COMMUNITY CENTER	921	33,000	9,743	( 23,257)	29.52	19,905
100-46745 SENIOR CENTER	2,521	52,000	19,718	( 32,282)	37.92	21,231
<b>TOTAL CHARGES FOR SERVICE</b>	<b>141,940</b>	<b>1,533,500</b>	<b>675,835</b>	<b>( 857,665)</b>	<b>44.07</b>	<b>757,938</b>

Attachment: July 2020 General Report (2933 : Finance Reports)

CITY OF TWO RIVERS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2020

GENERAL FUND DETAIL

	PERIOD ACT	BUDGET	YTD ACTUAL	OV(UN)BUD	% OF BDGT	PR YTD ACT
<u>INTERDEPARTMENTAL REVENUE</u>						
100-47323 SHARED FIRE EXPENSE	0	1,000	188	( 812)	18.78	102
100-47430 PUBLIC WORKS CHARGES	31,944	500,000	168,629	( 331,371)	33.73	83,487
100-47440 RECREATION CHARGES	0	1,710	0	( 1,710)	.00	360
100-47450 ECONOMIC DEVELOPMENT CHRG	0	20,000	0	( 20,000)	.00	( 7,954)
<b>TOTAL INTERDEPARTMENTAL REVE</b>	<b>31,944</b>	<b>522,710</b>	<b>168,817</b>	<b>( 353,893)</b>	<b>32.30</b>	<b>75,994</b>
<u>MISCELLANEOUS REVENUE</u>						
100-48100 INTEREST ON INVESTMENTS	163	30,000	17,762	( 12,238)	59.21	19,176
100-48120 INTEREST INCOME ON TIF ADVANCE	0	2,500	0	( 2,500)	.00	0
100-48121 INT INC ON UTILITY ADVANCES	0	65,000	0	( 65,000)	.00	0
100-48130 INTERST-SPECIAL ASSMTS	79	5,000	23,895	18,895	477.89	17,288
100-48200 RENT-CITY PROPERTY	1,656	65,000	52,316	( 12,684)	80.49	54,972
100-48300 SALE OF PROP & EQUIP	40,000	60,000	89,069	29,069	148.45	6,012
100-48400 REFUND FOR PRIOR YEARS	0	36,500	0	( 36,500)	.00	0
100-48440 INSURANCE CLAIMS	0	0	9,708	9,708	.00	0
100-48500 DONATIONS	0	0	0	0	.00	3
100-48900 OTHER REVENUES	2	5,000	1,185	( 3,815)	23.70	2,726
<b>TOTAL MISCELLANEOUS REVENUE</b>	<b>41,899</b>	<b>269,000</b>	<b>193,934</b>	<b>( 75,066)</b>	<b>72.09</b>	<b>100,176</b>
<u>OTHER FINANCING SOURCES</u>						
100-49223 TRANS FROM OTHER FUNDS	28,070	83,720	59,780	( 23,940)	71.40	11,607
<b>TOTAL OTHER FINANCING SOURCES</b>	<b>28,070</b>	<b>83,720</b>	<b>59,780</b>	<b>( 23,940)</b>	<b>71.40</b>	<b>11,607</b>
<b>TOTAL FUND REVENUE</b>	<b>1,302,865</b>	<b>10,578,232</b>	<b>5,255,998</b>	<b>( 5,322,234)</b>	<b>49.69</b>	<b>4,999,345</b>

Attachment: July 2020 General Report (2933 : Finance Reports)



## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020

## FUND 100 - GENERAL FUND - GENERAL GOVERNMENT

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>GEN GOVT ADMINISTRATION</b>						
<b>CITY COUNCIL</b>						
PERSONNEL SERVICES	1,130	7,912	13,570	( 5,658)	58.31	8,289
CONTRACTUAL SERVICES	738	6,083	8,300	( 2,217)	73.29	1,799
OPERATING SUPPLIES & EXPENSE	0	3,534	4,700	( 1,166)	75.20	3,295
CAPITAL OUTLAY	0	0	0	0	.00	0
ALLOCATION	( 747)	( 7,012)	( 10,628)	3,616	( 65.98)	( 5,353)
<b>TOTAL CITY COUNCIL</b>	<b>1,121</b>	<b>10,518</b>	<b>15,942</b>	<b>( 5,424)</b>	<b>65.98</b>	<b>8,030</b>
<b>JUDICIAL</b>						
PERSONNEL SERVICES	5,343	36,647	53,661	( 17,014)	68.29	36,035
CONTRACTUAL SERVICES	0	496	1,170	( 674)	42.39	127
OPERATING SUPPLIES & EXPENSE	52	1,372	2,320	( 948)	59.14	1,572
FIXED CHARGES	0	0	0	0	.00	0
CAPITAL OUTLAY	0	2,200	2,000	200	110.00	2,000
<b>TOTAL JUDICIAL</b>	<b>5,394</b>	<b>40,715</b>	<b>59,151</b>	<b>( 18,436)</b>	<b>68.83</b>	<b>39,734</b>
<b>LEGAL DEPARTMENT</b>						
PERSONNEL SERVICES	0	0	0	0	.00	0
CONTRACTUAL SERVICES	2,946	27,511	90,350	( 62,839)	30.45	30,881
OPERATING SUPPLIES & EXPENSE	0	0	0	0	.00	0
CAPITAL OUTLAY	0	0	0	0	.00	0
ALLOCATION	( 1,178)	( 11,004)	( 36,140)	25,136	( 30.45)	( 12,352)
<b>TOTAL LEGAL DEPARTMENT</b>	<b>1,768</b>	<b>16,506</b>	<b>54,210</b>	<b>( 37,704)</b>	<b>30.45</b>	<b>18,528</b>
<b>CITY MANAGER</b>						
PERSONNEL SERVICES	18,928	133,577	227,836	( 94,259)	58.63	128,815
CONTRACTUAL SERVICES	10,548	29,750	29,000	750	102.59	9,935
OPERATING SUPPLIES & EXPENSE	1,399	13,029	20,300	( 7,271)	64.18	13,184
CAPITAL OUTLAY	0	0	0	0	.00	0
ALLOCATION	( 13,277)	( 75,833)	( 110,854)	35,021	( 68.41)	( 64,604)
<b>TOTAL CITY MANAGER</b>	<b>17,599</b>	<b>100,523</b>	<b>166,282</b>	<b>( 65,759)</b>	<b>60.45</b>	<b>87,329</b>

Attachment: July 2020 General Report (2933 : Finance Reports)

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - GENERAL GOVERNMENT**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>CITY CLERK</b>						
PERSONNEL SERVICES	8,843	62,099	104,335	( 42,236)	59.52	65,000
CONTRACTUAL SERVICES	8	115	2,050	( 1,935)	5.59	489
OPERATING SUPPLIES & EXPENSE	535	2,465	4,550	( 2,085)	54.17	2,158
CAPITAL OUTLAY	0	0	0	0	.00	0
ALLOCATION	( 2,347)	( 16,170)	( 27,734)	11,564	( 58.30)	( 16,900)
<b>TOTAL CITY CLERK</b>	<b>7,040</b>	<b>48,509</b>	<b>83,201</b>	<b>( 34,692)</b>	<b>58.30</b>	<b>50,747</b>
<b>ELECTIONS</b>						
PERSONNEL SERVICES	0	4,130	16,000	( 11,870)	25.81	2,744
CONTRACTUAL SERVICES	2,581	3,789	4,500	( 711)	84.21	134
OPERATING SUPPLIES & EXPENSE	272	4,710	5,850	( 1,140)	80.51	1,270
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL ELECTIONS</b>	<b>2,853</b>	<b>12,629</b>	<b>26,350</b>	<b>( 13,721)</b>	<b>47.93</b>	<b>4,148</b>
<b>INFORMATION SYSTEMS</b>						
PERSONNEL SERVICES	15,841	111,108	192,341	( 81,233)	57.77	108,299
CONTRACTUAL SERVICES	7,291	29,315	43,250	( 13,935)	67.78	19,489
OPERATING SUPPLIES & EXPENSE	0	676	2,100	( 1,424)	32.18	488
FIXED CHARGES	0	0	0	0	.00	0
CAPITAL OUTLAY	0	0	0	0	.00	0
ALLOCATION	( 13,185)	( 80,427)	( 135,513)	55,086	( 59.35)	( 73,118)
<b>TOTAL INFORMATION SYSTEMS</b>	<b>9,947</b>	<b>60,673</b>	<b>102,178</b>	<b>( 41,505)</b>	<b>59.38</b>	<b>55,159</b>
<b>TOTAL GEN GOVT ADMIN</b>	<b>45,722</b>	<b>290,073</b>	<b>507,314</b>	<b>( 217,241)</b>	<b>57.18</b>	<b>263,674</b>

Attachment: July 2020 General Report (2933 : Finance Reports)

# CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020

## FUND 100 - GENERAL FUND - GENERAL GOVERNMENT

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>***** SUMMARY OF GENERAL GOVERNMENT ADMINISTRATION EXPENSES *****</b>						
PERSONNEL SERVICES	50,086	355,474	607,743	( 252,269)	58.49	349,182
CONTRACTUAL SERVICES	24,112	97,059	178,620	( 81,561)	54.34	62,853
OPERATING SUPPLIES & EXPENSE	2,258	25,786	39,820	( 14,034)	64.76	21,967
FIXED CHARGES	0	0	0	0	.00	0
CAPITAL OUTLAY	0	2,200	2,000	200	110.00	
ALLOCATION	( 30,734)	( 190,446)	( 320,869)	130,423	( 59.35)	
<b>TOTAL GEN GOVT ADMINISTRATION</b>	<b>45,722</b>	<b>290,073</b>	<b>507,314</b>	<b>( 217,241)</b>	<b>57.18</b>	<b>263,674</b>

Attachment: July 2020 General Report (2933 : Finance Reports)

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - GENERAL GOVERNMENT**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>FINANCE ADMINISTRATION</b>						
<b>FINANCE</b>						
PERSONNEL SERVICES	22,707	162,272	281,748	( 119,476)	57.59	157,281
CONTRACTUAL SERVICES	11,278	41,944	61,450	( 19,506)	68.26	39,408
OPERATING SUPPLIES & EXPENSE	241	3,451	6,050	( 2,599)	57.05	3,811
CAPITAL OUTLAY	0	0	0	0	.00	0
ALLOCATION	( 19,050)	( 114,443)	( 192,086)	77,643	( 59.58)	( 109,017)
<b>TOTAL FINANCE</b>	<b>15,176</b>	<b>93,225</b>	<b>157,162</b>	<b>( 63,937)</b>	<b>59.32</b>	<b>91,482</b>
<b>ASSESSOR</b>						
PERSONNEL SERVICES	4,105	25,622	44,805	( 19,183)	57.19	24,703
CONTRACTUAL SERVICES	7,380	37,225	56,200	( 18,975)	66.24	33,717
OPERATING SUPPLIES & EXPENSE	329	915	2,050	( 1,135)	44.62	1,061
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL ASSESSOR</b>	<b>11,795</b>	<b>63,761</b>	<b>103,055</b>	<b>( 39,294)</b>	<b>61.87</b>	<b>59,482</b>
<b>TOTAL FINANCE ADMINISTRATION</b>	<b>26,971</b>	<b>156,986</b>	<b>260,217</b>	<b>( 103,231)</b>	<b>60.33</b>	<b>150,964</b>

## \*\*\*\*\* SUMMARY OF FINANCE ADMINISTRATION EXPENSES \*\*\*\*\*

PERSONNEL SERVICES	26,812	187,894	326,553	( 138,659)	57.54	181,984
CONTRACTUAL SERVICES	18,638	79,169	117,650	( 38,481)	67.29	73,126
OPERATING SUPPLIES & EXPENSE	571	4,366	8,100	( 3,734)	53.90	4,872
CAPITAL OUTLAY	0	0	0	0	.00	
ALLOCATION	( 19,050)	( 114,443)	( 192,086)	77,643	( 59.58)	
<b>TOTAL FINANCE ADMINISTRATION</b>	<b>26,971</b>	<b>156,986</b>	<b>260,217</b>	<b>( 103,231)</b>	<b>60.33</b>	<b>150,964</b>

Attachment: July 2020 General Report (2933 : Finance Reports)

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - GENERAL GOVERNMENT**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>CITY HALL</b>						
<b>CITY HALL (BUILDING MAINTENANCE)</b>						
PERSONNEL SERVICES	3,986	54,025	81,833	( 27,808)	66.02	64,074
CONTRACTUAL SERVICES	3,922	21,560	45,190	( 23,630)	47.71	21,848
OPERATING SUPPLIES & EXPENSE	1,035	8,474	15,100	( 6,626)	56.12	8,905
CAPITAL OUTLAY	0	0	0	0	.00	0
ALLOCATION	( 3,577)	( 33,624)	( 60,850)	27,226	( 55.26)	( 37,931)
<b>TOTAL CITY HALL</b>	<b>5,366</b>	<b>50,436</b>	<b>81,273</b>	<b>( 30,837)</b>	<b>62.06</b>	<b>56,896</b>
<b>OTHER GENERAL GOVERNMENT</b>						
<b>MISC GOVERNMENT</b>						
CONTRACTUAL SERVICES	795	2,477	3,150	( 673)	78.64	602
OPERATING SUPPLIES & EXPENSE	132	1,789	6,300	( 4,511)	28.40	1,624
FIXED CHARGES	706	( 1,687)	6,000	( 7,687)	( 28.11)	806
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL MISC GOVERNMENT</b>	<b>1,633</b>	<b>2,580</b>	<b>15,450</b>	<b>( 12,870)</b>	<b>16.70</b>	<b>3,032</b>
<b>GENERAL INSURANCE</b>						
PERSONNEL SERVICES	0	0	0	0	.00	0
FIXED CHARGES	24,293	170,184	318,315	( 148,131)	53.46	183,446
<b>TOTAL GENERAL INSURANCE</b>	<b>24,293</b>	<b>170,184</b>	<b>318,315</b>	<b>( 148,131)</b>	<b>53.46</b>	<b>183,446</b>
<b>TOTAL OTHER GEN GOVT</b>	<b>25,926</b>	<b>172,764</b>	<b>333,765</b>	<b>( 161,001)</b>	<b>51.76</b>	<b>186,477</b>

Attachment: July 2020 General Report (2933 : Finance Reports)

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - GENERAL GOVERNMENT**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>***** SUMMARY OF OTHER GENERAL GOVERNMENT EXPENSES *****</b>						
PERSONNEL SERVICES	0	0	0	0	.00	0
CONTRACTUAL SERVICES	795	2,477	3,150	( 673)	78.64	602
OPERATING SUPPLIES & EXPENSE	132	1,789	6,300	( 4,511)	28.40	1,624
FIXED CHARGES	24,999	168,497	324,315	( 155,818)	51.95	184,251
CAPITAL OUTLAY	0	0	0	0	.00	
<b>TOTAL OTHER GEN GOVT</b>	<b>25,926</b>	<b>172,764</b>	<b>333,765</b>	<b>( 161,001)</b>	<b>51.76</b>	<b>186,477</b>

<b>***** SUMMARY OF ALL GENERAL GOVERNMENT EXPENSES *****</b>						
PERSONNEL SERVICES	80,884	597,393	1,016,129	( 418,736)	58.79	595,240
CONTRACTUAL SERVICES	47,468	200,266	344,610	( 144,344)	58.11	158,428
OPERATING SUPPLIES & EXPENSE	3,995	40,415	69,320	( 28,905)	58.30	37,368
FIXED CHARGES	24,999	168,497	324,315	( 155,818)	51.95	184,251
CAPITAL OUTLAY	0	2,200	2,000	200	110.00	
ALLOCATION	( 53,361)	( 338,513)	( 573,805)	235,292	( 58.99)	
<b>TOTAL GENERAL GOVERNMENT</b>	<b>103,984</b>	<b>670,258</b>	<b>1,182,569</b>	<b>( 512,311)</b>	<b>56.68</b>	<b>658,012</b>

Attachment: July 2020 General Report (2933 : Finance Reports)

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - PUBLIC SAFETY**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b><u>POLICE DEPARTMENT</u></b>						
<b><u>POLICE ADMINISTRATION</u></b>						
PERSONNEL SERVICES	90,441	702,946	1,255,368	( 552,422)	56.00	733,027
CONTRACTUAL SERVICES	4,360	23,915	47,750	( 23,835)	50.08	22,286
OPERATING SUPPLIES & EXPENSE	1,605	13,033	22,600	( 9,567)	57.67	11,531
FIXED CHARGES	1,458	10,077	18,500	( 8,423)	54.47	10,070
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL POLICE ADMINISTRATION</b>	<b>97,864</b>	<b>749,971</b>	<b>1,344,218</b>	<b>( 594,247)</b>	<b>55.79</b>	<b>776,914</b>
<b><u>POLICE PATROL</u></b>						
PERSONNEL SERVICES	125,809	916,345	1,553,722	( 637,377)	58.98	869,091
CONTRACTUAL SERVICES	1,682	30,232	64,750	( 34,518)	46.69	20,257
OPERATING SUPPLIES & EXPENSE	6,190	25,010	45,800	( 20,790)	54.61	28,068
<b>TOTAL POLICE PATROL</b>	<b>133,681</b>	<b>971,586</b>	<b>1,664,272</b>	<b>( 692,686)</b>	<b>58.38</b>	<b>915,416</b>
<b><u>CROSSING GUARDS</u></b>						
PERSONNEL SERVICES	( 508)	4,909	14,596	( 9,687)	33.64	9,187
OPERATING SUPPLIES & EXPENSE	0	0	250	( 250)	.00	0
<b>TOTAL CROSSING GUARDS</b>	<b>( 508)</b>	<b>4,909</b>	<b>14,846</b>	<b>( 9,937)</b>	<b>33.07</b>	<b>9,187</b>
<b>TOTAL POLICE DEPARTMENT</b>	<b>231,037</b>	<b>1,726,467</b>	<b>3,023,336</b>	<b>( 1,296,869)</b>	<b>57.10</b>	<b>1,701,518</b>

Attachment: July 2020 General Report (2933 : Finance Reports)

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - PUBLIC SAFETY**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>***** SUMMARY OF POLICE DEPARTMENT EXPENSES *****</b>						
PERSONNEL SERVICES	215,743	1,624,200	2,823,686	( 1,199,486)	57.52	1,611,305
CONTRACTUAL SERVICES	6,041	54,147	112,500	( 58,353)	48.13	42,544
OPERATING SUPPLIES & EXPENSE	7,796	38,043	68,650	( 30,607)	55.42	37,598
FIXED CHARGES	1,458	10,077	18,500	( 8,423)	54.47	10,070
CAPITAL OUTLAY	0	0	0	0	.00	
<b>TOTAL POLICE DEPARTMENT</b>	<b>231,037</b>	<b>1,726,467</b>	<b>3,023,336</b>	<b>( 1,296,869)</b>	<b>57.10</b>	<b>1,701,518</b>



## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - PUBLIC SAFETY**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>POLICE &amp; FIRE COMMISSION</b>						
<b>POLICE &amp; FIRE COMMISSION</b>						
PERSONNEL SERVICES	0	0	0	0	.00	0
CONTRACTUAL SERVICES	525	1,050	5,000	( 3,950)	21.00	3,105
OPERATING SUPPLIES & EXPENSE	0	0	0	0	.00	0
<b>TOTAL POLICE &amp; FIRE COMMISSION</b>	<b>525</b>	<b>1,050</b>	<b>5,000</b>	<b>( 3,950)</b>	<b>21.00</b>	<b>3,105</b>
<b>FIRE DEPARTMENT</b>						
<b>FIRE ADMINISTRATION</b>						
PERSONNEL SERVICES	38,483	260,559	394,485	( 133,926)	66.05	199,730
CONTRACTUAL SERVICES	1,505	24,930	43,900	( 18,970)	56.79	30,165
OPERATING SUPPLIES & EXPENSE	2,369	19,527	22,400	( 2,873)	87.17	18,854
FIXED CHARGES	80	560	700	( 140)	80.06	526
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL FIRE ADMINISTRATION</b>	<b>42,436</b>	<b>305,577</b>	<b>461,485</b>	<b>( 155,908)</b>	<b>66.22</b>	<b>249,276</b>
<b>FIREFIGHTERS</b>						
PERSONNEL SERVICES	128,886	853,283	1,498,900	( 645,617)	56.93	880,248
CONTRACTUAL SERVICES	1,481	10,720	10,500	220	102.09	12,486
OPERATING SUPPLIES & EXPENSE	439	1,778	3,100	( 1,322)	57.34	2,225
<b>TOTAL FIREFIGHTERS</b>	<b>130,806</b>	<b>865,780</b>	<b>1,512,500</b>	<b>( 646,720)</b>	<b>57.24</b>	<b>894,959</b>
<b>AMBULANCE SERVICES</b>						
PERSONNEL SERVICES	36,394	259,686	454,720	( 195,034)	57.11	311,472
CONTRACTUAL SERVICES	1,029	6,900	15,900	( 9,000)	43.40	10,510
OPERATING SUPPLIES & EXPENSE	2,094	20,849	36,600	( 15,751)	56.97	26,380
FIXED CHARGES	0	0	0	0	.00	0
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL AMBULANCE SERVICES</b>	<b>39,518</b>	<b>287,436</b>	<b>507,220</b>	<b>( 219,784)</b>	<b>56.67</b>	<b>348,362</b>
<b>TOTAL FIRE DEPARTMENT</b>	<b>212,760</b>	<b>1,458,792</b>	<b>2,481,205</b>	<b>( 1,022,413)</b>	<b>58.79</b>	<b>1,492,597</b>

Attachment: July 2020 General Report (2933 : Finance Reports)

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - PUBLIC SAFETY**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>***** SUMMARY OF FIRE DEPARTMENT EXPENSES *****</b>						
PERSONNEL SERVICES	203,763	1,373,528	2,348,105	( 974,577)	58.50	1,391,450
CONTRACTUAL SERVICES	4,015	42,550	70,300	( 27,750)	60.53	53,162
OPERATING SUPPLIES & EXPENSE	4,902	42,154	62,100	( 19,946)	67.88	47,458
FIXED CHARGES	80	560	700	( 140)	80.06	526
CAPITAL OUTLAY	0	0	0	0	.00	
<b>TOTAL FIRE DEPARTMENT</b>	<b>212,760</b>	<b>1,458,792</b>	<b>2,481,205</b>	<b>( 1,022,413)</b>	<b>58.79</b>	<b>1,492,597</b>

**INSPECTION SERVICES****BUILDING INSPECTIONS**

PERSONNEL SERVICES	10,262	68,591	123,255	( 54,664)	55.65	65,402
CONTRACTUAL SERVICES	86	3,960	5,225	( 1,265)	75.80	3,863
OPERATING SUPPLIES & EXPENSE	476	2,082	3,075	( 993)	67.70	1,896
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL INSPECTION SERVICES</b>	<b>10,824</b>	<b>74,633</b>	<b>131,555</b>	<b>( 56,922)</b>	<b>56.73</b>	<b>71,162</b>

**\*\*\*\*\* SUMMARY OF PUBLIC SAFETY EXPENSES \*\*\*\*\***

PERSONNEL SERVICES	429,768	3,066,319	5,295,046	( 2,228,727)	57.91	3,068,158
CONTRACTUAL SERVICES	10,668	101,707	193,025	( 91,318)	52.69	102,674
OPERATING SUPPLIES & EXPENSE	13,173	82,278	133,825	( 51,547)	61.48	86,953
FIXED CHARGES	1,538	10,638	19,200	( 8,562)	55.41	10,597
CAPITAL OUTLAY	0	0	0	0	.00	
<b>TOTAL PUBLIC SAFETY</b>	<b>455,147</b>	<b>3,260,943</b>	<b>5,641,096</b>	<b>( 2,380,153)</b>	<b>57.81</b>	<b>3,268,381</b>

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - PUBLIC WORKS**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b><u>PUBLIC WORKS</u></b>						
<b><u>HIGHWAY ADMINISTRATION</u></b>						
PERSONNEL SERVICES	15,739	112,707	171,669	( 58,962)	65.65	108,485
CONTRACTUAL SERVICES	249	5,213	7,920	( 2,707)	65.82	3,413
OPERATING SUPPLIES & EXPENSE	457	1,893	5,200	( 3,307)	36.41	2,032
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL HIGHWAY ADMINISTRATION</b>	<b>16,445</b>	<b>119,813</b>	<b>184,789</b>	<b>( 64,976)</b>	<b>64.84</b>	<b>113,929</b>
<b><u>PUBLIC WORKS SHOP</u></b>						
PERSONNEL SERVICES	27,358	274,069	446,662	( 172,593)	61.36	271,157
CONTRACTUAL SERVICES	4,635	51,774	91,400	( 39,626)	56.65	44,669
OPERATING SUPPLIES & EXPENSE	3,831	38,866	78,200	( 39,334)	49.70	49,960
FIXED CHARGES	51	339	750	( 411)	45.25	350
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL PUBLIC WORKS SHOP</b>	<b>35,875</b>	<b>365,049</b>	<b>617,012</b>	<b>( 251,963)</b>	<b>59.16</b>	<b>366,137</b>
<b><u>STREET MAINTENANCE</u></b>						
PERSONNEL SERVICES	13,115	37,728	64,618	( 26,890)	58.39	40,570
CONTRACTUAL SERVICES	12,759	93,576	167,038	( 73,462)	56.02	95,143
OPERATING SUPPLIES & EXPENSE	706	4,356	7,000	( 2,644)	62.23	4,815
CAPITAL OUTLAY	0	389	0	389	.00	0
<b>TOTAL STREET MAINTENANCE</b>	<b>26,580</b>	<b>136,049</b>	<b>238,656</b>	<b>( 102,607)</b>	<b>57.01</b>	<b>140,528</b>
<b><u>TRAFFIC CONTROL</u></b>						
PERSONNEL SERVICES	3,884	21,828	39,514	( 17,686)	55.24	22,886
CONTRACTUAL SERVICES	408	3,525	5,200	( 1,675)	67.80	2,899
OPERATING SUPPLIES & EXPENSE	49	2,688	5,000	( 2,312)	53.76	1,432
CAPITAL OUTLAY	0	2,426	6,000	( 3,574)	40.43	4,337
<b>TOTAL TRAFFIC CONTROL</b>	<b>4,341</b>	<b>30,467</b>	<b>55,714</b>	<b>( 25,247)</b>	<b>54.68</b>	<b>31,554</b>

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - PUBLIC WORKS**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>SNOW &amp; ICE REMOVAL</b>						
PERSONNEL SERVICES	( 533)	72,676	145,323	( 72,648)	50.01	157,317
CONTRACTUAL SERVICES	0	3,283	4,500	( 1,217)	72.95	2,556
OPERATING SUPPLIES & EXPENSE	0	21,322	37,000	( 15,678)	57.63	46,317
<b>TOTAL SNOW &amp; ICE REMOVAL</b>	<b>( 533)</b>	<b>97,280</b>	<b>186,823</b>	<b>( 89,543)</b>	<b>52.07</b>	<b>206,189</b>
<b>BRIDGE REPAIR &amp; MAINTENANCE</b>						
PERSONNEL SERVICES	5,669	12,738	32,796	( 20,058)	38.84	17,069
CONTRACTUAL SERVICES	240	1,971	10,600	( 8,629)	18.59	1,644
OPERATING SUPPLIES & EXPENSE	0	0	600	( 600)	.00	246
CAPITAL OUTLAY						
<b>TOTAL BRIDGE REPAIR &amp; MAINTENANCE</b>	<b>5,909</b>	<b>14,709</b>	<b>43,996</b>	<b>( 29,287)</b>	<b>33.43</b>	<b>18,959</b>
<b>STORM SEWER</b>						
PERSONNEL SERVICES	0	0	0	0	.00	0
CONTRACTUAL SERVICES	0	0	0	0	.00	0
OPERATING SUPPLIES & EXPENSE	0	0	0	0	.00	0
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL STORM SEWER</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.00</b>	<b>0</b>
<b>PUBLIC TRANSPORTATION</b>						
CONTRACTUAL SERVICES	0	53,939	108,000	( 54,062)	49.94	26,466
<b>TOTAL PUBLIC TRANSPORTATION</b>	<b>0</b>	<b>53,939</b>	<b>108,000</b>	<b>( 54,062)</b>	<b>49.94</b>	<b>26,466</b>

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - PUBLIC WORKS**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<u>WORK FOR OTHER DEPARTMENTS</u>						
PERSONNEL SERVICES	26,446	97,299	134,794	( 37,495)	72.18	53,148
CONTRACTUAL SERVICES	0	0	0	0	.00	0
OPERATING SUPPLIES & EXPENSE	0	0	0	0	.00	0
FIXED CHARGES	0	0	0	0	.00	0
CAPITAL OUTLAY	0	0	0	0	.00	0
TOTAL WORK FOR OTHER DEPTS	26,446	97,299	134,794	( 37,495)	72.18	53,148
TOTAL PUBLIC WORKS	115,062	914,604	1,569,784	( 655,180)	58.26	956,910

## \*\*\*\*\* SUMMARY OF PUBLIC WORKS EXPENSES \*\*\*\*\*

PERSONNEL SERVICES	91,678	629,044	1,035,376	( 406,332)	60.76	670,632
CONTRACTUAL SERVICES	18,291	213,281	394,658	( 181,377)	54.04	176,789
OPERATING SUPPLIES & EXPENSE	5,043	69,125	133,000	( 63,875)	51.97	104,801
FIXED CHARGES	51	339	750	( 411)	45.25	350
CAPITAL OUTLAY	0	2,815	6,000	( 3,185)	46.91	
TOTAL PUBLIC WORKS	115,062	914,604	1,569,784	( 655,180)	58.26	956,910

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - HEALTH & HUMAN SERVICES**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>HEALTH &amp; HUMAN SERVICES</b>						
<b>SENIOR CENTER</b>						
PERSONNEL SERVICES	12,990	95,472	164,394	( 68,922)	58.08	92,342
CONTRACTUAL SERVICES	371	5,602	13,065	( 7,463)	42.88	5,718
OPERATING SUPPLIES & EXPENSE	464	7,653	11,270	( 3,617)	67.90	5,497
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL SENIOR CENTER</b>	<b>13,826</b>	<b>108,728</b>	<b>188,729</b>	<b>( 80,001)</b>	<b>57.61</b>	<b>103,557</b>
<b>CEMETERIES</b>						
PERSONNEL SERVICES	15,488	61,433	91,340	( 29,907)	67.26	70,176
CONTRACTUAL SERVICES	5,571	20,694	32,079	( 11,385)	64.51	20,707
OPERATING SUPPLIES & EXPENSE	1,618	9,066	16,295	( 7,229)	55.64	8,925
FIXED CHARGES	0	0	0	0	.00	0
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL CEMETERIES</b>	<b>22,678</b>	<b>91,193</b>	<b>139,714</b>	<b>( 48,521)</b>	<b>65.27</b>	<b>99,807</b>
<b>TOTAL HEALTH &amp; HUMAN SERVICES</b>	<b>36,503</b>	<b>199,920</b>	<b>328,443</b>	<b>( 128,523)</b>	<b>60.87</b>	<b>203,364</b>

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - CULTURE, RECREATION & EDUCATION**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>CULTURE, REC &amp; EDUCATION</b>						
<b>COMMUNITY CENTER</b>						
PERSONNEL SERVICES	20,990	151,058	309,446	( 158,388)	48.82	170,850
CONTRACTUAL SERVICES	3,646	30,075	64,572	( 34,497)	46.58	40,089
OPERATING SUPPLIES & EXPENSE	255	7,457	22,800	( 15,343)	32.71	20,601
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL COMMUNITY CENTER</b>	<b>24,891</b>	<b>188,591</b>	<b>396,818</b>	<b>( 208,227)</b>	<b>47.53</b>	<b>231,540</b>
<b>PARKS</b>						
PERSONNEL SERVICES	32,782	111,550	167,461	( 55,911)	66.61	118,993
CONTRACTUAL SERVICES	9,875	37,302	74,174	( 36,872)	50.29	41,486
OPERATING SUPPLIES & EXPENSE	8,283	17,385	26,200	( 8,815)	66.35	13,504
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL PARKS</b>	<b>50,940</b>	<b>166,236</b>	<b>267,835</b>	<b>( 101,599)</b>	<b>62.07</b>	<b>173,983</b>
<b>RECREATION</b>						
PERSONNEL SERVICES	13,587	89,328	189,752	( 100,424)	47.08	105,924
CONTRACTUAL SERVICES	1,417	19,419	35,080	( 15,661)	55.36	14,129
OPERATING SUPPLIES & EXPENSE	243	6,787	21,000	( 14,213)	32.32	15,764
FIXED CHARGES	0	0	0	0	.00	0
<b>TOTAL RECREATION</b>	<b>15,247</b>	<b>115,534</b>	<b>245,832</b>	<b>( 130,298)</b>	<b>47.00</b>	<b>135,817</b>
<b>SPECIAL EVENTS</b>						
PERSONNEL SERVICES	4,206	15,876	38,224	( 22,348)	41.53	15,528
CONTRACTUAL SERVICES	15	30	50	( 20)	60.14	571
OPERATING SUPPLIES & EXPENSE	0	0	0	0	.00	0
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL SPECIAL EVENTS</b>	<b>4,221</b>	<b>15,906</b>	<b>38,274</b>	<b>( 22,368)</b>	<b>41.56</b>	<b>16,099</b>

## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - CULTURE, RECREATION & EDUCATION**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>RECREATION FIELDS</b>						
PERSONNEL SERVICES	6,732	27,477	36,063	( 8,586)	76.19	17,962
CONTRACTUAL SERVICES	4,073	13,445	26,328	( 12,883)	51.07	13,687
OPERATING SUPPLIES & EXPENSE	4,134	6,446	20,151	( 13,705)	31.99	11,236
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL RECREATION FIELDS</b>	<b>14,939</b>	<b>47,369</b>	<b>82,542</b>	<b>( 35,173)</b>	<b>57.39</b>	<b>42,885</b>
<b>TRAILS &amp; MEDIAN MAINTENANCE</b>						
PERSONNEL SERVICES	4,218	7,801	12,605	( 4,804)	61.89	5,211
CONTRACTUAL SERVICES	1,629	5,363	12,500	( 7,138)	42.90	3,302
OPERATING SUPPLIES & EXPENSE						
CAPITAL OUTLAY						
<b>TOTAL TRAIL &amp; MEDIAN MAINTENANCE</b>	<b>5,847</b>	<b>13,163</b>	<b>25,105</b>	<b>( 11,942)</b>	<b>52.43</b>	<b>8,513</b>
<b>TOTAL CULTURE, REC, EDUCATION</b>	<b>116,086</b>	<b>546,799</b>	<b>1,056,406</b>	<b>( 509,607)</b>	<b>51.76</b>	<b>608,836</b>

**\*\*\*\*\* SUMMARY OF CULTURE, RECREATION & EDUCATION EXPENSES \*\*\*\*\***

PERSONNEL SERVICES	82,515	403,090	753,551	( 350,461)	53.49	434,468
CONTRACTUAL SERVICES	20,655	105,634	212,704	( 107,070)	49.66	113,264
OPERATING SUPPLIES & EXPENSE	12,915	38,075	90,151	( 52,076)	42.23	61,104
FIXED CHARGES	0	0	0	0	.00	0
CAPITAL OUTLAY	0	0	0	0	.00	
<b>TOTAL CULTURE, REC, EDUCATION</b>	<b>116,086</b>	<b>546,799</b>	<b>1,056,406</b>	<b>( 509,607)</b>	<b>51.76</b>	<b>608,836</b>

Attachment: July 2020 General Report (2933 : Finance Reports)



## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020**FUND 100 - GENERAL FUND - CONSERVATION & DEVELOPMENT**

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>CONSERVATION &amp; DEV</b>						
<b>PLANNING</b>						
PERSONNEL SERVICES	0	0	0	0	.00	0
CONTRACTUAL SERVICES	0	0	0	0	.00	1,768
OPERATING SUPPLIES & EXPENSE	0	0	0	0	.00	577
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL PLANNING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.00</b>	<b>2,345</b>
<b>ECONOMIC DEVELOPMENT</b>						
PERSONNEL SERVICES	( 46)	0	0	0	.00	7,027
CONTRACTUAL SERVICES	0	0	0	0	.00	15,264
OPERATING SUPPLIES & EXPENSE	( 60)	0	0	0	.00	391
CAPITAL OUTLAY	0	0	0	0	.00	0
<b>TOTAL ECONOMIC DEVELOPMENT</b>	<b>( 106)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.00</b>	<b>22,683</b>
<b>***** SUMMARY OF CONSERVATION &amp; DEVELOPMENT EXPENSES *****</b>						
PERSONNEL SERVICES	( 46)	0	0	0	.00	7,027
CONTRACTUAL SERVICES	0	0	0	0	.00	17,032
OPERATING SUPPLIES & EXPENSE	( 60)	0	0	0	.00	968
CAPITAL OUTLAY	0	0	0	0	.00	
<b>TOTAL CONSERVATION &amp; DEV</b>	<b>( 106)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>.00</b>	<b>25,028</b>
<b>TOTAL OTHER FINANCING USES</b>	<b>30,791</b>	<b>300,155</b>	<b>798,982</b>	<b>( 498,827)</b>	<b>37.57</b>	<b>284,235</b>

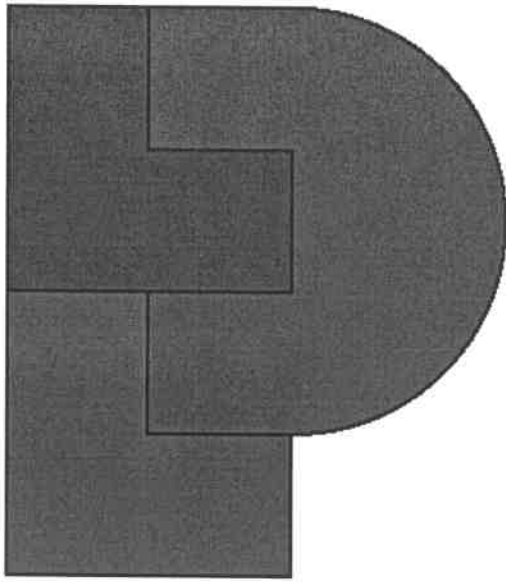
## CITY OF TWO RIVERS

EXPENDITURES WITH COMPARISON TO BUDGET BY OBJECT CODE  
FOR THE 7 MONTHS ENDING JULY 31, 2020

### FUND 100 - GENERAL FUND - SUMMARY TOTALS

	PERIOD ACTUAL	2020 YTD ACTUAL	2020 BUDGET	OVR (UND) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>***** SUMMARY OF GENERAL FUND EXPENSES *****</b>						
PERSONNEL SERVICES	713,277	4,852,752	8,355,836	( 3,503,084)	58.08	4,938,042
CONTRACTUAL SERVICES	103,024	647,184	1,190,141	( 542,957)	54.38	594,611
OPERATING SUPPLIES & EXPENSE	37,149	246,612	453,861	( 207,249)	54.34	305,617
FIXED CHARGES	57,379	479,629	1,143,247	( 663,618)	41.95	479,433
CAPITAL OUTLAY	0	5,015	8,000	( 2,985)	62.68	6,337
ALLOCATIONS	( 53,361)	( 338,513)	( 573,805)	235,292	( 58.99)	( 319,275)
<b>GRAND TOTAL</b>	<b>857,467</b>	<b>5,892,679</b>	<b>10,577,280</b>	<b>( 4,684,601)</b>	<b>55.71</b>	<b>6,004,766</b>

Attachment: July 2020 General Report (2933 : Finance Reports)



Lester Public Library  
July 2020  
Detail  
Financial Report

CITY OF TWO RIVERS  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 7 MONTHS ENDING JULY 31, 2020

LIBRARY FUND DETAIL

	PERIOD ACT	BUDGET	YTD ACTUAL	OV(UN)BUD	% OF BDGT	PR YTD ACT
<u>TAXES</u>						
280-41110 GENERAL PROPERTY TAX	0	619,007	619,007	0	100.00	606,870
TOTAL TAXES	0	619,007	619,007	0	100.00	606,870
<u>INTERGOVERNMENTAL REVENUE</u>						
280-43720 COUNTY FUNDS	0	168,893	168,893	0	100.00	163,092
TOTAL INTERGOVERNMENTAL REVE	0	168,893	168,893	0	100.00	163,092
<u>FINES &amp; FORFEITURES</u>						
280-45300 LIBRARY BOOK FINES	4	10,000	2,123	( 7,877)	21.23	5,995
TOTAL FINES & FORFEITURES	4	10,000	2,123	( 7,877)	21.23	5,995
<u>CHARGES FOR SERVICE</u>						
280-46712 COPIER SERVICE FEES	0	7,200	1,477	( 5,723)	20.51	3,968
TOTAL CHARGES FOR SERVICE	0	7,200	1,477	( 5,723)	20.51	3,968
<u>MISCELLANEOUS REVENUE</u>						
280-48300 SALE OF PROP & EQUIP	0	2,500	426	( 2,074)	17.02	1,803
280-48440 INSURANCE CLAIMS	0	0	0	0	.00	0
280-48500 DONATIONS	0	40,000	10,000	( 30,000)	25.00	12,320
280-48900 OTHER REVENUES	0	3,000	448	( 2,552)	14.95	318
TOTAL MISCELLANEOUS REVENUE	0	45,500	10,874	( 34,626)	23.90	14,442
<u>OTHER FINANCING SOURCES</u>						
280-49223 TRANS FROM OTHER FUNDS	0	13,669	0	( 13,669)	.00	0
TOTAL OTHER FINANCING SOURCES	0	13,669	0	( 13,669)	.00	0
TOTAL FUND REVENUE	4	864,269	802,374	( 61,895)	92.84	794,367

Attachment: July 2020 Public Library Report (2933 : Finance Reports)

**CITY OF TWO RIVERS**  
**2020 MONTHLY GENERAL FUND REPORT**  
**JULY 31, 2020 BUDGET**

**LESTER LIBRARY F 280 EXPENSE DETAIL**

	PERIOD ACTUAL	2020 BUDGET	2020 YTD ACTUAL	OVER (UNDER) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL	
<b><u>LESTER LIBRARY</u></b>							
<b>LIBRARY ADMINISTRATION</b>							
<i>PERSONNEL SERVICES</i>							
280-55110-1100	FULLTIME ADMINISTRATION	19,722	244,943	141,907 (	103,036)	57.93	135,068
280-55110-1220	WAGES - FULLTIME	4,312	32,693	20,616 (	12,077)	63.06	23,238
280-55110-1270	WAGES - PART TIME	9,346	136,222	72,684 (	63,538)	53.36	69,045
280-55110-1280	WAGES-LONGEVITY PAY	0	5,767	0 (	5,767)	.00	0
280-55110-1290	WAGES-OVERTIME	0	472	130 (	342)	27.48	252
280-55110-1310	WI RETIREMENT	1,531	28,924	12,525 (	16,399)	43.30	15,803
280-55110-1320	FICA	2,487	32,902	17,654 (	15,248)	53.66	16,918
280-55110-1330	HEALTH INSURANCE	5,103	54,747	35,721 (	19,026)	65.25	58,118
280-55110-1333	HEALTH SAVINGS ACCT EXPENSE	0	3,600	4,200	600	116.67	6,600
280-55110-1334	HEALTH INSURANCE OPT-OUT	692	10,000	5,038 (	4,962)	50.38	2,885
280-55110-1340	LIFE INSURANCE	95	1,200	586 (	614)	48.83	647
280-55110-1350	OTHER BENEFITS	0	0	0	0	.00	0
<b>TOTAL PERSONNEL SERVICES</b>		<b>43,287</b>	<b>551,470</b>	<b>311,062 (</b>	<b>240,408)</b>	<b>56.41</b>	<b>328,574</b>
<i>CONTRACTUAL SERVICES</i>							
280-55110-2100	PROF SERV - CITY SERVICES	3,955	44,813	26,533 (	18,280)	59.21	23,954
280-55110-2130	PROFESSIONAL SERVICES	1,196	7,000	3,607 (	3,393)	51.53	2,466
280-55110-2200	TELEPHONE EXPENSE	117	1,200	757 (	443)	63.11	665
280-55110-2210	ELECTRICITY	1,513	22,050	8,186 (	13,864)	37.13	8,344
280-55110-2220	NATURAL GAS/HEAT	126	8,000	4,500 (	3,500)	56.25	4,378
280-55110-2230	WATER EXPENSE	201	3,000	1,157 (	1,843)	38.57	1,157
280-55110-2240	SEWER EXPENSE	37	927	360 (	567)	38.81	422
280-55110-2250	STORMWATER EXPENSE	80	960	560 (	400)	58.28	560
280-55110-2410	MAINTENANCE EQUIPMENT/VEH	1,103	19,000	8,347 (	10,653)	43.93	11,541
280-55110-2430	EQUIPMENT REPAIRS	0	500	0 (	500)	.00	0
280-55110-2450	EQUIPMENT NEW	0	18,000	171 (	17,829)	.95	8,363
280-55110-2910	PRINTING/ADVERTISING	0	8,000	150 (	7,850)	1.88	7,099
280-55110-2930	TECHNOLOGY	46	18,000	2,280 (	15,720)	12.67	10,590
280-55110-2950	DEBT ISSUANCE COSTS/PAYMENTS	1,076	12,908	7,530 (	5,378)	58.33	7,530
<b>TOTAL CONTRACTUAL SERVICES</b>		<b>9,451</b>	<b>164,358</b>	<b>64,138 (</b>	<b>100,220)</b>	<b>39.02</b>	<b>87,068</b>
<i>OPERATING SUPPLIES/EXPENSES</i>							
280-55110-3100	OFFICE SUPPLIES	97	3,400	675 (	2,725)	19.86	1,612
280-55110-3110	POSTAGE	38	700	266 (	434)	38.01	366
280-55110-3300	TRAVEL	0	4,500	2,225 (	2,275)	49.44	746
280-55110-3560	LANDSCAPING	1,624	12,900	6,351 (	6,549)	49.23	5,471
280-55110-3960	TECH PROC SUPPLIES	270	5,000	2,250 (	2,750)	45.00	2,801
<b>TOTAL OP SUPPLIES/EXP</b>		<b>2,028</b>	<b>26,500</b>	<b>11,767 (</b>	<b>14,733)</b>	<b>44.41</b>	<b>10,996</b>

Attachment: July 2020 Public Library Report (2933 : Finance Reports)

**CITY OF TWO RIVERS**  
**2020 MONTHLY GENERAL FUND REPORT**  
**JULY 31, 2020 BUDGET**

**LESTER LIBRARY F 280 EXPENSE DETAIL**

	PERIOD ACTUAL	2020 BUDGET	2020 YTD ACTUAL	OVER (UNDER) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<u>FIXED CHARGES</u>						
280-55110-5200 INSURANCES	877	11,440	6,211	( 5,229)	54.29	6,293
280-55110-5950 TRANSFER TO CAP PROJ FNDS	0	1,080	1,080	0	100.00	1,080
<b>TOTAL FIXED CHARGES</b>	<b>877</b>	<b>12,520</b>	<b>7,291</b>	<b>( 5,229)</b>	<b>58.23</b>	<b>7,373</b>
<b>TOTAL LIBRARY ADMINISTRATION</b>	<b>55,643</b>	<b>754,848</b>	<b>394,258</b>	<b>( 360,590)</b>	<b>52.23</b>	<b>434,012</b>
<b>ADULT SERVICES</b>						
<u>OPERATING SUPPLIES/EXPENSES</u>						
280-55111-3230 PERIODICALS	23	4,600	2,873	( 1,727)	62.46	3,037
280-55111-3400 NON-FICTION BOOKS	1,001	17,000	11,047	( 5,953)	64.98	7,864
280-55111-3420 FICTION BOOKS	1,401	17,000	7,253	( 9,747)	42.67	7,673
280-55111-3430 LARGE PRINT BOOKS	732	12,000	4,327	( 7,673)	36.06	5,283
280-55111-3450 MOVIES	253	5,000	1,365	( 3,635)	27.30	1,852
280-55111-3470 AUDIOBOOKS	216	4,400	1,121	( 3,279)	25.48	2,031
280-55111-3480 MUSIC CD'S	36	1,000	36	( 964)	3.56	331
280-55111-3510 PROGRAMS	100	2,500	1,223	( 1,277)	48.94	1,314
<b>TOTAL OP SUPPLIES/EXP</b>	<b>3,762</b>	<b>63,500</b>	<b>29,246</b>	<b>( 34,254)</b>	<b>46.06</b>	<b>29,184</b>
<b>TOTAL ADULT SERVICES</b>	<b>3,762</b>	<b>63,500</b>	<b>29,246</b>	<b>( 34,254)</b>	<b>46.06</b>	<b>29,184</b>

Attachment: July 2020 Public Library Report (2933 : Finance Reports)

**CITY OF TWO RIVERS**  
**2020 MONTHLY GENERAL FUND REPORT**  
**JULY 31, 2020 BUDGET**

**LESTER LIBRARY F 280 EXPENSE DETAIL**

	PERIOD ACTUAL	2020 BUDGET	2020 YTD ACTUAL	OVER (UNDER) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>CHILDREN'S SERVICES</b>						
<u>OPERATING SUPPLIES/EXPENSES</u>						
280-55112-3230 PERIODICALS	0	540	297	( 243)	54.96	207
280-55112-3400 NON-FICTION BOOKS	346	7,000	3,741	( 3,259)	53.45	4,716
280-55112-3420 FICTION BOOKS	533	3,800	2,208	( 1,592)	58.10	1,963
280-55112-3440 PAPERBACKS	90	1,600	381	( 1,219)	23.79	435
280-55112-3450 MOVIES	15	1,800	315	( 1,485)	17.52	614
280-55112-3470 AUDIOBOOKS	0	1,700	40	( 1,660)	2.34	12
280-55112-3510 PROGRAMS	151	11,980	2,323	( 9,657)	19.39	4,632
280-55112-3530 JE BOOKS	57	6,000	2,627	( 3,373)	43.78	3,287
<b>TOTAL OP SUPPLIES/EXP</b>	<b>1,192</b>	<b>34,420</b>	<b>11,932</b>	<b>( 22,488)</b>	<b>34.66</b>	<b>15,866</b>
<b>TOTAL CHILDREN'S SERVICES</b>	<b>1,192</b>	<b>34,420</b>	<b>11,932</b>	<b>( 22,488)</b>	<b>34.66</b>	<b>15,866</b>
<b>REFERENCE</b>						
<u>OPERATING SUPPLIES/EXPENSES</u>						
280-55114-3400 NON-FICTION BOOKS	0	1,300	1,946	646	149.71	918
280-55114-3490 MICROFILM	0	3,700	3,950	250	106.76	0
<b>TOTAL OP SUPPLIES/EXP</b>	<b>0</b>	<b>5,000</b>	<b>5,896</b>	<b>896</b>	<b>117.93</b>	<b>918</b>
<b>TOTAL REFERENCE</b>	<b>0</b>	<b>5,000</b>	<b>5,896</b>	<b>896</b>	<b>117.93</b>	<b>918</b>

Attachment: July 2020 Public Library Report (2933 : Finance Reports)

**CITY OF TWO RIVERS**  
**2020 MONTHLY GENERAL FUND REPORT**  
**JULY 31, 2020 BUDGET**

**LESTER LIBRARY F 280 EXPENSE DETAIL**

	PERIOD ACTUAL	2020 BUDGET	2020 YTD ACTUAL	OVER (UNDER) BUDGET	% OF BUDGET	PRIOR YTD ACTUAL
<b>YOUNG ADULT SERVICES</b>						
<i>OPERATING SUPPLIES/EXPENSES</i>						
280-55115-3230 PERIODICALS	20	200	107	( 93)	53.44	190
280-55115-3400 NON-FICTION BOOKS	0	1	0	( 1)	.00	0
280-55115-3420 FICTION BOOKS	68	5,300	2,019	( 3,281)	38.10	2,940
280-55115-3470 AUDIOBOOKS	0	1,000	41	( 959)	4.12	144
280-55115-3510 PROGRAMS	0	0	0	0	.00	68
<b>TOTAL OP SUPPLIES/EXP</b>	<b>88</b>	<b>6,501</b>	<b>2,167</b>	<b>( 4,334)</b>	<b>33.34</b>	<b>3,343</b>
<b>TOTAL YOUNG ADULT SERVICES</b>	<b>88</b>	<b>6,501</b>	<b>2,167</b>	<b>( 4,334)</b>	<b>33.34</b>	<b>3,343</b>
<b>TOTAL LESTER LIBRARY EXP</b>	<b>60,685</b>	<b>864,269</b>	<b>443,499</b>	<b>( 420,770)</b>	<b>51.31</b>	<b>483,322</b>
<b>NET REV OVER EXP</b>	<b>( 60,681)</b>	<b>0</b>	<b>358,875</b>	<b>358,875</b>	<b>.00</b>	<b>311,046</b>

Attachment: July 2020 Public Library Report (2933 : Finance Reports)



Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
08/24/2020	126453	VIPRE Security	Subscription - IT	INV00350827	2,116.40-
Total 126453:					2,116.40-
08/06/2020	126915	American Library Association	Dues-Dawson	1008944 - 7/29/2020	225.00
Total 126915:					225.00
08/06/2020	126916	Apollo's Beacon LLC	Bands on the Beach - Rec	08/03/2020	1,400.00
Total 126916:					1,400.00
08/06/2020	126917	Arthur J Gallagher RMS Inc	2020 Railroad Protective Policy	3540969	3,000.00
Total 126917:					3,000.00
08/06/2020	126918	Ashley Miller & Darlene Miller	Refund of credit balance due to overpayment on	7/28/2020	135.76
Total 126918:					135.76
08/06/2020	126919	Bank First National	Starting Cash for Pancake Breakfast-Senior Ce	07/30/2020	700.00
Total 126919:					700.00
08/06/2020	126920	Bellevue Place Estates LLC	Refund due to overpayment on final bill	7/28/2020	33.34
Total 126920:					33.34
08/06/2020	126921	BR Properties LLC	Refund of Credit Balance due to overpayment o	7/28/2020	20.32
Total 126921:					20.32
08/06/2020	126922	Brimark Builders	Refund due to overpayment on final bill for temp	7/28/2020	477.45
Total 126922:					477.45
08/06/2020	126923	Brown, Kathleen	Refund - due to overpayment on final bill	7/28/2020	108.22
Total 126923:					108.22
08/06/2020	126924	Campanella, Heather	Refund due to overpayment on final bill	7/28/2020	3.12

Attachment: Summary of Bills Aug 2020 (2932 : Summary of Verified Bills)

Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 126924:					3.12
08/06/2020	126925	CliftonLarsonAllen LLP	Progress Billing/Dec 2019 Audit	2581476	525.00
Total 126925:					525.00
08/06/2020	126926	Crafts Inc	Repairs / Paragon 606 Parkway Blvd	6120	933.08
Total 126926:					933.08
08/06/2020	126927	DeBruyn, Don	Solar Credit	7/31/20	156.80
Total 126927:					156.80
08/06/2020	126928	Egan, Ronald	Refund due to overpayment on final bill	7/28/2020	46.11
Total 126928:					46.11
08/10/2020	126929	Eis Implement Inc	Supplies - Cem	7/28/2020	.00
Total 126929:					.00
08/06/2020	126930	Emilee Clair Rysticken	Small Business COVID-19 Relieft Fund	8/5/2020	449.38
Total 126930:					449.38
08/06/2020	126931	Erickson Sports Apparel	Soccer Shirts-REc	102215	108.00
Total 126931:					108.00
08/06/2020	126932	Ernest Broeniman	Two Rivers Central Park Concert Series	08/06/2020	1,800.00
Total 126932:					1,800.00
08/06/2020	126933	Frank's Radio Service Inc.	Ignition Switch Kit-DPW	116582	17.00
Total 126933:					17.00
08/06/2020	126934	Grainger	Replacement Cartridge - Rec	9594654056	218.40

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 126934:					218.40
08/06/2020	126935	Hach Company	Service - Wtr	12036249	236.48
08/06/2020	126935	Hach Company	Supplies-Wtr	12038635	359.10
Total 126935:					595.58
08/06/2020	126936	Hubbart Electric Inc	Service - Wtr	11272C	2,660.53
Total 126936:					2,660.53
08/06/2020	126937	Jacquart Franzen, Kimberly S	Small Business Covid Relief Fund	7/29/2020	887.88
Total 126937:					887.88
08/06/2020	126938	Jerry's Bakery	Refund due to overpayment on final bill	7/28/2020	10.00
Total 126938:					10.00
08/06/2020	126939	Kayser Automotive Group	2020 Ford Explorer (Squad #320) - PD	LC6394	35,169.50
Total 126939:					35,169.50
08/06/2020	126940	Klein, Patricia Ann	Simply Seniors Exercise Class - 7/2/20-7/30/20	08/04/2020	56.40
Total 126940:					56.40
08/06/2020	126941	Krause Power Engineering LLC	Services - Elec	7/18/2020	1,941.73
Total 126941:					1,941.73
08/06/2020	126942	Kulpa Jr, Frank	Solar Credit	7/31/20	212.00
Total 126942:					212.00
08/06/2020	126943	Laurin, Jason	Contract for June-August 2020	08/03/2020	60.00
Total 126943:					60.00
08/06/2020	126944	Liberty Mutual Insurance	Truck #289 - Cemetery	13677130	179.00

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 126944:					179.00
08/06/2020	126945	Luisier Plumbing Inc	Backflow test - Community House	19529	130.00
Total 126945:					130.00
08/06/2020	126946	Malley Printing Co	Launch Permit Envelopes-Rec	27882	377.50
Total 126946:					377.50
08/06/2020	126947	Manitowoc Co Recycling Center	50% RU Consolidation Grant Award 2020	727202024	1,444.50
Total 126947:					1,444.50
08/06/2020	126948	Manitowoc Disposal Inc	Small Box Aug 2020	47658	580.00
Total 126948:					580.00
08/06/2020	126949	Manitowoc Trophy	Tree Stand - Rec	37160	105.00
08/06/2020	126949	Manitowoc Trophy	Name Badge-Vosters-Rec	37184	18.50
Total 126949:					123.50
08/06/2020	126950	Maritime Plumbing and Mechanical	Private San - Sidewalk Restoration	36787	3,168.25
Total 126950:					3,168.25
08/06/2020	126951	MBM	Meter Charge 6/29/20-7/28/20	IN506606	1,065.99
Total 126951:					1,065.99
08/06/2020	126952	Moraine Properties Inc	Refund due to overpayment on final bill	7/28/2020	43.13
Total 126952:					43.13
08/06/2020	126953	Mtwc Area Visitor/Conv Bureau	Portion of room tax collected - June 2020	08/05/2020	5,935.75
Total 126953:					5,935.75
08/06/2020	126954	Mueller Manor	Refund due to overpayment on final bill	07/28/2020	72.99

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 126954:					72.99
08/06/2020	126955	Northern Lake Service Inc	Testing - Wtr	382160	42.00
Total 126955:					42.00
08/06/2020	126956	OSI Environmental Inc	Oil recylcing-DPW	4018912	75.00
Total 126956:					75.00
08/06/2020	126957	Payment Service Network	Service 7/1/20-7/31/20	219922	7.95
Total 126957:					7.95
08/06/2020	126958	Peak Software Systems Inc.	SportsMan SQL Core thru 7/29/21	022170	1,804.20
Total 126958:					1,804.20
08/06/2020	126959	Peters, Susan	Refund due to overpayment on final bill	7/28/2020	191.00
Total 126959:					191.00
08/06/2020	126960	Port Cities Insurance Agency LLC	Small Business Covid-19 Relief Fund	7/30/2020	2,475.00
Total 126960:					2,475.00
08/06/2020	126961	Prairie Farms Dairy Inc	Dairy - Sr. Cntr.	9003084	89.01
Total 126961:					89.01
08/06/2020	126962	Prompt Printing Center	Garbage stickers - Cust Serv	34602	1,080.00
Total 126962:					1,080.00
08/06/2020	126963	Reinhart Foodservice	Food-Sr Ctr	171674	823.71
Total 126963:					823.71
08/06/2020	126964	Stan's Marina	Refund due to overpayment on final bill	7/28/2020	18.93

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 126964:					18.93
08/06/2020	126965	Suettinger's Keys LLC	Keys-Rec	7/30/20	411.07
Total 126965:					411.07
08/06/2020	126966	Susie Q Fish Company Inc	Small Business Covid-19 Relief Fund	7/31/2020	5,000.00
Total 126966:					5,000.00
08/06/2020	126967	Tony Przedwiecki	Two Rivers Central Park Concert Series	08/03/2020	600.00
Total 126967:					600.00
08/06/2020	126968	Two Rivers 1 LLC	Refund due to overpayment on final bill	7/28/2020	62.03
Total 126968:					62.03
08/06/2020	126969	Two Rivers Clothing Co	YEP Banners-Rec	8/4/2020	200.00
Total 126969:					200.00
08/06/2020	126970	Two Rivers Mainstreet Inc.	Delinquent BID/2018 Parcel #000-066-091-1	08/05/20	100.00
Total 126970:					100.00
08/06/2020	126971	Urbaniak, Kevin	Refund due to overpayment on final bill	7/28/2020	75.07
Total 126971:					75.07
08/06/2020	126972	USA Blue Book	Supplies-WWTP	297670	48.78
Total 126972:					48.78
08/06/2020	126973	Utility Sales and Service Inc	Supplies - Electric	0207815-IN	45.72
Total 126973:					45.72
08/06/2020	126974	Vulcan Industries Inc.	Lot Spare Parts-WTP	20359-16029	730.00

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 126974:					730.00
08/06/2020	126975	Wells Fargo Financial Leasing	Copier Charges - 7/21/20-8/20/20	5011306756	2,700.00
Total 126975:					2,700.00
08/06/2020	126976	Wisc Dept of Transportation	Deposit in TVRP Program Account - PD	7/31/20	6.00
Total 126976:					6.00
08/06/2020	126977	Wisconsin Dept. of Revenue	SDC Collections Fee Owed / James Earl Harris	08/03/2020	35.00
Total 126977:					35.00
08/06/2020	126978	Wisconsin Public Service	1520 17TH ST - Rec	0401271669-04;7/20	177.77
08/06/2020	126978	Wisconsin Public Service	PARK SHELTER	0401271669-14;7/20	17.33
08/06/2020	126978	Wisconsin Public Service	Bridge Bldg - Engineering	0401271669-30;7/20	17.33
08/06/2020	126978	Wisconsin Public Service	606 PARKWAY BLVD (PARAGON)	0401271669-44;7/20	152.88
08/06/2020	126978	Wisconsin Public Service	CEMETERY	0401271669-5;7/20	17.33
Total 126978:					382.64
08/13/2020	126979	4 Control Inc	Columbus Substation - Electric	7026	601.80
Total 126979:					601.80
08/13/2020	126980	ADRC of the Lakeshore	July 2020 donations - Sr Ctr	08/10/2020	390.50
Total 126980:					390.50
08/13/2020	126981	Airgas USA LLC	Supplies - PW	9103434648	38.84
Total 126981:					38.84
08/13/2020	126982	AnSer Services	After hours answering service-Elec & Wtr	6502-080120	609.13
Total 126982:					609.13
08/13/2020	126983	B&M Waste Service Inc	Portable Restroom Rental-7/30/20-8/29/20-Rec	152736	160.00
08/13/2020	126983	B&M Waste Service Inc	Portable Restroom Rental-8/7/20-9/6/20-Rec	152901	80.00

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 126983:					240.00
08/13/2020	126984	Bauknecht, Chad	Energy Star Rebate - Dishwasher	08/11/2020	25.00
Total 126984:					25.00
08/13/2020	126985	BC Signs & Graphics LLC	Labor/Stickers - PD	536 C	126.00
Total 126985:					126.00
08/13/2020	126986	City of Two Rivers Petty Cash	Replenish Petty Cash Check Book	8/06/2020	4,452.62
Total 126986:					4,452.62
08/13/2020	126987	Cool City Cleaners Inc	Towels - WWTP	101353	70.00
Total 126987:					70.00
08/13/2020	126988	Cretton Enterprises Inc	July 2020 Services - Lib	9264	1,504.10
Total 126988:					1,504.10
08/13/2020	126989	Dept. of Workforce Development	Unemployment 07/01/20 - 07/31/20	10217820	502.42
Total 126989:					502.42
08/13/2020	126990	Digger's Hotline	2nd Prepayment - 2020 Charges	200 7 43901 PP2	699.20
08/13/2020	126990	Digger's Hotline	May 2020 Safety Meeting-Elec	2257	840.00
Total 126990:					1,539.20
08/13/2020	126991	Dinges Fire Company	Supplies - FD	11849	55.12
Total 126991:					55.12
08/13/2020	126992	Elster Solutions LLC	Parts-Elec	9000109751	276.00
08/13/2020	126992	Elster Solutions LLC	Supplies-Elec	9000109953	3,000.00
Total 126992:					3,276.00

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
08/13/2020	126993	Fastenal	Supplies-Wtr	WIMAN268193	144.93
Total 126993:					144.93
08/13/2020	126994	Fire Dept Petty Cash	Petty cash reimbursement	08/11/2020	84.69
Total 126994:					84.69
08/13/2020	126995	Froelich, Robert	Energy Star Rebate - Washer & Dryer	08/11/2020	50.00
Total 126995:					50.00
08/13/2020	126996	Froelich, Whitney L.	Contract Communications Services 7/20/20-8/8/	100	1,612.50
Total 126996:					1,612.50
08/13/2020	126997	Frontier	Telephone - Water	0443;7/20	52.70
Total 126997:					52.70
08/13/2020	126998	Gerber Leisure Products Inc	Bench & plaque-Rec	7099	1,665.00
Total 126998:					1,665.00
08/13/2020	126999	Grainger	Supplies-WTP	9596154675	.30
Total 126999:					.30
08/13/2020	127000	JF Ahern Co	Fire Equipment Inspections-FD	390994	153.75
Total 127000:					153.75
08/13/2020	127001	Kaat's Water Conditioning Inc	Bottled water, 6303 Riverview Dr-Eng	8/1/20-8/31/20	86.80
Total 127001:					86.80
08/13/2020	127002	Kaczrowski, Shane	Energy Star Rebate - Dehumidifier	08/11/2020	15.00
Total 127002:					15.00
08/13/2020	127003	Kip Gulseth Construction Co	Seal Leak in Manhole - 13th St & Adams	2992	229.04

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 127003:					229.04
08/13/2020	127004	Klein's Hardware Hank	Supplies- Wtr	07/06/2020	12.47
Total 127004:					12.47
08/13/2020	127005	Lakeshore Technical College	Tax Settlement - August 2020	AUGUST 2020	25,941.52
Total 127005:					25,941.52
08/13/2020	127006	Malley Printing Co	Envelopes - Finance & Assessing	27869	210.50
Total 127006:					210.50
08/13/2020	127007	Manitowoc Co Register Of Deeds	July 2020 Charges	JULY CHARGES	107.00
Total 127007:					107.00
08/13/2020	127008	Manitowoc Co Treasurer	July 2020 Jail & Driver Improvement Surcharge	8/10/2020	1,106.13
Total 127008:					1,106.13
08/13/2020	127009	Manitowoc Co Treasurer	Tax Settlement - August 2020	AUGUST 2020	173,595.57
Total 127009:					173,595.57
08/13/2020	127010	Manitowoc Disposal Inc	Recycling & Refuse Collect 7/25/2020-8/7/2020	7/25/20-8/7/20	14,157.64
Total 127010:					14,157.64
08/13/2020	127011	Manitowoc Public Utilities	Service - 2124 Woodland Dr - WWTP	07/29/2020	27.18
08/13/2020	127011	Manitowoc Public Utilities	Service - 5000 Memorial Dr. - Wtr	07/31/2020	636.96
Total 127011:					664.14
08/13/2020	127012	Manitowoc School District	Tax Settlement - August 2020	AUGUST 2020	8,698.70
Total 127012:					8,698.70
08/13/2020	127013	Manitowoc Trophy	Volunteer of the Year 2019 - J Stueck	37180	48.00

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 127013:					48.00
08/13/2020	127014	Marco Technologies LLC	Prof Serv - Library	INV7848413	75.71
Total 127014:					75.71
08/13/2020	127015	Maritime Plumbing and Mechanical	Misc Supplies - Water	36858	1,028.70
Total 127015:					1,028.70
08/13/2020	127016	McMahon Associates Inc	UNPS Riverview Pond	0919197	3,983.00
08/13/2020	127016	McMahon Associates Inc	East Twin River Watershed planning	919196	3,031.50
08/13/2020	127016	McMahon Associates Inc	Ecological Svcs-Sandy Bay Highlands Pond	919239	1,640.00
Total 127016:					8,654.50
08/13/2020	127017	North Central Laboratories	Lab Supplies-WTP	442029	1,386.74
Total 127017:					1,386.74
08/13/2020	127018	OpenPoint LLC	OpenPoint Subscription - August 2020	1084	2,350.00
Total 127018:					2,350.00
08/13/2020	127019	Postmaster	Postage - TMS #118200	08/10/2020	5,000.00
Total 127019:					5,000.00
08/13/2020	127020	Prairie Farms Dairy Inc	2% Milk	9006638	103.85
Total 127020:					103.85
08/13/2020	127021	Preferred Controls Inc.	Service Contract - 3/7/20 - 3/7/21	3845	11,000.00
Total 127021:					11,000.00
08/13/2020	127022	R&J Fricke Inc	Concrete-PW	9583	775.00
08/13/2020	127022	R&J Fricke Inc	Concrete-PW	9584	600.00
08/13/2020	127022	R&J Fricke Inc	Concrete-PW	9585	2,225.00
08/13/2020	127022	R&J Fricke Inc	Concrete-PW	9625	650.00

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
08/13/2020	127022	R&J Fricke Inc	Concrete-PW	9626	825.00
08/13/2020	127022	R&J Fricke Inc	Concrete-PW	9627	1,200.00
08/13/2020	127022	R&J Fricke Inc	Concrete-PW	9628	350.00
Total 127022:					6,625.00
08/13/2020	127023	RESCO	Supplies-Elec	785250-00	1,526.12
Total 127023:					1,526.12
08/13/2020	127024	Schaus Roofing/Mechanical	Service Compressor - Comm House	78566	612.30
Total 127024:					612.30
08/13/2020	127025	Schwerma, William	Energy Star Rebate - Dishwasher	08/11/2020	25.00
Total 127025:					25.00
08/13/2020	127026	SEERA	Focus Program - 07/31/20	7/31/2020	4,210.27
Total 127026:					4,210.27
08/13/2020	127027	Sherwin Industries Inc	Pump & Labor-PW	SC045177	2,821.31
Total 127027:					2,821.31
08/13/2020	127028	State of Wisconsin	July 2020 penalty surcharges	8/10/2020	2,254.47
Total 127028:					2,254.47
08/13/2020	127029	Superior Chemical Corp	Janitorial Supplies - PWD	273100	166.58
Total 127029:					166.58
08/13/2020	127030	TAPCO	Sign Inventory-DPW	I674339	267.13
08/13/2020	127030	TAPCO	Sign Inventory-DPW	I674446	3,229.95
Total 127030:					3,497.08
08/13/2020	127031	Two Rivers Clothing Co	Custom Decal - Rec	08/11/2020	90.00

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 127031:					90.00
08/13/2020	127032	Two Rivers Mainstreet Inc.	Tax Settlement - August 2020	AUGUST 2020	1,336.09
Total 127032:					1,336.09
08/13/2020	127033	Two Rivers School District	Tax Settlement - August 2020	AUGUST 2020	302,829.78
Total 127033:					302,829.78
08/13/2020	127034	Vesely, Charles & Nancy	Refund Taste of Madison	07/14/2020	276.00
Total 127034:					276.00
08/13/2020	127035	Village of Mishicot Treasurer	July 2020 Municipal Court Forfeitures	8/10/2020	480.00
Total 127035:					480.00
08/13/2020	127036	West & Dunn	Legal - Paragon Partners Foreclosure	1720	6.45
08/13/2020	127036	West & Dunn	Legal - General Matters	1721	5,728.48
08/13/2020	127036	West & Dunn	Legal - Paragon Partners Foreclosure	1801	400.00
08/13/2020	127036	West & Dunn	Legal - General Matters	1802	5,728.48
08/13/2020	127036	West & Dunn	Legal - Paragon Partners Foreclosure	1945	600.00
08/13/2020	127036	West & Dunn	Legal - General Matters	1954	5,728.48
08/13/2020	127036	West & Dunn	Legal - Paragon Partners Foreclosure	2088	600.00
08/13/2020	127036	West & Dunn	Legal - General Matters	2089	5,728.48
Total 127036:					24,520.37
08/13/2020	127037	Wisc Dept Of Revenue-DEBITMEMO	July 2020 Sales Tax	7/1/20-7/31/20	36,039.74
Total 127037:					36,039.74
08/13/2020	127038	Wisc State Laboratory/Hygiene	Fluoride - Water	640993	26.00
Total 127038:					26.00
08/13/2020	127039	Wisconsin Public Service	1916 COLUMBUS ST - Elec	0401271669-10;7/20	30.58
08/13/2020	127039	Wisconsin Public Service	3900 Bellevue PI - Reservior	0401271669-2;7/20	20.35
08/13/2020	127039	Wisconsin Public Service	SOUTH TWR	0401271669-25;7/20	17.33

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
08/13/2020	127039	Wisconsin Public Service	EAST TWR	0401271669-26;7/20	17.33
08/13/2020	127039	Wisconsin Public Service	HIGH LIFT	0401271669-32;7/20	57.29
Total 127039:					142.88
08/13/2020	127040	WPPI - Debit Memo	July 2020 Purchased Power	25-72020	727,090.87
Total 127040:					727,090.87
08/13/2020	127041	WPPI Energy	Library HVAC retrofit project Loan Payment	INV14040	1,075.67
Total 127041:					1,075.67
08/20/2020	127042	920 Investments LLC	Security Deposit Refund (1408 16th Street)	8/12/2020	314.73
Total 127042:					314.73
08/20/2020	127043	Airgas USA LLC	Supplies - PW	9103624023	19.42
Total 127043:					19.42
08/20/2020	127044	All Seasons Outdoor Power & Marine	Supplies-Rec	05/12/2020	140.00
Total 127044:					140.00
08/20/2020	127045	Andrea Zirbel	Sell unused cemetery space back to City-Holy	08/18/2020	200.00
Total 127045:					200.00
08/20/2020	127046	Associated Trust Company	GORB Dated 7/8/2019 - 7/31/19-7/31/20	16869	475.00
08/20/2020	127046	Associated Trust Company	GOPM - 7/31/19-7/31/20	16870	475.00
08/20/2020	127046	Associated Trust Company	GOPM DTD 7/9/12 - 8/1/19-7/31/20	16871	475.00
Total 127046:					1,425.00
08/20/2020	127047	B&M Technical Services Inc	Parts - WWTP	8201	1,050.00
Total 127047:					1,050.00
08/20/2020	127048	Boardman & Clark LLP	Pole Attachment Agreement - Elec	224618	598.50

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 127048:					598.50
08/20/2020	127049	Braun Building Center	Treated wood-Rec	BB070300501	344.98
Total 127049:					344.98
08/20/2020	127050	Broadway Automotive	Accounts Receivable #11075	8013254	500.00
Total 127050:					500.00
08/20/2020	127051	Center Point Large Print	Alp-Lib	1780437	42.54
Total 127051:					42.54
08/20/2020	127052	Copper Box LLC	Special Event Entertainment/Bands on the Beac	8/12/20	2,400.00
Total 127052:					2,400.00
08/20/2020	127053	Crafts Inc	Repairs / Paragon 606 Parkway Blvd	6060	2,703.41
Total 127053:					2,703.41
08/20/2020	127054	Cretton Enterprises Inc	July 2020 Services - CH	9225	3,998.45
Total 127054:					3,998.45
08/20/2020	127055	Delta Dental of Wisconsin	Delta Premiums - September 2020	08/17/2020	4,279.36
Total 127055:					4,279.36
08/20/2020	127056	Erickson Sports Apparel	Jerseys - Rec	102224	216.00
Total 127056:					216.00
08/20/2020	127057	Fasse Decorating Center LLC	Street Painting - DPW	1-142438	63.00
Total 127057:					63.00
08/20/2020	127058	Fastenal	Supplies - Elec	WIMAN268413	655.82
08/20/2020	127058	Fastenal	Supplies-Wtr	WIMAN268415	53.65

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Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 127058:					709.47
08/20/2020	127059	Fitzgerald, Gerald	Energy Star Partners Rebate-Dehumidifier	08/17/2020	15.00
Total 127059:					15.00
08/20/2020	127060	Grainger	Supplies - WWTP	9602028459	24.32
08/20/2020	127060	Grainger	Supplies - WWTP	9606279181	22.73
Total 127060:					47.05
08/20/2020	127061	Granicus	IQM2 Agenda & Minutes - CM	129617	500.00
Total 127061:					500.00
08/20/2020	127062	Hach Company	Service - Wtr	12059299	149.59
Total 127062:					149.59
08/20/2020	127063	Hastings Air-Energy Control In	Grabber/Bladder-FD	184315	344.19
Total 127063:					344.19
08/20/2020	127064	Hawkins Inc	Azone 15-WTr	4758142	91.67
Total 127064:					91.67
08/20/2020	127065	Holy Family Memorial	July 2020 Lab Draws	LA116	20.00
Total 127065:					20.00
08/20/2020	127066	Itron Inc	Hardware & Software Maintenance	564606	1,156.99
Total 127066:					1,156.99
08/20/2020	127067	Mammoth Construction	Private Svc @ 1815 21st Street	881	7,510.00
Total 127067:					7,510.00
08/20/2020	127068	Manitowoc Disposal Inc	Empty & Haul - Rec	47813	420.00

Attachment: Summary of Bills Aug 2020 (2932 : Summary of Verified Bills)



Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 127068:					420.00
08/20/2020	127069	Marco Technologies LLC	Prof Serv - Library	INV7868257	284.32
Total 127069:					284.32
08/20/2020	127070	MBM	Meter Charge 7/1/2020-7/31/2020	IN507892	353.19
Total 127070:					353.19
08/20/2020	127071	McMahon Associates Inc	Wetland Delineation - Sandy Bay Highlands	919238	1,663.08
Total 127071:					1,663.08
08/20/2020	127072	Minnesota Life Insurance Co	Life Insurance premium	SEPTEMBER 2020	4,333.86
Total 127072:					4,333.86
08/20/2020	127073	Moder Comm Contractors LLC	Fiber project	4128	3,806.00
Total 127073:					3,806.00
08/20/2020	127074	Monarch City USA	Monarch City USA Membership Fee & Sign-Rec	0065	200.00
Total 127074:					200.00
08/20/2020	127075	Northern Lake Service Inc	Testing - WWTP	382699	582.70
Total 127075:					582.70
08/20/2020	127076	Office Depot	Labels-Election	110404165001	103.96
08/20/2020	127076	Office Depot	LabelWriter-Election	110679509001	90.26
Total 127076:					194.22
08/20/2020	127077	Personnel Evaluation Inc	Service 7/1/20-7/31/20 - PD	37417	8.00
Total 127077:					8.00
08/20/2020	127078	Piggly Wiggly	Food-Sr Cntr	001097241030	43.95

Attachment: Summary of Bills Aug 2020 (2932 : Summary of Verified Bills)

Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 127078:					43.95
08/20/2020	127079	Power Play Marketing	USA Today Go Escape Great Lakes	20006181	1,650.00
Total 127079:					1,650.00
08/20/2020	127080	Prairie Farms Dairy Inc	Dairy - Sr. Cntr.	9010535	109.55
Total 127080:					109.55
08/20/2020	127081	Preston, James	Special Event Entertainment / Bands on the Be	8/12/2020	700.00
Total 127081:					700.00
08/20/2020	127082	Quadient Leasing USA Inc.	Folder/sorter lease	N8431023	612.03
Total 127082:					612.03
08/20/2020	127083	R&J Fricke Inc	Concrete-PW	9668	1,100.00
08/20/2020	127083	R&J Fricke Inc	Concrete-PW	9669	950.00
Total 127083:					2,050.00
08/20/2020	127084	Reinders	Inventory-PW	2688013-00	776.50
08/20/2020	127084	Reinders	Chalk Powder - Rec	2688183-00	345.15
Total 127084:					1,121.65
08/20/2020	127085	RESCO	Meters - Elec	781343-00	1,625.00
08/20/2020	127085	RESCO	Supplies-Elec	795074-00	2,965.75
Total 127085:					4,590.75
08/20/2020	127086	Schaus Roofing/Mechanical	Paragon Building Repair	78675	169.75
08/20/2020	127086	Schaus Roofing/Mechanical	Service-FD	78747	291.00
Total 127086:					460.75
08/20/2020	127087	Schindler Elevator Company	Maintenance Agreement - CH	8105403364	846.90

Attachment: Summary of Bills Aug 2020 (2932 : Summary of Verified Bills)

Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 127087:					846.90
08/20/2020	127088	Stuebs, Judith	Enegry Star Partners Rebate - Dishwasher	08/17/2020	25.00
Total 127088:					25.00
08/20/2020	127089	Superior Chemical Corp	Supplies-WWTP	273011	138.69
08/20/2020	127089	Superior Chemical Corp	Supplies-WWTP	273012	474.06
08/20/2020	127089	Superior Chemical Corp	Supplies-WWTP	273013	73.72
Total 127089:					686.47
08/20/2020	127090	The Quilt Shop of Two Rivers	Security Deposit Refund	8/12/2020	208.91
Total 127090:					208.91
08/20/2020	127091	Two Rivers Family Dental LLC	Small Business Covid-19 Relief Fund	8/13/2020	5,000.00
Total 127091:					5,000.00
08/20/2020	127092	Two Rivers Municipal Utilities	19th Street	010-00008329-01;08/20	9.78
08/20/2020	127092	Two Rivers Municipal Utilities	606 Parkway Blvd (Paragon)	045-00007334-03	80.00
08/20/2020	127092	Two Rivers Municipal Utilities	606 Parkway Blvd (Paragon)	045-00007335-03	1,513.38
08/20/2020	127092	Two Rivers Municipal Utilities	606 Parkway Blvd (Paragon)	045-00007336-03	2,080.79
08/20/2020	127092	Two Rivers Municipal Utilities	606 Parkway Blvd (Paragon)	045-00007337-03	41.65
08/20/2020	127092	Two Rivers Municipal Utilities	606 Parkway Blvd (Paragon)	045-00007338-03	62.50
08/20/2020	127092	Two Rivers Municipal Utilities	1326 E River Street	070-00002595-06	5.75
Total 127092:					3,793.85
08/20/2020	127093	Utility Sales and Service Inc	Supplies & Labor - Electric	0070645-IN	812.68
08/20/2020	127093	Utility Sales and Service Inc	Parts & Labor - Electric	0070646-IN	985.55
Total 127093:					1,798.23
08/20/2020	127094	Voelker, Jerry	Special Event Entertainment / Central Park Seri	8/12/2020	600.00
Total 127094:					600.00
08/20/2020	127095	Wells Fargo Vendor Financial Services L	Compact Track Loaders T595	5011472260	932.74

Attachment: Summary of Bills Aug 2020 (2932 : Summary of Verified Bills)

Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
08/20/2020	127095	Wells Fargo Vendor Financial Services L	Toolcat 5600	5011472261	1,185.38
Total 127095:					2,118.12
08/20/2020	127096	Wisconsin Media	Engineering Ads	0003458617	1,248.45
08/20/2020	127096	Wisconsin Media	Ads - Library	0003459126	299.00
Total 127096:					1,547.45
08/20/2020	127097	Wisconsin Retirement System	July 2020 Contributions	07/01/2020	152,374.04
Total 127097:					152,374.04
08/20/2020	127098	WOMT	After Further Review	886-00058-0001	202.00
Total 127098:					202.00
08/20/2020	127099	WPPI Energy	Water Plant equipment retrofit Monthly Loan Py	INV14038	390.23
08/20/2020	127099	WPPI Energy	Water Pump Efficiency Retrofit - Wtr	INV14039	117.30
08/20/2020	127099	WPPI Energy	LED Street Light - Elec	INV14042	252.92
Total 127099:					760.45
08/21/2020	127100	U.S. Bank-Debit Memo	Credit Card Usage - July/Aug 2020	STMT;8/6/20	45,587.12
Total 127100:					45,587.12
08/27/2020	127101	Advanced Disposal	Dumpster fee - DPW	B20000459953	556.92
Total 127101:					556.92
08/27/2020	127102	American Public Works Assoc	Membership renewal-Ahl	11/1/20-10/31/21	223.00
Total 127102:					223.00
08/27/2020	127103	Aurora Health Care	Wellness Coaching June 2020 - FD	DD520	35.00
Total 127103:					35.00
08/27/2020	127104	Ayres Associates Inc.	City Wide Aerial Imagery - Eng.	188018	6,125.00

Attachment: Summary of Bills Aug 2020 (2932 : Summary of Verified Bills)

Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 127104:					6,125.00
08/27/2020	127105	B&M Waste Service Inc	Portable Restroom Rental-8/16/20-9/15/20 - Re	153193	80.00
08/27/2020	127105	B&M Waste Service Inc	Portable Restroom Rental-8/19/20-09/18/20-Re	153268	320.00
Total 127105:					400.00
08/27/2020	127106	Bear Graphics Inc	Correction Labels - Clerk	0853771	32.37
Total 127106:					32.37
08/27/2020	127107	Camera Corner Connecting Point	Mitel Support - 1 Year	0523574-IN	3,750.00
Total 127107:					3,750.00
08/27/2020	127108	CivicBrand	Video Production	3049	1,500.00
Total 127108:					1,500.00
08/27/2020	127109	Complete Office of Wisconsin	Supplies - PD	727376	137.13
Total 127109:					137.13
08/27/2020	127110	Core & Main LP	HYDRANT: WATEROUS	M724176	14,875.00
08/27/2020	127110	Core & Main LP	Supplies - Wtr	M795879	391.37
08/27/2020	127110	Core & Main LP	CORP. STOP: 2" COPPER - COMP.	M801115	429.52
08/27/2020	127110	Core & Main LP	Materials - Wtr	M801146	1,187.80
08/27/2020	127110	Core & Main LP	CORP. STOP: 2" COPPER - COMP.	M802870	445.80
Total 127110:					17,329.49
08/27/2020	127111	Country Visions Cooperative	Diesel & Oil - DPW	ZE1160	6,064.25
Total 127111:					6,064.25
08/27/2020	127112	Erickson Sports Apparel	T-shirts - T-ball - Rec	102231	180.00
08/27/2020	127112	Erickson Sports Apparel	T-shirts, Hoodies, Hats - Celebrate Two Rivers	102239	3,555.00
Total 127112:					3,735.00

Attachment: Summary of Bills Aug 2020 (2932 : Summary of Verified Bills)

Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
08/27/2020	127113	Filliez, Logan	Baseball Official - July 2020 - Rec	8/21/2020	75.00
Total 127113:					75.00
08/27/2020	127114	Foth Infrastructure/Environment LLC	TR Eggers Site Marina Concept & Grant Applic	62588	15,500.00
Total 127114:					15,500.00
08/27/2020	127115	Frontier	Telephone - Wtr	5741;8/20	88.54
Total 127115:					88.54
08/27/2020	127116	FRV Inc	Wide Format Printer Paper - Eng	133938	35.35
Total 127116:					35.35
08/27/2020	127117	Godfrey & Kahn	Demolition /Redevelopment of Facility	765756	1,587.00
08/27/2020	127117	Godfrey & Kahn	Demolition /Redevelopment of Facility	768064	483.00
08/27/2020	127117	Godfrey & Kahn	Demolition /Redevelopment of Facility	769807	2,553.00
08/27/2020	127117	Godfrey & Kahn	Demolition /Redevelopment of Facility	771527	1,518.00
Total 127117:					6,141.00
08/27/2020	127118	Green Acres Lawn/Garden Ctr	Sod - Wtr	5836	102.00
Total 127118:					102.00
08/27/2020	127119	Kip Gulseth Construction Co	Repair Outfall @ 31st & Adams	2962	5,079.61
08/27/2020	127119	Kip Gulseth Construction Co	Repair Storm Outfall @ 31st & Adams	2963	4,288.56
08/27/2020	127119	Kip Gulseth Construction Co	Replace San Sewer - Harbor Street from Pilon t	2964	7,834.12
08/27/2020	127119	Kip Gulseth Construction Co	Replace San Sewer - Harbor Street from Pilon t	2965	7,259.78
08/27/2020	127119	Kip Gulseth Construction Co	Replace San Sewer - Harbor Street from Pilon t	2966	5,934.82
08/27/2020	127119	Kip Gulseth Construction Co	Repair Storm Outfall @ 31st & Adams	2968	2,311.82
08/27/2020	127119	Kip Gulseth Construction Co	Repair San Sewer @ 24th St, W of Adams St	2969	3,327.50
08/27/2020	127119	Kip Gulseth Construction Co	Install Storm Sewer - Zlatnik from 17th to 16th	2970	9,832.27
08/27/2020	127119	Kip Gulseth Construction Co	Install Storm Sewer - Zlatnik from 17th to 16th	2971	7,211.97
08/27/2020	127119	Kip Gulseth Construction Co	Install Storm Sewer - Zlatnik from 17th to 16th	2972	2,007.26
Total 127119:					55,087.71
08/27/2020	127120	Krueger, Jerome E	Fall Picnic Park Entertainment	08/21/2020	75.00

Attachment: Summary of Bills Aug 2020 (2932 : Summary of Verified Bills)

Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 127120:					75.00
08/27/2020	127121	Lakeshore Screen Printing	Clothing-FD	6225	48.00
Total 127121:					48.00
08/27/2020	127122	Liberty Mutual Insurance Co	Generator - Wtr Dept.	13694010	556.00
Total 127122:					556.00
08/27/2020	127123	Luisier Plumbing Inc	Backflow test - City Hall	19718	130.00
08/27/2020	127123	Luisier Plumbing Inc	Backflow test - Walsh Field	19719	130.00
Total 127123:					260.00
08/27/2020	127124	Mammoth Construction	Sidewalk Restorations	862	4,982.75
Total 127124:					4,982.75
08/27/2020	127125	Manitowoc Co Solid Waste	Account #162 July 2020 Service - Eng	22909	255.39
Total 127125:					255.39
08/27/2020	127126	Manitowoc Disposal Inc	Recycling & Refuse Collect 8/8/20-8/21/20	8/8/2020-8/21/2020	14,157.64
Total 127126:					14,157.64
08/27/2020	127127	Maritime Plumbing and Mechanical	Services - Wtr	37028	1,143.00
08/27/2020	127127	Maritime Plumbing and Mechanical	Services - Wtr	37031	327.00
Total 127127:					1,470.00
08/27/2020	127128	Midwest Meter Inc	Meter Testing - Water	0123657-IN	300.00
Total 127128:					300.00
08/27/2020	127129	MSA Professional Services Inc	Sanitary & Storm GIS Upgrades	R10511015.0-3	242.50
Total 127129:					242.50

Attachment: Summary of Bills Aug 2020 (2932 : Summary of Verified Bills)

Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
08/27/2020	127130	Packer City Intl Trucks Inc.	Service - DPW	R101038499:01	1,365.68
Total 127130:					1,365.68
08/27/2020	127131	Perdue, Bise Holt	Overpayment on Citation BE968527-0 / Court C	8/24/2020	111.00
Total 127131:					111.00
08/27/2020	127132	Pier & Waterfront Solutions LLC	Annual install of waterfront products - Rec	3000	480.00
Total 127132:					480.00
08/27/2020	127133	Prairie Farms Dairy Inc	2% Milk	9013882	125.20
Total 127133:					125.20
08/27/2020	127134	Prompt Printing Center	Envelopes - City Clerk	34614	235.00
Total 127134:					235.00
08/27/2020	127135	Quarles & Brady LLP	Project Plan Amendment No. 2 to TID No. 8	STATEMENT 6243853	1,644.50
Total 127135:					1,644.50
08/27/2020	127136	Quarles & Brady LLP	TID 13 Creation	6284267	14,200.00
Total 127136:					14,200.00
08/27/2020	127137	R&J Fricke Inc	Concrete - PWD	9738	700.00
08/27/2020	127137	R&J Fricke Inc	Concrete - PWD	9739	1,075.00
08/27/2020	127137	R&J Fricke Inc	Concrete - PWD	9771	525.00
08/27/2020	127137	R&J Fricke Inc	Concrete - PWD	9772	950.00
08/27/2020	127137	R&J Fricke Inc	Concrete - PWD	9773	800.00
08/27/2020	127137	R&J Fricke Inc	Concrete - PWD	9774	2,200.00
Total 127137:					6,250.00
08/27/2020	127138	Reinhart Foodservice	Food-Sr Ctr	178728	431.98
08/27/2020	127138	Reinhart Foodservice	Food-Sr Ctr	181448	37.03

Attachment: Summary of Bills Aug 2020 (2932 : Summary of Verified Bills)



Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 127138:					469.01
08/27/2020	127139	RESCO	Materials - Elec	795075-00	2,942.13
Total 127139:					2,942.13
08/27/2020	127140	Spielbauer Fireworks Co Inc	Fireworks Display August 29, 2020	20TW5967	1,500.00
Total 127140:					1,500.00
08/27/2020	127141	Superior Chemical Corp	Supplies - DPW	275646	163.45
Total 127141:					163.45
08/27/2020	127142	TAPCO	Sign Inventory-DPW	1675518	585.00
Total 127142:					585.00
08/27/2020	127143	Town & Country Engineering Inc	Digester & RAS Improvements	021897	2,541.00
08/27/2020	127143	Town & Country Engineering Inc	WWTP Const. Admin Services	21895	3,840.00
08/27/2020	127143	Town & Country Engineering Inc	Digester & RAS Improvements	21896	15,087.60
Total 127143:					21,468.60
08/27/2020	127144	USA Blue Book	Supplies-WWTP	273679	141.37
08/27/2020	127144	USA Blue Book	Supplies-WTr	324301	85.16
Total 127144:					226.53
08/27/2020	127145	Vandenberg Art & Design	Face Painting - Celebrate Two Rivers Day	2952	337.50
Total 127145:					337.50
08/27/2020	127146	Vanderveren, Sally A	Aug 2020 Services	0820	3,658.33
Total 127146:					3,658.33
08/27/2020	127147	Water Quality Investigations LLC	Services from 7/6/20-8/2/20 - WTR	0820_22	1,257.45

Attachment: Summary of Bills Aug 2020 (2932 : Summary of Verified Bills)

Check Issue Date	Check Number	Payee	Description	Invoice Number	Invoice Amount
Total 127147:					1,257.45
08/27/2020	127148	Watson's Naturally Pure Water	Water- WWTP	I353	53.95
Total 127148:					53.95
08/27/2020	127149	WEX Bank	Gasoline	66990747	6,257.09
Total 127149:					6,257.09
08/27/2020	127150	Wisconsin Lift Truck	Maintenance - Elec	222067640	145.27
Total 127150:					145.27
08/27/2020	127151	Wisconsin Public Service	114 Davis Street	0401271669-01;8/20	17.33
08/27/2020	127151	Wisconsin Public Service	FIRE DEPT	0401271669-03;8/20	55.22
08/27/2020	127151	Wisconsin Public Service	3801 Mishicot Rd.	0401271669-09;8/20	32.45
08/27/2020	127151	Wisconsin Public Service	WARM BLDG	0401271669-12;08/20	15.65
08/27/2020	127151	Wisconsin Public Service	LIBRARY	0401271669-23; 8/20	136.20
08/27/2020	127151	Wisconsin Public Service	CITY HALL	0401271669-24;8/20	44.62
08/27/2020	127151	Wisconsin Public Service	1401 Lake Street	0401271669-35;8/20	461.51
08/27/2020	127151	Wisconsin Public Service	GENERATOR	0401271669-38;8/20	16.77
08/27/2020	127151	Wisconsin Public Service	Pavillion	0401271669-42;8/20	19.81
Total 127151:					799.56
08/27/2020	127152	Zahn, Gail	Refund/Washington Shelter Cancelled	20830	37.50
Total 127152:					37.50
08/28/2020	127153	Krahn, Barry	Reimbursement/Helium from Praxair - Celebrat	23567504	162.47
Total 127153:					162.47
Grand Totals:					1,938,582.26

Attachment: Summary of Bills Aug 2020 (2932 : Summary of Verified Bills)

**ORDINANCE**

**AN ORDINANCE** to amend Section 2-1-2 of the Municipal Code of the City of Two Rivers, Wisconsin, changing the location of the voting place for Ward Seven and Eight in the 25<sup>th</sup> Supervisory District.

The City Council of the City of Two Rivers, Wisconsin does hereby ordain as follows:

**SECTION 1:** Section 2-1-2(b) of the Municipal Code is hereby amended as follows:

The combined Seven and Eight Wards comprised the 25<sup>th</sup> Supervisory District and the polling place shall be located at J.E. Hamilton Community House, 1710 West Park Street, Two Rivers, Wisconsin

**SECTION 2:** This Ordinance shall take effect and be in force from and after the date of its passage and publication.

Dated September 8, 2020.

\_\_\_\_\_  
Curt Andrews  
President, City Council

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

Attest:

\_\_\_\_\_  
Kim Graves  
City Clerk

Approved as to form and legality:

\_\_\_\_\_  
John M. Bruce  
City Attorney

Attachment: Changing location voting place (2911 : Voting Place Location Change)

## ORDINANCE

An Ordinance to create Section 6-10-5 of the Municipal Code of the City of Two Rivers, Wisconsin, regarding Sidewalk Cafes.

The City Council of the City of Two Rivers, Wisconsin does hereby ordain as follows:

**SECTION 1:** Section 6-10-5 of the Municipal Code is hereby created to read as follows:

### SIDEWALK CAFE PERMITS.

(a) **PURPOSE.** To enliven downtown and other areas of the city and provide opportunities for social and economic activities, the city council finds and determines:

- (1) That there exists the need for outdoor eating facilities in certain areas of the city to provide a unique environment for relaxation, social interaction, and food consumption.
- (2) That sidewalk cafés will permit enhanced use of the available public rights-of-way, will complement business operations operating from fixed premises, and will promote economic activity in the area.
- (3) That the existence of sidewalk cafés encourages additional pedestrian traffic but may impede the free and safe flow of pedestrians such that a need exists for regulations and standards to ensure safety.
- (4) That the establishment of permit conditions and safety standards for sidewalk cafés is necessary to protect and promote public health, safety and welfare.

(b) **DEFINITIONS.** For purposes of this Ordinance, the following terms have the following meanings:

- (1) "Alcohol Beverages" means fermented malt beverages and intoxicating liquor as defined in Wis. Stat. Sec. 125.02(1), (6) and (8) or any successor to that statute.
- (2) "Barriers" means any physical structure designed that restricts ingress and egress from the sidewalk café to designated openings; and that is not less than four (4) feet in height surrounding no less than eighty percent (80%) of the sidewalk café area. At a minimum, one designated opening shall be created of sufficient width to accommodate ease of ingress or egress, other than through the licensed establishment, for emergency purposes.
- (3) "Sidewalk Café" means an expansion of a restaurant, bistro, coffee shop, bar, or other establishment offering beverages and/or food that provides seating for more than 3 people in the form of a group of tables, chairs, benches, with barriers, trash containers and suitable decorative devices maintained upon any part of the sidewalk for use on part of the public

property that immediately adjoins the licensed premises for the purpose of consuming food or beverages of the patrons of the establishment.

(c) LOCATION.

(1) No permit shall be issued for a sidewalk café located in a nonresidential district if any part of the sidewalk café is within fifty ((50) feet of a structure used for residential purposes and located on a residentially zoned parcel except residential uses located in the same structure as the licensed premises or a residence which is owned by the same person who owns the licensed premises. Upon appeal to the City Council, a full or partial waiver of the distance requirements in this provision may be granted.

(2) No permit shall be issued to an establishment if it is located in a district zoned R-1 through R-4.

(d) APPLICATION. Application for a permit to operate a sidewalk café shall be submitted to the City Clerk's Office and shall include at least the following:

(1) A layout/drawing accurately depicting the dimensions of the existing sidewalk area or other public property and adjacent private property for the proposed location of the sidewalk café; and

(2) The size and number of tables, chairs, steps, planters, location of doorways, trees, sign posts, hydrants, sidewalk benches, trash receptacles, heaters, traffic signal poles, light poles and any other obstructions, either existing or proposed.

(3) If the applicant intends to sell or serve alcoholic beverages to patrons of the sidewalk café, the applicant shall obtain the appropriate alcohol beverage license describing and including the outdoor area where alcoholic beverages will be sold, served or consumed.

(4) The permittee shall be responsible for complying with the approved sidewalk café plan as submitted in the initial permit application.

(e) APPEALS. Any person denied a sidewalk café permit may appeal the denial. An appeal shall be made in writing to City Clerk, who shall forward the request to the City Manager and City Council. The City Council will convene within 30 days of the appeal being filed with the Clerk to hear from the Chief of Police and the affected business. After deliberation, the City Council shall act on the appeal. A written copy of the decision shall be provided to the affected business

(f) PERMIT & FEES. Fees for a sidewalk café permit shall be fifty (\$50.00) Dollars per year.

(1) Each permit shall be effective for one year from July 1 to June 30th.

(2) The permit issued hereunder is not transferable by Owner to any other restaurant or any subsequent owner of the premises.

(g) SUSPENSION OR REVOCATION OF PERMIT. The City Manager or the Chief of Police, upon obtaining reasonable information that any permittee has violated any provision of this Chapter or any state or federal law may suspend or revoke a permit granted under this Chapter pending hearing by the City Council.

(h) LIABILITY & INSURANCE. No person shall obtain a sidewalk café permit unless the applicant procures commercial liability insurance.

(1) The permittee agrees to maintain insurance in the amount of \$1,000,000 per occurrence and name the City of Two Rivers as additional insured showing how the coverage extends to the area used for the sidewalk café, insured. The permittee shall provide the City with a certificate of insurance and shall execute an indemnification agreement, approved by the City Attorney, prior to operation of the sidewalk café.

(2) As a condition of the permit, the permittee must indemnify and hold the City harmless from any claims arising from the use of the permit.

(i) STANDARDS & CONDITIONS.

(1) Every sidewalk café shall have a barrier established surrounding a minimum of eighty percent (80%) of the beer garden area with such barrier not less than four(4) feet in height above the ground of the area immediately outside of the enclosed area of the sidewalk café, except as otherwise provided herein. At a minimum, one designated opening shall be created of sufficient width to accommodate ease of ingress or egress, other than through the licensed establishment, for emergency purposes.

(2) No portion of any sidewalk café may encroach on the sidewalk adjacent to any other property other than the property that is licensed in this chapter.

(3) The permittee shall maintain approximately a four-foot-wide unencumbered, open and accessible portion of the sidewalk for pedestrian traffic safety at all times. The permittee shall comply with all applicable requirements of the Americans with Disabilities Act, [42 USC 12101](#) to [12213](#), and all applicable Federal, State and local laws.

(4) The permittee shall provide for the removal of garbage and be responsible for the cleanliness of the outdoor area.

(5) The use of a portion of the public property as a sidewalk café shall not be an exclusive use and shall not have any vested rights. All public improvements, including but not limited to, trees, light poles, traffic signals, manholes or any public initiated maintenance procedures shall take precedence over said use at all times.

(6) The City Manager, Chief of Police, or his/her designees may temporarily order the termination of sidewalk cafes for the following reasons, but not limited to, special events, including but not limited to, construction, parades, sponsored runs or walks, or for any reason to maintain the health, safety, and welfare of the public. The permittee shall be responsible to remove any furniture, furnishings, and equipment upon termination, and if the permittee fails to do so, the City may remove the furniture and other items and store it if necessary at the permittee's expense.

(7) FURNISHINGS: All furniture, furnishings, and equipment shall be of safe, sturdy construction and shall be maintained in good repair. Any heaters or other equipment/furnishings shall be portable and approved for outdoor use. All umbrellas shall be anchored in such a way that a sudden burst of wind will not lift them out of their holders or blow them over. No public property, including, but not limited to, light poles, utility poles, flower planters, trees or other amenities, may be used as a point of attachment for anything, including, but not limited to, ropes, posters or signs.

(8) LIGHTING: The permittee shall keep the sidewalk café area sufficiently illuminated so as to prevent injury to persons using the same. Any lighting of the outdoor area shall be shielded so as not to shine directly onto adjoining property or create a glare which is distracting to adjoining property or vehicles traveling in the public right-of-way.

(9) MUSIC/NOISE: Noise from any source that is emitted from the outdoor area shall not exceed the standards contained in Section 9-2-5 Loud and Unnecessary Noises Prohibited under Noise Limits sub-section (c).

(j) HOURS OF OPERATION. Sidewalk café shall remain closed to the public between the hours of 11:00 PM and 6:00AM.

(k) SERVING OF ALCOHOL BEVERAGES. The City of Two Rivers allows permittees to serve alcoholic beverages in outdoor cafes; provided, that the permittee complies with all the requirements for obtaining an alcoholic beverage license, and the sidewalk café

is listed on the alcohol beverage license application as being an extension of the licensed premises. Alcohol may be served at sidewalk café if:

- (1) The permittee has a valid and appropriate retail alcohol beverage license for the principal premises.
- (2) No alcoholic beverages may be served at any time if the restaurant has not received Council approval for the enlargement of the premises under its liquor license that includes the area of the public sidewalk where the sidewalk café is located. Further, the liquor license shall be automatically conditioned at the time of the enlargement of premises to allow for the consumption of alcoholic beverages within the sidewalk café area only. Approval of the enlargement of premise area (sidewalk café) shall not grant any permittee or licensed premise any vested rights and such approval may be suspended or revoked or non-renewed without cause being shown.
- (3) The outdoor area utilized for service and consumption of food and alcohol beverages shall be visible from the restaurant establishment.
- (4) Alcoholic beverages must be sold and served by the permittee or permittee's employees who have operator's licenses and sold, served and consumed by patrons seated at tables in the sidewalk café. (Reference Wisconsin Statutes sections 125.32(2) and 125.68(2).
- (5) Alcoholic beverages may only be served at the sidewalk café when food service is available through the licensed establishment.
- (6) The permittee shall not allow patrons of the sidewalk café to bring alcohol beverages into the sidewalk café, nor to carry open containers of alcohol beverages about in the sidewalk café area, nor to carry open containers of alcohol beverages served in the sidewalk café outside the sidewalk café area.
- (7) The permittee shall display signage indicating alcohol may only be consumed by patrons seated at tables in the sidewalk café.
- (8) The bar from which the alcohol beverages are dispensed shall be located indoors and shall not be located in the sidewalk café area.
- (9) Permittee shall be responsible for the acts of all employees, patrons and agents of the business. A violation of any provision of this section, any City ordinance or Wis. Stat. Ch. 125, by a patron, agent or employee of the permittee, shall constitute a violation by the permittee.



(l) PENALTY. Any person in violation of this ordinance shall be subject to a forfeiture of \$50.00, plus costs. Provided, however, that such persons shall be subject to a forfeiture of \$100.00, plus costs, for a second offense not arising out of the same incident and occurring within any twelve-month period; and \$200.00, plus costs, for a third and any subsequent offenses not arising out of the same incident and occurring within any twelve-month period. If any person shall violate this ordinance on three or more occasions, in any twelve-month period, and such violations do not involve the same incident, the City may order the revocation of the sidewalk café permit and the permittee shall be liable for all court costs incurred in pursuing the order.

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

Dated September 8, 2020.

\_\_\_\_\_  
Curt Andrews  
President, City Council

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

Attest:

\_\_\_\_\_  
Kim Graves  
City Clerk

Approved as to form and legality:

\_\_\_\_\_  
John M. Bruce  
City Attorney

Attachment: Sidewalk Cafe Ordinance (2927 : Sidewalk Cafes)

City of Two Rivers  
Beer Garden  
(Amendments)

Black text is Current Ordinance  
Red text is Additions to the Ordinance  
Blue text is Existing & Considered for Change

- (a) PURPOSE. To enliven downtown and other areas of the city and provide opportunities for social and economic activities, the city council finds and determines:
- (1) That there exists the need for outdoor facilities in certain areas of the city to provide a unique environment for relaxation, social interaction, and the consumption of food and alcohol beverages.
  - (2) That the establishment of conditions and safety standards for beer gardens is necessary to protect and promote public health, safety, welfare, and the general peace among adjacent property owners.
- (b) DEFINITIONS. For purposes of this Ordinance, the following terms have the following meanings:
- (1) "Alcohol Beverages" means fermented malt beverages and intoxicating liquor as defined in Wis. Stat. Sec. 125.02(1), (6) and (8) or any successor to that statute.
  - (2) "Barriers" means any physical structure designed that restricts ingress and egress from the sidewalk café to designated openings; and that is not less than four (4) feet in height surrounding no less than eighty percent (80%) of the sidewalk café area. At a minimum, one designated opening shall be created of sufficient width to accommodate ease of ingress or egress, other than through the licensed establishment, for emergency purposes.
  - (3) "Beer Garden" means an expansion of the licensed premises to an outdoor area for the purpose of conducting outdoor sales and consumption of food and alcohol beverages, said outdoor area being directly attached to the licensed building, and used daily or on a seasonal basis as part of the normal operations of the licensed premises.
  - (4) "Licensed Premises" means the enclosed building premises as designated on the establishments Operators License. A beer garden is an expansion of the "licensed premises."
- (c) LOCATION.
- (1) No permit shall be issued for a beer garden located in a nonresidential district if any part of the beer garden is within fifty (50) feet of a structure used for residential purposes and located on a residentially zoned parcel except residential uses located in the same structure as the licensed premises or a residence which is owned by the same person who owns the licensed premises. Upon appeal to the City Council, a full or partial waiver of the distance requirements in this provision may be granted.

City of Two Rivers  
Beer Garden  
(Amendments)

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- (2) No permit shall be issued to an establishment if it is located in a district zoned R-1 through R-4.
- (3) The beer garden shall be on the same parcel as the main licensed premises, provided however that a beer garden may extend onto an adjacent and contiguous parcel owned by the permittee.
- (d) APPLICATION. Application for a permit to operate a beer garden shall be submitted to the City Clerk's Office.
- (1) Each applicant for a beer garden permit shall accurately describe the area intended for use as a beer garden and shall indicate the nature of the barriers fencing or other measures intended to provide control over the operation of the beer garden; and
- (2) Approval of any beer garden is subject to review and recommendation of the Police Department.
- (3) The permittee shall be responsible for complying with the approved beer garden plan as submitted in the initial permit application.
- (4) Notice of pending application for a beer gardens shall be published as a Class 1 notice in the official city newspaper prior to the city council meeting at which such application may be acted upon.
- (e) APPEALS. Any person denied a beer garden permit may appeal the denial. An appeal shall be made in writing to City Clerk, who shall forward the request to the City Manager and City Council. The City Council will convene within 30 days of the appeal being filed with the Clerk to hear from the Chief of Police and the affected business. After deliberation, the City Council shall act on the appeal. A written copy of the decision shall be provided to the affected business
- (f) PERMIT & FEES. Fees for a beer garden permit shall be fifty (\$50.00) Dollars per year.
- (1) Each permit shall be effective for one year from July 1 to June 30th.
- (2) The permit issued hereunder is not transferable by Owner to any other establishment or any subsequent owner of the premises.
- (g) SUSPENSION OR REVOCATION OF PERMIT. The permits are a privilege in which no rights vest; and therefore, may be revoked by the City Council at its pleasure at any time. The City Manager or the Chief of Police, upon obtaining reasonable information that any permittee has violated any provision of this Chapter or any state or federal law may suspend or temporarily revoke a permit granted under this Chapter pending hearing by the City Council.

City of Two Rivers  
Beer Garden  
(Amendments)

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(h) STANDARDS & CONDITIONS.

- (1) Every beer garden shall ~~be completely enclosed with a fence or wall not less than~~ have a perimeter established surrounding a minimum of eighty percent (80%) of the beer garden area with a barrier not less than four(4) feet in height above the ground of the area immediately outside of the enclosed area of the beer garden, except as otherwise provided herein. ~~At a minimum, one designated opening shall be created of sufficient width to accommodate ease of ingress or egress, other than through the licensed establishment, for emergency purposes.~~
  - (2) ~~No permit shall be issued for a beer garden if the beer garden area is greater than the gross floor area of the adjoining licensed premises.~~ The size of any beer garden shall be subject to review by the police department taking into consideration the property size, location, occupancy limitations (based on square footage), or other conditions directly related to public safety.
  - (3) When a portion of the beer garden's perimeter lies along the shoreline of the East or West Twin River, there shall be no requirement for a barrier along such river frontage; provided, however, that the fence or wall enclosing the balance of the beer garden's perimeter shall extend to points as close to the water as practicable, subject to the review and recommendation of the Police Department. The City reserves the right to require such fence to extend toward the water to the maximum extent allowed by law (i.e., to the ordinary high water mark or the bulkhead line, if a bulkhead exists).
  - (4) LIGHTING. All beer gardens shall be sufficiently lighted to ensure the safety of patrons at all times when any patrons shall be therein, and at all times when the beer garden is open to the public. Lighting of the area must be shielded and not be of intensity or brilliance to create glare which is distracting to adjoining property owners or can become a hazard or danger to vehicular traffic.
  - (5) MUSIC/NOISE. Amplified sound or music is not permitted after 9:00 PM. ~~Noise from any source that is emitted from the outdoor area shall not exceed the standards contained in Section 9-2-5 Loud and Unnecessary Noises Prohibited under Noise Limits sub-section (c).~~
  - (6) There shall be a licensed operator within the beer garden when alcohol beverages are dispensed in the beer garden.
- (i) HOURS OF OPERATION. The beer garden shall remain closed to the public between the hours of 11:00 PM and 6:00AM, ~~provided however, that patrons may remain in the beer garden after 11:00 PM and until close for the purpose of smoking only. No beverages or food may be~~

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Beer Garden  
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consumed in any beer garden after 11:00 PM.

- (j) STATE STATUTES ENFORCED ~~WITHIN BEER GARDEN~~. Every permittee under this section shall comply with and enforce all provisions of Chapter 125, Wis. Stats., applicable to Class "B" licensed premises, except insofar as such provisions are clearly inapplicable. Violation of the provisions of Ch. 125, Wis. Stats., shall be grounds for immediate revocation of the beer garden permit ~~by the City Council~~ as described in (g) above.
- (1) ~~No license shall permit the consumption of alcohol beverages on any part of the licensed premises not enclosed within the building, except under permit granted by the City Council.~~ The permittee shall not allow patrons of the beer garden to bring alcohol beverages nor to carry open containers of alcohol beverages outside of the licensed premises OR beer garden. No person shall consume or have in his or her possession alcohol beverages on any unenclosed part of a licensed premises which is not described in a valid beer garden permit.
- (2) Permittee shall be responsible for the acts of all employees, patrons and agents of the business. A violation of any provision of this section, any City ordinance or Wis. Stat. Ch. 125, by a patron, agent or employee of the permittee, shall constitute a violation by the permittee.
- (k) PENALTY. Any person who shall violate any provisions of this Chapter or any order, rule or regulation made or adopted hereunder shall be subject to the general provisions penalty of this Code.

## RESPONSES FROM MAILING ON POSSIBLE ORDINANCE CHANGES BEER GARDENS

On August 14, the attached notice/survey was mailed to the owners of all properties located within 250 feet of licensed taverns in the City of Two Rivers. A total of 23 responses were received; these responses are listed below:

1. I am against the beer garden amplified music beyond 9:00 PM
2. I am against the amplified sound and music beyond 9:00 PM
3. I have no problem with Lonz's currently but if they were to have bands, I am not in favor of after 9:00 PM, not in favor of closer to her property either. I hear Whisky D's noises more than Lonz's.
4. We live one house away from Lee's Never Inn and we are not in agreement on amending several provisions of Ordinance 6-1-19 pertaining to Beer Gardens. As it is right now we get enough noise from the bar without there being an outside beer garden established with amplified sound or music played after 9PM. We are not in favor of changing these provisions
5. Against amplified music until 11:00 PM; against smoking after 11:00 PM-when people drink, their voices are louder and neighbors will hear all that conversation at 11:00 PM. Who will monitor these changes? No one can police that all the time
6. I have no problem with any changes proposed
7. Beer Gardens: 1st bullet point: Eliminate or reduce the current required distance between beer gardens and any residential structure used for residential purposes. I'm in favor of leaving the current ordinance as is. No chance. I would not want to reduce or eliminate the current distance required.  
  
2nd bullet point: Allow amplified sound or music to be played beyond 9:00 PM and until the beer garden closes at 11:00 PM. I'm in favor of leaving the current ordinance as is. No change. I would not want to allow amplified music or sound to be played beyond 9:00 PM.  
  
3rd bullet point: Allow patrons to remain in a beer garden after 11:00 PM and until the establishment closes, but only for the purpose of smoking; no beverages or food consumption allowed. I'm in favor of this new change to the current ordinance.
9. My wife and I own the home on Emmet. This is the second home for us which we like to enjoy on weekends as much as possible. WE got the letter about the proposed ordinance change and object to the element of the proposal which would allow for amplified sound or music until 11:00 PM. My wife is and always have been a very early

riser. She likes to go to sleep by 9PM most nights and having music playing late into the night would present a problem for her. We understand businesses are hurting due to the pandemic and do try and support them while we are in town. But we don't want to have our enjoyment of our home curtailed because of late night partying I've thought about this a lot in the past week about the beer gardens. The most concern I have is the music. I don't like amplified/blaring hard music especially since there is only a fence between me and Grizzly's Pub (I enjoy my peace and quiet.) I'm still not happy about the whole thing in general but I guess I have not problem with them giving it a try if it were to go through.

10. I am not in favor of points #1 & 2, but ok with point #3
11. Keep Ordinance as it is currently-no changes
12. Thank you for contacting me regarding changes to the beer garden ordinances in Two Rivers. I live at 1514 20th St, which is quite close to City Central. Personally, I am OK with the proposed changes as long as this music is happening on Friday or Saturday nights (or holiday eve evenings). My kids' bedrooms face the south side of City Central. During the week, they're typically going to be in bed before 9 PM but can and do stay up later on the weekend. To take this one step further, I would really like to see some of the Milwaukee-style family friendly beer gardens where parents and neighbors can meet and kids are welcome to play together, sit by well protected outdoor fire pits, and socialize while their parents relax. The 9 PM stoppage would be helpful to prevent excessive intoxication and promote a family environment.
13. I am opposed to the possible ordinance changes that allow for amplified music beyond 9PM at Beer Gardens. I own a rental property within 250 feet of a beer garden and feel this will adversely affect my ability to rent the property if amplified music is allowed beyond 9PM. I also am opposed to the change which allows occupancy of beer gardens after 11 PM. This will become a noise nuisance.
14. I own a rental property next to tavern at 1806 12th st. In the past I have had problems with the tavern located next door to my property including noise, trash etc. I have good tenants that appreciate a good nights sleep and I donot need any complaints that would arize from the suggested ordinance change. One of my tenants needs to leave for work at 4:00 am. and has already called me about a noise issues after 10pm. I would be against any of the proposed changes.
15. I am opposed to all the possible changes, why would you want music blaring until 11:00 PM.
16. I am in receipt of a "Notice of Possible Ordinance Changes," dated August 14. Thank you for considering comments and concerns. I think reducing the minimum distance between a beer garden and residential structure from 50 feet to 30 feet, a distance relative to a road right-of-way width, is reasonable. I would object to the

outright elimination of any distance buffer to a residential property, unless the residence physically shares the premises with the tavern hosting the beer garden. Residential landlords maintain an implied covenant to ensure their tenants right to the quiet enjoyment of property. While subjective, the premise of "quiet enjoyment" is



easily extended to any residential property. While I appreciate the energy and economy of outdoor entertainment, I believe that amplified sound or music after 9:00 PM would conflict with the right of our tenants to the quiet enjoyment of property. Hence my objection to amplified sound or music after 9:00 PM. I think sound or music would not conflict with this premise if limited to 65 dB (a sound level equivalent to laughter), and if permitted only until 11:00 PM. Allowing patrons in a beer garden for any reason after 11:00 PM will result in nuisance noise complaints. Hence my objection to relaxing that limit.

17. In regard to the letter we received about the possible ordinance changes to the Beer Gardens. The current ordinance that requires a beer garden to maintain 50 feet from a residential structure should not be changed; Without more guidance or restrictions we believe the amplified sound or music ordinance should also remain without changes and as for the third request have no issues with allowing smoking in the beer garden area until the establishment closes.
18. I am not in favor of any of the changes. Keep things the way they currently are in the Ordinance.
19. We would like to comment on the City of Two Rivers consideration of an amendment to the provisions of Ordinance 6-1-19, pertaining to Beer Gardens.

We are appreciative of the need for measures to help local businesses to cope with the difficulties associated with our ongoing Global pandemic. The need for social distancing makes any business that relies on patrons within enclosed spaces possibly struggling to survive.

However, we suggest that in some instances, an outdoor beer garden may be disruptive to nearby residents, and this ordinance change may not be appropriate for taverns located in mostly residential areas. The tavern located closest to our residence is in an area largely surrounded by residential dwellings, and having amplified sounds at this location as late as 11:00 PM would be disruptive to our otherwise quiet environment.

Therefore, we are opposed to this ordinance change, unless it is modified to be applied only in areas that are not mostly devoted to residential dwellings.

Thank you for this opportunity to provide our comments on this proposed amendment to Ordinance 6-1-19.

20. We ask you to deny all proposed changes to Ordinance 6-1-19, pertaining to Beer Gardens. We purchased our home in Two Rivers in April of 2018. We made our move here permanent in 2019 upon retirement. We love our older, small, quiet residential neighborhood and the Two Rivers community. We have become quite active serving as volunteers in many areas. Homes in our neighborhood are so old and close together that conversations inside of homes are often heard by neighbors. We have learned to close our windows due to smoke from grills and cigarettes and for the privacy of our neighbors. We are happy to extend this respect and our neighbors happily reciprocate. We also

respect quiet time. There are children in the neighborhood and elderly. Loud music and voices carry far. Many travel great distances for work and leave before sunrise. The proposed ordinance change would create noise pollution long after people retire for the night interrupting sleep for students, who are already heavily stressed by the sudden changes in their lives due to Covid-19, and sleep for adults who have experienced many stresses in raising families, from job losses and changes due to the loss of industry in our community, along with the recent stresses from Covid-19. Several of our neighbors have complained about lack of sleep due to loud parties when vacation home people arrive. The tavern that is located around the corner from us is so close to the neighboring home that a person can almost touch the wall from their window — about 5 feet separate the outer walls. When our young grandchildren visit, we have had to re-route our walks to avoid the cloud of tobacco smoke hovering on the sidewalk, since the smoking patio is next to the sidewalk, and to avoid the often too friendly comments from patrons as these small children walk by. Most importantly, this is a residential neighborhood — a neighborhood set apart for the raising of families. Any business that is located in such neighborhood should abide by this fact and respect the intended purpose of that neighborhood. It should not be the other way around. Please deny these proposed changes and keep our neighborhoods family friendly.

21. Residents of Two Rivers should be treated with more respect and consideration than shown in your "Notice" If any ordinance changes are made, they should INCREASE the distance between a beer garden and the nearest residence, not reduce it. Amplified music should be shut off EARLIER than 9:00 PM, not later. Patrons should have to leave the beer garden when the amplified music time limit is reached. Residents living near a tavern already must endure traffic and noise that disrupts their quality of life. Don't make living conditions near a tavern worse, make them better.
22. Please accept my apologies for the last minute response to the Possible Ordinance Changes letter of August 14, 2020. I set it aside and then set something else on top of it.

1)Eliminate or reduce...distance: I would recommend not eliminating or reducing the required distance between beer gardens and residential structures. And I do not understand why one would want to eliminate or reduce that distance. Noise is a factor. More importantly may be an increased risk for children, or others, to be targeted by an unruly beer garden customer. For such safety and noise concerns I would recommend not eliminating or reducing the current required distance **between beer gardens and any residential structure used for residential purposes.**

2)Allow...amplified sound or music: I would recommend not allowing amplified sound or music to be played beyond 9:00pm and until the beer garden closes at 11:00pm. For those nearby who may have to work early in the morning, or for children who need to go to school in the morning, the amplified sound or music could be a deterrent to adequate sleep. And, of course, this likelihood could be increased if the current required distance noted above is reduced or eliminated.

3) Allow patrons to remain...: I would recommend not allowing patrons to remain in a beer garden after 11:00pm and until the establishment closes, even if only for the purpose of smoking. There is a time to simply close and have folks go home. Lingering could lead to more noise, more loud talk outside, and more people who could pose a threat to others by remaining in a residential area even later at night than may occur now. It could also lead to some customers drinking more than they should, and then thinking they can linger for a while longer, and then drive home safely. Folks should plan their drinking, and drink responsibly, so as to be safe when the establishment closes at 11:00pm.

23. Thank you for allowing citizens to have input regarding such proposed changes.

Subject: Re Beer Garden Impact for 1715 East Street Property

Thank you for the opportunity to provide to the council my objection to the proposed ordinance changes regarding Beer Gardens within the City of Two Rivers. My comments are focused on the circumstances surrounding my particular property located at 1715 East Street, Two Rivers. I suspect the circumstances surrounding each bar is unique.

The facts as they pertain to my situation are as follows: (Please see attached photo.)

1. My building is located exactly on the southern lot line buttressing Tippy's lot line and building. There is zero distance between my building and the lot line.
2. If the council passes these ordinances the only conceivable spot Tippy has to create a beer garden, if he so desires, would be in this enclosed patio area (see photo) as his lot footprint does not offer him other options at the back of or other side of his building which also faces a home.
3. The distance between my building and Tippy's bar/ building is between approximately 12 to 20 feet at various points.
4. The construction material used in the existing surrounding site is cement for the patio, brick on my building facing the patio and wood siding with a roof overhang on Tippy's building. The building overhang cups the sounds coming off of Tippy's building and projects the sounds back towards my building further keeping the sound in the confined area.
5. As shown in the photo the lower window, behind the picnic tables, is directly outside of my one-bedroom unit. Another bedroom is located on the other side of one of the upper unit windows.
6. Despite installing new windows -with triple panes- and the fact that my building has four layers of brick and an air pocket between the bricks, I still am able to clearly hear normal levels of conversation when people are sitting on the benches just outside of the window. (See photo.)
7. There are two tenants living in the buildings directly surrounding the patio area. One occupies the upper unit of my building and the other lives above Tippy's building shown in the photo.
8. My tenant works long hours and alternating weekends for her job near Green Bay. She awakes at 4:30 AM and goes to sleep at around 9:30 PM; a good night sleep is imperative for her to safely drive a long commute distance and to perform long work hours.

9. On numerous occasions in the past, my tenant has needed to call Tippy's bartender, and one other time call the police, to request that the patrons using the patio area for a smoking area- to quiet down so she can get some sleep. Mind you these loud conversations are occurring without music or alcohol drinking permitted outside as would be the case with a beer garden.

Specifically concerning the proposed ordinance changes:

- "Eliminate or reduce the current or required distance between beer gardens and residential structures used for residential purposes"- elimination of the distance would allow Tippy's to set up a band or bar within inches of my bedroom window. I suspect every council member would have equal concern if they found themselves in such a situation.
- "Allow amplified sound or music to be played until the beer garden closes at 11:00 P.M." This change does not address the fact that sound carries a longer distance and is magnified at night. Nor does it take into account the time needed to breakdown and pack up the band instruments or the normal "smoke and joke time" which often occurs after a band stops playing for the evenings. Suddenly 11:00 PM becomes mid-night or 1 AM.
- Finally, "Allow patrons to remain in the beer garden after 11:00 PM but only for the purpose of smoking: no beverages or food allowed". This proposal sounds reasonable but simply does not pass "the common sense test". By that I mean, who is going to enforce this requirement? Is the bartender responsible to herd all the patrons who are in the middle of eating or drinking back into the bar at or after 11:00 PM? Or should neighbors call the police each time the curfew time is violated by a non-cooperating patron?

The council has to recognize each bar and surrounding neighborhood situation is unique and adopting city wide ordinances without consideration for each situation is too broad.

In conclusion, having been a bar owner myself years ago in the Milwaukee area, I have empathy for the current state of affairs the bar owners and we all in the community are facing with the COVID 19 virus. But I caution the council before hurriedly passing these wide-ranging ordinances to recognize that this crisis may be for a relatively short period of a year or two while the ordinances will remain on the books long after the pandemic will have dissipated.

In your deliberations please consider the many neighbors who are nestled near these neighborhood bars who are equally as important members of our community and pay real estate taxes and are also entitled to the right to a good night sleep as well as a peaceful environment in their homes.

Thank you for permitting me to offer my views on this important topic. Obviously, your decision will impact not only me, who has invested a substantial amount of time and resources into the neighborhood and community, but many other community members as well.

See attached photo.

Re Beer Garden Impact for 1715 East Street Property



Attachment: Beer Garden picture (2790 : Discuss Ordinance Changes Related to Beer Gardens)

August 14, 2020

## NOTICE OF POSSIBLE ORDINANCE CHANGES

This notice is being sent to the owners of record of all properties located within two hundred fifty (250) feet of the boundaries of a premises having a Class B liquor license and operating as a tavern.

The City of Two Rivers is considering amending several provisions of Ordinance 6-1-19, pertaining to Beer Gardens. City staff is seeking input from the owners of properties that would be directly impacted, before making recommendations to City Council regarding such changes in the ordinance. A copy of the current ordinance is included on the back of this notice for your reference.

The following changes have been proposed:

### Beer Gardens:

- Eliminate or reduce the current required distance between beer gardens and any residential structure used for residential purposes. *Current ordinance prohibits the establishment of any beer garden within 50 feet of a residential structure used for residential purposes.*
- Allow amplified sound or music to be played beyond 9:00 PM and until the beer garden closes at 11:00 PM (required closing time for beer gardens). *Current ordinance prohibits amplified sound or music being played after 9:00 PM.*
- Allow patrons to remain in a beer garden after 11:00 PM and until the establishment closes, but only for the purpose of smoking; no beverages or food consumption allowed. *Current ordinance prohibits anyone from being in the area designated as a beer garden, for any purpose, after 11:00 PM.*

Any recommended amendments to the existing ordinances stated herein are strictly advisory to the City Council. The City Council has the authority to approve, revise, deny or table said amendments.

If you have comments or concerns regarding this matter, please either:

- Submit written comments to the City Clerk's Office by noon on Friday, September 4, 2020. Such written comments will be copied for distribution to all Councilmembers. You can email comments to [kgraves@two-rivers.org](mailto:kgraves@two-rivers.org). or mail them to Kim Graves, City Clerk, 1717 East Park Street, Two Rivers, WI 54241; or
- Attend the City Council meeting at 6:00 PM on Tuesday, September 8, 2020 to provide comments on this matter. While the Governor's face mask order is in effect, the City Council is also accepting public comments by telephone; go to [www.two-rivers.org/government/agendas and minutes](http://www.two-rivers.org/government/agendas%20and%20minutes) to view the City Council agenda for September 8, and to find the call-in number near the top of the agenda.

If you have any questions, please contact me at the number listed below.

CITY OF TWO RIVERS

Kim Graves  
City Clerk  
Telephone: (920) 793-5526

## Sec. 6-1-19 Beer Gardens Regulated

(a) **REQUIRED FOR OUTDOOR CONSUMPTION.** No license shall permit the consumption of alcohol beverages on any part of the licensed premises not enclosed within the building, except under permit granted by the City Council. The permits are a privilege in which no rights vest; and therefore, may be revoked by the City Council at its pleasure at any time, or shall otherwise expire on June 30th of each year. No person shall consume or have in his or her possession alcohol beverages on any unenclosed part of a licensed premises which is not described in a valid beer garden permit. It is the purpose of fencing in the beer garden area to prohibit or significantly restrict the ease in which alcoholic beverages may be passed from within the beer garden area to anyone outside the beer garden area.

(b) **LIMITATIONS ON ISSUANCE OF BEER GARDEN PERMITS.** No permit shall be issued for a beer garden located in a nonresidential district if any part of the beer garden is within fifty (50) feet of a structure used for residential purposes except residential uses located in the same structure as the licensed premises or a residence which is owned by the same person who owns the licensed premises. No permit shall be issued to a licensed premises located in a district zoned R-I-R-4. No permit shall be issued for a beer garden if the beer garden area is greater than the gross floor area of the adjoining licensed premises. Each applicant for a beer garden permit shall accurately describe the area intended for use as a beer garden and shall indicate the nature of fencing or other measures intended to provide control over the operation of the beer garden.

Every beer garden shall be completely enclosed with a fence or wall not less than five (5) feet in height above the ground of the area immediately outside of the enclosed fenced area of the beer garden, except as otherwise provide herein. When a portion of the beer garden's perimeter lies along the shoreline of the East or West Twin Rive, there shall be no requirement for a fence along such river frontage; provided, however, that the fence or wall enclosing the balance of the beer garden's perimeter shall extend to points as close to the water as practicable, subject to the review and recommendation of the Police Department. The City reserves the right to require such fence to extend toward the water to the maximum extent allowed by law (i.e., to the ordinary high water mark or the bulkhead line, if a bulkhead exists).

Amplified sound or music is not permitted after 9:00 PM. There shall be a licensed operator within the beer garden when alcohol beverages are dispensed in the beer garden. The beer garden shall remain closed to the public between 11:00 PM and 8:00 AM.

(c) **STATE STATUTES ENFORCED WITHIN BEER GARDEN.** Every permittee under this section shall comply with and enforce all provisions of Chapter 125, Wis. Stats., applicable to Class "B" licensed premises, except insofar as such provisions are clearly inapplicable. Violation of the provisions of Ch. 125, Wis. Stats., shall be grounds for immediate revocation of the beer garden permit by the City Council.

(d) **LICENSE FEES.** Fees for a beer garden permit shall be Fifty (\$50.00) Dollars per year.

(e) **PENALTY.** Any person who shall violate any provisions of this Chapter or any order, rule or regulation made or adopted hereunder shall be subject to the general provisions penalty of this Code.

City of Two Rivers  
Loud and Unnecessary Noises Prohibited  
(Amendments)

Black text is Current Ordinance  
Red text is Additions to the Ordinance

- (a) **LOUD AND UNNECESSARY NOISE PROHIBITED.** It shall be unlawful for any person to make, continue or cause to be made or continued any loud and unnecessary noise.
- (b) **TYPES OF LOUD AND UNNECESSARY NOISES.** The following acts are declared to be loud, disturbing and unnecessary noises in violation of this Section, but this enumeration shall not be deemed to be exclusive:
- (1) **Horns, Signaling Devices.** The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place in the City for longer than three seconds in any period of one minute or less, except as a danger warning; the creation of any unreasonable loud or harsh sound by means of any signaling device and the sounding of any plainly audible device for an unnecessary and unreasonable period of time; the use of any signaling device except one operated by hand or electricity the use of any horn, whistle or other device operated by engine exhaust and the use of any signaling device when traffic is for any reason held up.
  - (2) **Radios, Phonographs, Similar Devices.** The using, operating or permitting to be played, used or operated any radio receiving set; musical instrument, phonograph or other machine or device for the producing or reproducing of sound in a loud and unnecessary manner. The operation of any set, instrument, phonograph, machine or device between the hours of 10:00 PM and 7:00 AM in violation of the maximum permissible sound levels set forth in section 9-2-5(c)(1)(a) or (b) shall constitute a violation on this Section.
  - (3) **Loudspeakers, Amplifiers for Advertising.** The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting attention of the public to any building or structure. Announcements over loudspeakers can only be made by the announcer in person and without the aid of any mechanical device.
  - (4) **Animals, Birds.** The keeping of any animal or bird which by causing frequent or long continued unnecessary noise.
  - (5) **Steam Whistles.** The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger or upon request of proper City authorities.
  - (6) **Exhausts.** The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine or motor boat except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
  - (7) **Construction or Repair of Buildings.** The erection (including excavation), demolition, alteration or repair of any building, as well as the operation of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or any other similar equipment attend by loud or unusual noise, other than between the hours of 7:00 AM and 10:00 PM on weekdays; provided, however, the City Manager shall have the authority, upon determining that the loss or inconvenience which would result to any part in interest would be extraordinary and of such nature as to warrant special consideration, to grant a permit for a period necessary within which time such work and operation may take place within the hours of 10:00 PM to 7:00 AM.



City of Two Rivers  
Loud and Unnecessary Noises Prohibited  
(Amendments)

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- (8) Schools, Courts, Churches, Hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while in use, or adjacent to any hospital, which unreasonably interferes with the normal operation of that institution, or which disturbs or unduly annoys patients in the hospital provided that conspicuous signs are displayed in those streets indicating a school, hospital or court street.
- (9) The provisions of this section shall not apply to:
  - (a) Any vehicle of the City while engaged in necessary public business.
  - (b) Excavations or repairs of streets or other public construction by or on behalf of the City, County, State at night when public welfare and convenience renders it impossible to perform such work during the day.
  - (c) The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character.

(c) NOISE LIMITS.

(1) Maximum Permissible Sound Levels.

- (a) Noise from a stationary source (NON-Music) shall not exceed the following standards for maximum sound pressure levels as measured on a A-Weighted scale (dbA) and measured at the property line of the complainant property.

Noise Ratings - Times	Residential	Business	All Other Zones	Business to Residential	All Other Zones to Residential
Daytime - 7:00 a.m. to 10:00 p.m.	60 db(A)	70 db(A)	75 db(A)	65 db(A)	68 db(A)
Nighttime - 10:00 p.m. to 7:00 a.m.	50 db(A)	70 db(A)	75 db(A)	60 db(A)	65 db(A)

- (b) Noise from a music source shall not exceed the following standards for maximum sound pressure levels as measured on a C-Weighted scale (dbC) and measured at the property line of the complainant property.

Noise Ratings - Times	Residential	Business	All Other Zones	Business to Residential	All Other Zones to Residential
Daytime - 7:00 a.m. to 10:00 p.m.	60 db(C)	70 db(C)	75 db(C)	65 db(C)	68 db(C)
Nighttime - 10:00 p.m. to 7:00 a.m.	50 db(C)	70 db(C)	75 db(C)	60 db(C)	65 db(C)

- (c) Ambient noise is the all encompassing noise associated with a given sources, usually being a composite of sounds with many source near and far, but excluding the noise source being measured. Ambient noise is a factor and the subject noise shall exceed the ambient noise by five db in any octave band to be designated excessive.
  - (d) Pure tones and impulsive noises are factors. Five noise rating numbers shall be taken from the table in Subsection "a." or "b." above, if the subject noise consists primarily of a pure tone or if it is impulsive in character.
- (2) Construction Noise. Construction equipment in any zone may be operated between the hours of 7:00 AM to 7:00 PM provided that said equipment does not exceed a maximum sound pressure level of 80 db(A) measured at the property line of the location at which said equipment is in use.

Attachment: Noise Ord 9-2-5 DRAFT (2937 : Discuss Ordinance Changes Related to Noise Ordinance)

City of Two Rivers  
Loud and Unnecessary Noises Prohibited  
(Amendments)

Black text is Current Ordinance  
Red text is Additions to the Ordinance

- (3) Noise in Residential Districts. In Residential Zones, the person in violation of this Section shall be ordered to reduce the sound pressure to acceptable levels immediately by the monitoring officer.
- (d) The Causing of Vibrations from Excessive Sound Generation. The creation of sound waves by any operation or activity of such frequency and/or decibel levels that the sound causes vibrations to structural components, walls, glass, windows, or doors of a residence and/or vibrations to personal property contents of a residence, beyond the lot line of its source, which would unreasonably disturb or unduly annoy occupants, detectable by either visual observation, touch or by secondary audible noise emanating from the personal property resulting from the vibration of such objects by sound waves originating from outside of the residence, shall constitute a violation of this Section, regardless of whether the maximum permissible sound levels set forth in Section 9-2-5(c)(1)(a) or (b) are met or exceeded.
- (e) OPERATION OF CERTAIN EQUIPMENT. Lawn mowers, chain saws, powered garden equipment, electric insect killing/repelling devices, and other non-construction maintenance equipment shall be operated only during the hours between 7:00 AM and 9:00 PM unless within the specified noise levels measured at the property line of the location at which said equipment is in use.
- (f) EXEMPTIONS. Operation of emergency equipment shall be exempt from this Chapter. Emergency equipment shall include government-owned or contracted vehicles, machinery and equipment used to provide emergency medical (ambulance), police, fire and snow and ice control services. Privately-owned vehicles, machinery and equipment used for snow and ice control and removal on private property shall also be exempt from the provisions of this Chapter, provided such vehicle, machinery or equipment is not determined to be emitting excessive noise due to lack of repair or maintenance. The City Manager or his/her designee may also grant temporary exemptions to the provisions of this chapter when such exemptions are deemed to be in the public interest.
- (g) METHODS OF MEASURING NOISE
- (1) Equipment. Noise measurement shall be made with a sound level meter.
  - (2) Noise measurements for music shall use the C-Weighted decibel (db(C)) as noted in C (1)(b) above. All other measurements from other noise sources shall be measured using the A-Weighted decibel (db(A)) as noted in C (1)(a) above.
  - (3) Location of Noise Meter. Noise measurement shall be made at the nearest lot line of the premises from which a noise complaint is received. The noise meter shall be placed at a height of at least three (3) feet above the ground and at least three (3) feet away from the walls, barriers, obstructions, and all other sound reflective surfaces.
- (h) CONTROL OF NIGHTTIME NOISE EMITTED FROM RESIDENTIAL AIR CONDITIONERS
- (1) No person shall install, operate, or use any residential air-conditioner which creates a noise level in a sleeping room in any dwelling unit located on any adjacent premises in the excess of five decibels above the ambient noise level at the location being measured.
  - (2) Upon receiving a complaint, the Police Department will conduct a noise survey through the use of a sound level meter. The sound pressure level should be measured in a sleeping room in the complainant's premises with the sound level measuring microphone placed three (3) feet from an open window nearest to the source of the noise and not less than three (3) feet above the floor of the room in which the measurement is made.

DRAFT in Progress

09/03/2020

City of Two Rivers  
Loud and Unnecessary Noises Prohibited  
(Amendments)

Black text is Current Ordinance  
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- (i) APPEALS The City Manager may grant an exemption to individuals proving evidence of substantial hardship. Evidence that reasonable technological attempts have been made to correct the problem shall be considered grounds for granting an exemption to this Chapter for existing industries.

Attachment: Noise Ord 9-2-5 DRAFT (2937 : Discuss Ordinance Changes Related to Noise Ordinance)

**FW: Approved (Two Rivers - PACE Commission)**

1 message

**Richard Carey** <[rcarey@mwcorp.com](mailto:rcarey@mwcorp.com)>  
To: Greg Buckley <[grebuc@two-rivers.org](mailto:grebuc@two-rivers.org)>  
Cc: Ross Niemi <[miemi@nesco.com](mailto:miemi@nesco.com)>

Mon, Aug 17, 2020 at 2:22 PM

Hi Greg,

We are in the process of obtaining our PACE loan that we qualified for by building a pre-certified energy start building. Apparently because of the TIF minimum payment guarantees the bank needs you to sign off on the fact that we are getting this loan. To the best of my knowledge, having created the building and seeing that the assessment is in line with the guaranteed minimum payments, we are likely fully satisfied from the city's perspective. Still, please sign the agreement so we can get the last part of underwriting completed.

Please note that Community First also signed off on this as the primary lender.

Thank you very much,

Rick Carey

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**From:** "Ditter, Bethany" <[Bethany.Ditter@bakertilly.com](mailto:Bethany.Ditter@bakertilly.com)>  
**Date:** Friday, August 14, 2020 at 4:23 AM  
**To:** Ross Niemi <[rniemi@nesco.com](mailto:rniemi@nesco.com)>, Richard Carey <[rcarey@mwcorp.com](mailto:rcarey@mwcorp.com)>  
**Subject:** FW: Approved (Two Rivers - PACE Commission)

Good morning,

Please let me know if you want me to reach out to someone at the City to get this completed. Thank you.

Bethany

**From:** Ditter, Bethany  
**Sent:** Monday, August 10, 2020 10:02 AM  
**To:** Ross Niemi <[rniemi@nesco.com](mailto:rniemi@nesco.com)>; Richard Carey <[rcarey@mwcorp.com](mailto:rcarey@mwcorp.com)>  
**Subject:** FW: Approved (Two Rivers - PACE Commission)

Hi Ross and Rick,

I spoke with Dan this morning. Because of the TIF incentive, the City is considered a lender. They also need to sign the lender consent document. I modified it but left the information for the City blank. Please let me know if you need me to reach out to someone at the City.

Attachment: PACE Commission (2945 : Pace Loan for Two Rivers Cobblestone Hotel Project)

Bethany

**From:** Dan Carey <[dcarey@msbonline.com](mailto:dcarey@msbonline.com)>  
**Sent:** Friday, August 07, 2020 2:58 PM  
**To:** Ditter, Bethany <[Bethany.Ditter@bakertilly.com](mailto:Bethany.Ditter@bakertilly.com)>  
**Subject:** RE: Approved (Two Rivers - PACE Commission)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Beth,

We received the title commitment back on Two Rivers. We had not realized that the City of Two Rivers is also a mortgage holder on this property. They will also need to sign a lender consent to the transaction. Attached is the blank form if you want to start to get that in motion.

Thanks,

**Dan Carey**

Market President | McFarland

NMLS #896724

Oregon Community Bank | Waunakee Community Bank | Adams Community Bank | McFarland State Bank

608.838.5040 direct | 608.341.9913 cell

Connect via 



Visit us at: [www.msbonline.com](http://www.msbonline.com) Visit us at: [www.oregoncommunitybank.com](http://www.oregoncommunitybank.com)

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**Member FDIC. Equal Housing Lender.**

Attachment: PACE Commission (2945 : Pace Loan for Two Rivers Cobblestone Hotel Project)

**Request for Lender Consent and Notice of Proposed PACE Special Charge**

**Notice Date:** \_\_\_\_\_

**Lender Address**

**Lender:** \_\_\_\_\_

**Street:** \_\_\_\_\_

**City/State/Zip Code:** \_\_\_\_\_

**ATTN:** \_\_\_\_\_

**Property/Loan Information:**

**Address:** 1407 16th Street, Two Rivers, WI 54241

**Loan Number:** \_\_\_\_\_

Why has the bank received this notice?

The property owner listed below owns the property located at the address above. You are the holder of a loan secured by the property.

**Two Rivers Hotel Group, LLC** \_\_\_\_\_ wishes to install energy efficiency, water conservation or renewable energy upgrades to the property using Property Assessed Clean Energy (PACE) financing mechanism established by the Wisconsin PACE Commission and seeks your consent to do so.

Background on PACE in Wisconsin:

Wisconsin Statute § 66.0627(8) authorizes Wisconsin local governments to make available PACE financing in their communities. PACE financing helps stimulate local economies by funding the upfront cost of energy efficiency, renewable energy, and water conservation building improvements for owners of commercial, industrial and multi-family housing property. PACE financing helps grow local economies, increase property values, and enhanced sustainability.

Wisconsin counties and municipalities utilized their joint exercise of powers authority under Wisconsin Statute § 66.0301 to form the Wisconsin PACE Commission. PACE Commission members adopted a Model PACE Ordinance and delegated to the PACE Commission the ability to operate PACE Wisconsin: Wisconsin’s uniform statewide PACE program available in each member’s jurisdiction.

Attachment: PACE Commission (2945 : Pace Loan for Two Rivers Cobblestone Hotel Project)

With PACE, financing for qualifying projects is repaid with a special charge, a mechanism long used to finance improvements to real property that meet a public policy objective, such as sidewalks, parks, lighting districts, and water and sewer projects. Like other special charges, PACE special charges must be current upon the sale of a property and remain with a property upon sale. As with other special charges, only PACE special charges in arrears have a lien status senior to mortgages.

The PACE Wisconsin program has been designed to meet the needs and concerns of Wisconsin’s residents, property owners, and existing mortgage lenders. To qualify, the proposed project must meet the following basic criteria:

- The property is located in a Wisconsin county that has passed a resolution authorizing execution of the Joint Powers Agreement, a model ordinance, and joined the Wisconsin PACE Commission.
- The property is a commercial, industrial, or multi-family (5 or more units) property
- The proposed measures reduce energy consumption, water consumption, and/or increase the production of on-site renewable energy
- The proposed measures are permanently affixed to the property
- The property is current on all municipal property tax and assessment payments
- The proposed project meets the PACE Wisconsin program requirements.
- **The property owner receives consent of the current mortgage holder(s)**

Why should you provide consent?

1. Measures financed through PACE should reduce building operating costs. Through the project eligibility requirements PACE Wisconsin has established to qualify Large PACE projects, a proposed project must have a Savings to Investment Ratio (SIR) greater than one, with SIR defined as energy savings over the project lifetime greater than the total eligible (including financing and closing costs) project investment cost. For example, if the total eligible project investment cost is \$1.5 million and the project (loan) timeframe is 15 years, then the energy savings must be greater than \$100,000 per year on average. As required by PACE Wisconsin, a third-party professional engineer will confirm SIR assumptions prior to closing the financing.
2. PACE Special Charge installment payments do not accelerate. In the event the mortgage holder forecloses on the property for any reason, only the amount of the PACE special charge currently due and/or in arrears (likely a relatively small proportion of the total PACE financing amount) would be due. In the event of a property sale, the residual unpaid PACE financing transfers to the new property owner.
3. Measures financed through PACE improve properties, often reducing maintenance and repair costs. In addition, energy efficiency, water conservation and renewable energy measures improve the efficiency, health, and comfort of a building, making it more attractive to tenants and future owners.

What should you know?

Two Rivers Hotel Group, LLC has indicated its intention to apply for PACE financing for improvements outlined in **Appendix B** on the property listed above. The Special Charge is to be levied on the property pursuant to an agreement between the property owner, PACE Wisconsin, and the funding source for the PACE improvements. The related payment terms are proposed to consist of the following:

Total cost of improvements: 800,075.00  
 Utility rebates/incentives: 0.00  
 Total PACE financing requested (will be within +/- 5%): 1,000,000.00  
 Annual interest rate not to exceed: 5.6  
 Term of repayment period: 25.00  
 Total estimated annual installment: 74,805.00  
 Payments per year: 1 or 2

Estimated Benefits of the Improvements:

Based on a recently prepared energy savings estimate, the following cash flow savings (as a result of the installation of the approved improvements and using the assumptions noted in the calculator) are expected to accrue to the property.

**Electric and Fuel Bill Savings:** \$ 800,559.00

**Other Savings (specify):** \_\_\_\_\_  
 a. Federal Investment Tax Credit = \$ \_\_\_\_\_  
 b. C-PACE Interest Deduction (cash value @ 35% tax rate) = \$ \_\_\_\_\_  
 c. Depreciation Cash Impact (cash value @ 35% tax rate) = \$ \_\_\_\_\_

**Total Estimated Annual Savings:** \$ 28,961.00

**NOTE: The savings noted above represent estimates based on the assumptions contained in the [Building Owner’s engineer’s] Energy Assessment. In order to close PACE financing, a third party professional engineer must confirm that the projected Savings to Investment Ratio will be greater than one prior to a “Large” PACE Project’s approval by the Wisconsin PACE Commission.**

Attachment: PACE Commission (2945 : Pace Loan for Two Rivers Cobblestone Hotel Project)



Purpose of this Notice. As required by the PACE Wisconsin program, Two Rivers Hotel Group, LLC is sending this Notice of Proposed PACE Special Charge and the Lender Acknowledgement to Contractual PACE Special Charge below to Lender to (i) provide notice of Two Rivers Hotel Group, LLC proposed participation of the property above in PACE financing; (ii) request confirmation from you (the current mortgage lender) that the levy of the PACE Special Charge pursuant to the PACE Special Charge and Financing Agreement will not trigger an event of default or the exercise of any remedies under the Loan documents, (iii) provide notice that the Special Charge will be collected in installments and is subject to the same penalties, remedies and lien priorities as real property taxes and (iv) declare the Two Rivers Hotel Group, LLC's agreement to pay on a timely basis both the existing obligations secured by the property (including the Loan) and the proposed Special Charge.

Execution and Return of Consent. The Property Owner would appreciate you executing the attached Lender Consent to Proposed Special Charge and returning it to the undersigned at your earliest convenience.

Very truly yours,

BY: (signature): \_\_\_\_\_

**PROPERTY OWNER NAME:** Two Rivers Hotel Group, LLC

**MAILING ADDRESS:** 1407 16th Street, Two Rivers, WI 54241  
**(if different than Property address)**

Attachment: PACE Commission (2945 : Pace Loan for Two Rivers Cobblestone Hotel Project)

**Lender Acknowledgement to Contractual PACE Special Charge**

**Date:** \_\_\_\_\_

**Property/Loan Information**

**Business Address:** 1407 16th Street, Two Rivers, Wi 54241

**Tax key/Parcel:** 05300007102100

**Mortgage Holder:** \_\_\_\_\_

**Loan Number:** \_\_\_\_\_

This Lender Acknowledgement to Contractual Property Assessed Clean Energy (“PACE”) Special Charge (“Acknowledgement”) is given by the undersigned entity (the “Lender”) with respect to the above referenced loan (“Loan”) and the above referenced property (“Property”) in relation to the PACE program operated by the Wisconsin PACE Commission (the “Commission”).

**RECITALS**

- A. Lender is in receipt of written notice (“Notice”) from the owner of the Property (“Property Owner”) that the Property Owner intends to finance the installation on the Property of certain energy efficiency, renewable energy or water conservation improvements that will be permanently fixed to the Property (“Authorized Improvements”) by participating in a PACE program sponsored by the Commission (the “Program”).
- B. Lender understands that, as a result of an agreement between the Commission and the Property Owner (“PACE Special Charge and Financing Agreement”), the contractual PACE Special Charge (“Contractual PACE Special Charge”) described in the PACE Special Charge and Financing Agreement will be levied on the Property, and that the Contractual PACE Special Charge will be collected by the Commission directly according to the terms of the PACE Special Charge and Financing Agreement. The form of PACE Special Charge and Financing Agreement is included in Appendix A herein.
- C. The Property Owner has agreed in a manner acceptable to Lender to pay on a timely basis both the existing obligations secured by the Property (including the Loan) and the proposed Contractual PACE Special Charge.
- D. The Lender consents to the Property Owner’s participation in the Program, including but not limited to the levy of a Contractual PACE Special Charge on the Property.

*[Continued on next page]*

**ACKNOWLEDGEMENT**

The undersigned hereby represents that it is authorized to execute this Acknowledgement on behalf of the Lender. The Lender hereby (i) confirms that it has received the Notice, (ii) acknowledges the levy by the Commission of the Contractual PACE Special Charge pursuant to the terms of the PACE Special Charge and Financing Agreement and (iii) agrees that the levy of the Contractual PACE Special Charge will not constitute an event of default or trigger the exercise of any remedies under the Loan documents. The Lender hereby acknowledges that the Property Owner and the Commission will rely on the representation and acknowledgement of the Lender set forth in this Acknowledgement. The Recitals are integrated into and made a part of this Acknowledgment.

**Lender:**

By:

\_\_\_\_\_

Signature:

\_\_\_\_\_

Title:

\_\_\_\_\_

Date:

\_\_\_\_\_

Attachment: PACE Commission (2945 : Pace Loan for Two Rivers Cobblestone Hotel Project)

# Appendix A: Form of PACE Special Charge and Financing Agreement

Attachment: PACE Commission (2945 : Pace Loan for Two Rivers Cobblestone Hotel Project)



# FALL PICNIC IN THE PARK

Friday, September 11, 2020  
Two Rivers Central Park  
12:30-2:30 pm

12:30-2:30 Refreshments Available for purchase  
\*hamburgers\*hot dogs\*chips\*soda\*water\*chocolate chip cookies

1:00-2:00 Musical Entertainment by Jerry Krueger

2:00-2:30 Door Prizes and Birthday Baskets  
\*Pre-registered (at least one day in advance) Two Rivers Senior Center members celebrating their birthday in March-December will be entered in a drawing to win a Birthday Basket.  
\*All attendees are eligible to enter to win a door prize.  
\*\*\*MUST BE PRESENT TO WIN\*\*\*

Everyone is invited to celebrate with the Senior Center.  
Pre-registration is appreciated by calling 920-793-5596.

\*\*Please note that this fundraiser will replace the Senior Celebration luncheon previously advertised. \*\*Rain Date set for Friday, September 18, 2020.

