



City of Manitowoc

900 Quay Street
Manitowoc, WI 54220
www.manitowoc.org

Meeting Minutes

Common Council

Monday, March 16, 2020

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

Alders Present: 9 - Jim Brey, Eric Sitkiewitz, Lee H. Kummer, Steven Czekala, Mike Williams, Scott McMeans, Jeremiah Novak, Todd Lotz and Courtney Hansen

C. PLEDGE OF ALLEGIANCE & INVOCATION

E. PUBLIC HEARINGS

D. PRESENTATIONS

F. PUBLIC INPUT

Mayor declared the meeting open for public input. In accordance with policy, the public input portion of the meeting is not made a part of the official record.

G. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

[20-0278](#)

Appointments by Mayor to Board of Absentee Ballot Canvassers for City of Manitowoc Central Count for the term beginning March 17, 2020 through December 31, 2020

Attachments: [Absentee Canvassers Appointments](#)

Moved by Sitkiewitz, seconded by McMeans, that these Appointments be approved. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

H. CONSENT AGENDA

1. Removal of Consent Agenda Items

Aldersperson Sitkiewitz requested the following documents be removed from the Consent Agenda:
20-0122 , 20-0237, 20-0270, 20-0289

Aldersperson Kummer requested the following document be removed from the Consent Agenda:
20-0303

Approval of the Consent Agenda

Moved by Sitkiewitz, seconded by McMeans, to accept the Consent Agenda Items and recommendations of the various committees The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

2. Miscellaneous

[20-0279](#) Minutes of February 17, 2020 Common Council meeting, recommending approval and place on file.

Attachments: [CC Minutes 2-17-2020](#)

[20-0280](#) Thank you from Catholic Charities for donation from the Schuette, Wernecke, Wilda, Rank Christmas Fund, recommending placing on file.

Attachments: [Catholic Charities Thank You](#)

[20-0281](#) Communication from Wisconsin DNR relative to Water Main Plan and Specification Approval at water main extensions on Bayshore Drive and Bay Pointe Road, recommending acceptance and place on file.

Attachments: [WI DNR Water Main Plan & Specification Approval](#)

[20-0282](#) Public Notice of an Air Pollution Control Permit Application Review of Broadwind Towers and Heavy Fabrications located at 101 S. 16th Street, recommending acceptance and place on file.

Attachments: [Air Pollution Control Permit App Review - Broadwind](#)

3. Committee of the Whole (Consent)

4. Finance Committee (Consent)

[20-0236](#) Appeal for "Other Special Charge" assessed to property at 700 E Magnolia Ave, recommend to deny the appeal.

Attachments: [Lakeshore Mall](#)
[Other Special Charge appeal](#)
[Letter from Life Safety](#)
[Lakeshore Special Charge Objection 020320 - With Exhibits](#)

[20-0238](#) Claim of unlawful personal property tax from Aldi, Inc. (Wisconsin), recommend to accept the amended statement of Personal Property reducing assessed value to \$109,459 and issuing a refund of \$629.95

Attachments: [Aldi](#)
[Assessor recommendation](#)

[20-0240](#) CAWG recommended funding for Unbudgeted request from Community Development for GIS Data Migration at a cost not to exceed \$18,000.00, recommend to approve request.

Attachments: [CAWG GIS Data Migration](#)

[20-0241](#) CAWG recommended funding for Unbudgeted request from DPI Fleet/Streets for 2 new flat beds for trucks #26 & 27 at a cost not to exceed \$4,200.00, recommend to approve the request.

Attachments: [CAWG DPI Truck Flat Beds](#)

[20-0242](#) CAWG recommended funding for Unbudgeted request from Fire for CAD Implementation at a cost not to exceed \$8,400.00, recommend to approve the request.

Attachments: [CAWG Fire CAD Implementation](#)

[20-0243](#) Notice of Determination from State Board of Assessors for Kerry Inc. appeals, recommend to place on file.

Attachments: [Kerry Inc Appeal No 81-055-REO-19](#)
[Kerry Inc Appeal No 81-056-REO-19](#)
[Kerry Inc Appeal No 81-054-REO-19](#)
[Kerry Inc Appeal No 81-057-REO-19](#)

[20-0244](#) Application for "Class B" Intoxicating Liquor & Fermented Malt Beverage License, TAV-1922A, for Bad Axe Hotel, LLC, Holiday Inn Manitowoc, 4601 Calumet Ave, recommend to approve the application.

Attachments: [TAV-1922A Application](#)

[20-0287](#) General City Claims in the amount of \$2,626,024.08 enumerated on list thereof, recommending that the claims be allowed and ordered paid and Mayor, Clerk and Finance Director/Treasurer are instructed to issue the necessary order.

Attachments: [March Claims](#)

[2-25-2020](#)

[2-28-2020](#)

[3-6-2020](#)

[3-10-2020](#)

[3-13-2020](#)

[2-21-2020](#)

[20-0307](#) Report of Finance Committee to grant the various licenses subject to approvals, inspections, insurance, payment of license fees and meeting State Statute requirements, as detailed therein, recommending acceptance.

Attachments: [March Licenses](#)

5. Personnel Committee (Consent)

6. Public Infrastructure Committee (Consent)

[20-0221](#) Maritime Metro Transit Route 6B for Waldo Blvd 2020 Reconstruction, recommending approval

Attachments: [20-0221 MEMO for DPI Committee - DPI LETTERHEAD - MMT 15th Waldo 2020.pdf](#)
[20-0221 MMT Route 6B for Waldo Blvd 2020 Recon.pdf](#)

[20-0222](#) City of Manitowoc MS4 Permit for 2019, recommending to place on file

Attachments: [20-0222 2019 Memo requesting action for MS4 Permit.pdf](#)
[20-0222 2019 MS4 Permit.pdf](#)
[20-0222 2019 MS4 Permit New requirements.pdf](#)

[20-0255](#) Concrete Increase for permit patches, recommending approval

Attachments: [20-0255 Permanent street restoration 2020 .pdf](#)
[20-0255 2020 permit patch memo.pdf](#)

[20-0274](#) Stormwater Management Maintenance Agreement with Meijer Stores Limited Partnership, a Michigan Limited Partnership, recommending approval

Attachments: [20-0274 Stormwater Maintenance Agreement for Meijer.pdf](#)

- [20-0276](#) Stormwater Management Maintenance Agreement with MTM Real Estate LLC, recommending approval
Attachments: [20-0276 Stormwater Maintenance Agreement for MTM.pdf](#)
- [20-0286](#) Report of Director of Public Infrastructure Dan Koski of Tonnage Report for the year ending 12/31/19. Recommending acceptance and place on file.
Attachments: [2019 Tonnage Report](#)
- [20-0290](#) Report of Board of Public Works of 3/4/2020, of bids received for 2020 Asphaltic Concrete Paving, Project WS-20-4, recommending awarding to low bidder, Vinton Construction Company in the amount of \$675,147.25.
Attachments: [WS-20-4](#)
[Bid Tab WS-20-4](#)
- [20-0291](#) Report of Board of Public Works of 3/4/2020 of denial of request to rescind snow removal assessment for property at 736 N. 12th St., recommending acceptance and place on file.
Attachments: [736 N. 12th St](#)
- [20-0292](#) Report of Board of Public Works of 3/4/2020 for 2nd Revised and Final payment of \$15,310.26 to Camera Corner Connecting Point for Audio/Video Upgrade for Council Chambers, WO-19-13, recommending payment.
Attachments: [WO-19-13 Final Payment](#)
- [20-0293](#) Report of Board of Public Works of 2/19/2020, of bids received for Remove & Replace Existing Sidewalks I, Project WS-20-3, recommending awarding to low bidder, Seiler Bros. Construction Inc. in the amount of \$95,741.00.
Attachments: [WS-20-3](#)
[Bid Tab WS-20-3](#)
- [20-0294](#) Report of Board of Public Works of 2/19/2020, of bids received for Remove & Replace Existing Sidewalks II, Project WS-20-8, recommending awarding to low bidder, Seiler Bros. Construction Inc. in the amount of \$36,835.00.
Attachments: [WS-20-8](#)
[Bid Tab WS-20-8](#)

[20-0295](#) Report of Board of Public Works of 2/19/2020, of bids received for Concrete Slab Replacement Program, Project WS-20-10, recommending awarding to low bidder, Vinton Construction Company in the amount of \$131,347.03.

Attachments: [WS-20-10](#)

[Bid Tab WS-20-10](#)

[20-0296](#) Report of Board of Public Works of 3/4/2020 of quotes and recommendation from Director of Public Infrastructure for Two Tandem Axle Dump Trucks (Cab & Chassis), recommending to approve purchase from Quality Truck Care Center.

Attachments: [Recommendation - 2 Tandem Axle Dump Trucks](#)

[20-0297](#) Report of Board of Public Works of 3/4/2020 of quotes and recommendation from Director of Public Infrastructure for Two 2.5 Ton Trucks (Cab & Chassis), recommending to approve purchase from Quality Truck Care Center.

Attachments: [Recommendation - 2 2.5 Ton Trucks](#)

7. Public Safety Committee (Consent)

8. Plan Commission (Consent)

[20-0181](#) PC 9-2020: Ertman: Request to Purchase City Owned Property. Menasha Avenue and Waldo Blvd. Recommending to approve the request to sell a portion of the former Menasha Ave right-of-way and instruct the City Attorney's Office to finalize any and all costs, documents and agreements necessary to complete the transaction. The transaction is also subject to a utility easement being recorded for the utilities in the subject property.

Attachments: [20-0181 PC report Ertman.pdf](#)

[20-0181 Report to Council Ertman.pdf](#)

I. COMMITTEE REPORTS

1. Committee of the Whole

[20-0303](#) Report of Special Events Committee relative to approval of the following events: Waiver of Fees - English Language Arts Professional Development on 3/12-3/13/2020; Night Market 920 on various dates from 6/10-8/19/2020; Safety Patrol Picnic on 5/20/2020 with a rain date of 5/21/2020; recommending acceptance of report and place on file.

Attachments: [Special Event Committee Events Acted On 2-13-20 to 3-11-20](#)

[Waiver of Fees - MPSD ELA Professional Development](#)

[Night Market 920](#)

[Manitowoc Safety Patrol Picnic](#)

Moved by Kummer, seconded by Novak, to remove the Night Market 920 approval due to potential electrical panel charges. The motion carried by the following vote:

Aye: 5 - Kummer, Czekala, Williams, McMeans and Novak

Nay: 4 - Brey, Sitkiewitz, Lotz and Hansen

Moved by Brey to waive the fees for Night Market 920 with the exception of the electrical panel. Motion failed for lack of second.

Moved by Sitkiewitz, seconded by McMeans, that this Report be approved as amended. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0304](#) Report of Special Events Committee recommending approval for the following events subject to Council action: July 3rd Celebration on 7/3/2020 (Closure of Quay St. from S. 6th to S. 8th from 10pm on 7/2/2020 to 5am on 7/4/2020; waiver of noise ordinance until 11:30pm); St. Patrick's Day Celebration on 3/13-3/14/2020 (Street closure for parade from S. 8th & Washington Sts. to Bank First National on N. 8th St.)

Attachments: [Special Events for Council Approval - 02-13-20 to 3-11-20](#)

[July 3rd Celebration](#)

[St Patrick's Day Celebration](#)

Moved by Sitkiewitz, seconded by McMeans, that this Report be approved. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

2. Finance Committee

[20-0122](#) Agreement with Granicus for Closed Captioning services for Common Council and Standing Committee meetings for the three year period covering 2020-2022, recommend to enter into agreement starting April 1, 2020.

Attachments: [Manitowoc WI Captioning Q-77778](#)

Council discussed need for Closed Captioning services, and moving Library Board and Police and Fire Commission to Council Chambers so those meetings can also be captioned. City Attorney Kathleen McDaniel explained that if meetings are broadcasted, there is a legal requirement to provide captioning services.

Moved by Brey, seconded by McMeans, that this Agreement be entered into. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Czekala, Williams, McMeans, Novak, Lotz and Hansen

Nay: 1 - Kummer

[20-0233](#) Ordinance amending Manitowoc Municipal Code Chapter 3 regulating various boards and commissions

Attachments: [Ordinance Amending Ch 3 addressing Boards Commissions and Committees](#)

Moved by Brey, seconded by McMeans, that this Ordinance be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0234](#) Resolution disbanding several boards and commissions

Attachments: [Res disbanding various boards, committees & commissions](#)

Moved by Kummer, seconded by Williams, to remove the Complete Streets Committee and Manitowoc Main Street Committee from the resolution to disband. After further discussion, the motion was amended to only remove the Complete Streets Committee from the list of disbanded committees. The motion failed by the following vote:

Aye: 3 - Kummer, Williams and Novak

Nay: 6 - Brey, Sitkiewitz, Czekala, McMeans, Lotz and Hansen

Moved by Brey, seconded by McMeans, that this Resolution be adopted. The motion carried by the following vote:

Aye: 7 - Brey, Sitkiewitz, Czekala, Williams, McMeans, Lotz and Hansen

Nay: 2 - Kummer and Novak

[20-0237](#) Request from Community Development to purchase John Deere XUV835M for maintenance equipment for downtown improvements at a cost of \$27,551, recommend to approve the request.

Attachments: [CD purchase request](#)

[Proposal for Quote 21203397](#)

[Email re Gator](#)

Moved by Brey, seconded by McMeans, that this Request be approved. The motion carried by the following vote:

Aye: 7 - Brey, Kummer, Williams, McMeans, Novak, Lotz and Hansen

Nay: 2 - Sitkiewitz and Czekala

[20-0288](#) Resolution Authorizing the Citizen Participation Plan for the CDBG Closeout

Attachments: [Res to adopt Citizen Participation Plan](#)

[Citizen Participation Plan for CDBG Program](#)

Moved by Brey, seconded by McMeans, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0309](#) Resolution of commitment and support for the Wisconsin Department of Transportation (WisDOT) 2020-2024 Transportation Alternatives Program application to support the Peninsula Recreation Path Project

Attachments: [2020 Resolution of Commitment and Support for TAP Program](#)

[Manitowoc_TAP_Application_Revised](#)

[Manitowoc_TAP_Attachment3.pdf](#)

Moved by Brey, seconded by McMeans, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0311](#) Resolution naming authorized representative to apply for grants and loans from the Department of Natural Resources

Attachments: [Res authorizing MPU to apply for Safe Drinking Water Loan Program \(002\)](#)

Moved by Brey, seconded by McMeans, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

3. Personnel Committee

[20-0283](#) Resolution to backfill two positions and 1 FTE overlap in the Fire Rescue Department

Attachments: [Res to backfill 2 positions 1 FTE overlap for training Fire Rescue 3-16-2020](#)
[Res - FRD backfill & overlap with Mayor memo](#)

Moved by Sitkiewitz, seconded by Hansen, to remove the 1 FTE overlap position from the resolution. The motion failed by the following vote:

Aye: 2 - Sitkiewitz and Czekala

Nay: 7 - Brey, Kummer, Williams, McMeans, Novak, Lotz and Hansen

Moved by Kummer, seconded by Novak, that this Resolution be adopted. The motion carried by the following vote:

Aye: 7 - Brey, Kummer, Williams, McMeans, Novak, Lotz and Hansen

Nay: 2 - Sitkiewitz and Czekala

[20-0300](#) Communication from Wisconsin Professional Police Association relative to the opening of contract negotiations - Manitowoc Police Department Employees Association.

Attachments: [Communication from WPPA](#)

Moved by Czekala, seconded by Sitkiewitz, that this Communication be placed on file. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

4. Public Infrastructure Committee

[20-0270](#) Parks and Recreation Ticket & Pass Donation Policy, recommending approval with amendment to #2 on the policy to add the portion of at least 25%

Attachments: [20-0270 Park and Recreation Ticket and Pass Donation Policy.pdf](#)
[20-0270 Memo- PR Donation Policy.pdf](#)

Moved by Novak, seconded by Kummer, that this Policy be approved. The motion carried by the following vote:

Aye: 8 - Brey, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

Nay: 1 - Sitkiewitz

[20-0271](#) Concession Stand Operation Agreement with The Konop Companies, Inc. for 2020 season

Attachments: [20-0271 Memo- MFAC concessions contract.pdf](#)
[20-0271 Concession Stand Operation Agmt March 2020.pdf](#)

Moved by Novak, seconded by Kummer, that this Agreement be approved. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0284](#) Resolution to backfill and overlap training for a Building & Grounds Custodian due to a retirement

Attachments: [Res to backfill Custodian due to retirement in May 2020](#)

Moved by Novak, seconded by Kummer, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0289](#) Report of Board of Public Works of 3/4/2020 of reduction of snow removal assessment for property at 401 Cleveland Ave. \$300 to \$100, recommending acceptance and place on file.

Attachments: [401 Cleveland Ave](#)

Moved by Novak, seconded by Kummer, that this Report be approved. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, Novak, Lotz and Hansen

Nay: 1 - McMeans

[20-0299](#) Resolution approving Three Year Harbor Development Statement of Intentions for 2020-2022

Attachments: [Res - 3 Year Harbor Development Statement of Intentions](#)

Moved by Novak, seconded by Kummer, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0302](#) Resolution to revise Special Event fees for 2020

Attachments: [Res - 2020 Special Event fees](#)

Moved by Novak, seconded by Kummer, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0306](#) Resolution to backfill the Operations Division Manager position due to a resignation

Attachments: [Res to backfill Operations Division Manager due to resignation 3-16-2020](#)

Moved by Novak, seconded by Kummer, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0308](#) First amendment to land & electric use agreement between City of Manitowoc and Vinton Construction Company for storage and electrical useage at 1105 Fleetwood Drive

Attachments: [First Amendment to Vinton Land Electric Use Agreement \(Parks Shop\)](#)
[Land & Electric Use Agmt - Signed](#)

Moved by Novak, seconded by Kummer, that this Agreement be approved. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0310](#) Resolution establishing fee schedule for DPI street restoration

Attachments: [Res - Fee schedule for DPI street restoration](#)

Moved by Novak, seconded by Kummer, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0312](#) Land use agreement between City of Manitowoc and Vinton Construction Company, for equipment and vehicle storage

Attachments: [Land use agreement - vinton](#)

Moved by Novak, seconded by Kummer, that this Agreement be approved. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

5. Public Safety Committee

[20-0148](#) LifeQuest EMS dispute, call 182A-17-4950A.

Moved by Lotz, seconded by Hansen, that this Request be approved and the EMS bill be rescinded. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0262](#) Fire Rescue Department CAD implementation.

Moved by Lotz, seconded by Hansen, that this Request be approved. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

[20-0263](#) LifeQuest EMS dispute, call 182A-17-42217B.

Moved by Lotz, seconded by Hansen, that this Request be approved and the EMS bill be rescinded. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

6. Plan Commission

[20-0180](#) Consideration and possible action on “Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 22, City of Manitowoc, Wisconsin”.

Attachments: [20-0180_PC10-2020 TID 22_Resolution.pdf](#)
[20-0179 20-0180 Report to Council TID 22.pdf](#)
[Res creating TID 22 - Final](#)

Moved by Brey, seconded by Sitkiewitz, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

J. OTHER BUSINESS

K. ADJOURN

Moved by Sitkiewitz, seconded by Williams, that this meeting be adjourned at 8:07 p.m. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Hansen

Deborah Neuser
City Clerk