



City of Manitowoc

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

Meeting Minutes

17-0884

Common Council

CONSENT

Monday, August 21, 2017

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

Alderspersons Present: 9 - Jim Brey, Mike Howe, Scott McMeans, Eric Sitkiewitz, Lee H. Kummer, Steven Czekala, Jeremiah Novak, Todd Lotz and Rhienna Gabriel

Alderspersons Absent: 1 - Dave Soeldner

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

17-0806 Clerk administers Oath of Office for Police Officer Amber Thiel followed by Badge Pinning.

E. PUBLIC HEARINGS

F. PUBLIC INPUT - NONE

G. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

17-0729 Appointment of Annie Short to Crime Prevention Committee, in place of Katie Wilsmann, for an indefinite term.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0810 Communication from Katie Wilsmann resigning from Crime Prevention Committee as of April 10, 2017.

17-0834 Appointment of Lori Kirby to Rahr-West-Art Museum Board, replacing Dayna Goetz, for a 3 year term expiring 6/1/2020.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

H. CONSENT AGENDA

1. Removal of Consent Agenda Items

Aldersperson McMeans requested that document 17-0595 be removed from Consent Agenda.

Aldersperson Gabriel requested that documents 17-0793 and 17-0802 be removed from the Consent Agenda.

Approval of the Consent Agenda

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

2. Miscellaneous

- 17-0815 Minutes of July 17, 2017 Council meeting, recommending approval and place on file.
- 17-0811 Communication from Governor Scott Walker thanking The City for sharing the resolution with him, recommending placing on file.
- 17-0812 Communication from the City of Thorold supporting the designation of the "Lake Michigan - Wisconsin National Marine Sanctuary", recommending placing on file.
- 17-0813 Communication from State of WI DNR approving Manitowoc Waterworks North 6th Street water main. Recommending placing on file.
- 17-0814 Communication from Manitowoc County Public Works Department notifying the City of tax deed properties that will be offered for sale, parcel numbers: 052-000-255-020.00 and 052-490-001-170.00. Recommending placing on file.

3. Committee of the Whole (Consent)

- 17-0831 Report of Special Events Committee relative to approval of the following events: MCM United Worship & Picnic on 7/30/2017; Residential Block Party on 8/19/2017; Residential Block Party on 9/3/2017; Bike Ride for Hunger on 9/16/2017; Rubick Run 5k Run/Walk on 9/30/2017; Holiday House 5k Walk/Roll Event on 10/14/2017; Citizen Park Sports Courts Ribbon Cutting/Re-dedication on 8/20/2017; All Star Miracle League Game w/ Donald Driver on 8/11/2017; Residential Block Party on 8/12/2017; Stake Permit - Brutal Wear Open Tennis Tournament on 8/12-8/14/2017; recommending acceptance of report and place on file.

4. Finance Committee (Consent)

- 17-0781 Request from Don Murray, Agent, TLM Investments, Inc. to extend his tavern license TAV-1742 on August 20th to include a fenced-in area of his parking lot for annual charity bike/car wash, for premise located at 1421 S. 39th Street. Recommending approval
- 17-0782 Request to discontinue practice of seeking full council approval regarding Temporary Class "B" Wine and Beer Licenses within 300' of a School, Church or Hospital. Recommending approval
- 17-0786 Well Operation Permit Fees (New/Renewal), recommending approval as recommended by the City Clerk
- 17-0787 Request to begin fund raising for the Skate Park Improvements and tracking donations for proposed improvements. Recommending approval
- 17-0788 Agreements for purchase of Encoder for Granicus Legislative System (agendas/minutes/video), recommending approval of agreements subject to approval of the City Attorney
- 17-0826 General City Claims in the amount of \$7,189,483.20 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.
- 17-0841 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.

5. Personnel Committee (Consent)

6. Public Infrastructure Committee (Consent)

- 17-0573 Waldo Boulevard Box Culvert, recommending placing on file
- 17-0673 Private Sanitary Lateral repair in the 1600 block of Waldo Boulevard, recommending filing a claim with the City and placing the request on file.
- 17-0726 Report of Board of Public Works of July 5, 2017, of bids received for Miracles Park Pour-in-Place Playground Safety Surfacing, Project WS-17-15, recommending placing on file.
- 17-0792 Expenditures from Senior Center Funds, recommending approving subject to investigating the cost of 100 chairs and 16 tables through a local manufacturer and/or wholesaler.
- 17-0794 Asphalt Repairs on Eastbound Lanes of Waldo Blvd Viaduct (N. 23rd to Fleetwood Dr), recommending approving the repairs from Capital Funds.

- 17-0795 Maintenance Issues with Popp Stormwater Pond on S. 19th and Summit Street, recommending placing on file.
- 17-0796 Slide Replacement Parts to come out of the Schuette Park Maintenance Fund, recommending approving the request.
- 17-0797 Request to Void an Invoice for Brush/Raking Pick Up at 1020 South 15th Street, recommending placing on file.
- 17-0798 Request to purchase another Doe at the Lincoln Park Zoo using the funds from the Donation Tube, recommending approving the request.
- 17-0803 Approval of Compliance Maintenance Annual Report (CMAR) for Wastewater Treatment Facility, recommended approval
- 17-0807 Report of Board of Public Works of 08/09/2017 for 19th and Final payment of \$1,000.00 to Lunde Williams LLC for Manitowoc Marina Dock Replacement, recommending payment.
- 17-0808 Progress Invoice from Wisconsin Department of Transportation in the amount of \$34,249.95 for UW Hwy 10, Waldo Blvd, Cty R thru 8th St, Project No. 39515003700, recommending payment.
- 17-0821 Report of Board of Public Works of 08/09/2017 for 2nd and Final payment of \$13,472.95 to Vinton for 2017 Slab Replacement, WS-17-10, recommending payment.
- 17-0827 Report of Board of Public Works of 08/09/2017 for 3rd and Final payment of \$34,956.00 to Hamann Construction Company for Silver Creek Fieldhouse Renovations, WB-17-13, recommending payment.
- 17-0828 Report of Board of Public Works of 08/09/2017 for 2nd and Final payment of \$1,620.15 to Guidelines Pavement Marking, LLC for Epoxy Pavement Marking Program, WS-17-9, recommending payment.
- 17-0829 Report of Board of Public Works of 08/09/2017 for 1st and Final payment of \$5,750.00 to Asplundh Tree Expert Co. for Tree & Stump Removal for 6 additional Trees & Stumps - Sidewalk Program (Torrison Drive), 17-06, recommending payment.

7. Public Safety Committee (Consent)

- 17-0809 Purchase Agreement with Officer Jason Koenig for purchase of K-9 police dog Uilly.

8. Plan Commission (Consent)

- 17-0773 PC 21-2017: Review of Properties in Tax Foreclosure, recommending placing on file except the Summit St. pond at 6008 County Hwy LS and refer it to Public Infrastructure Committee to see if they are interested in pursuing this property.
- 17-0774 PC 16-2017: Annual Review of Animated Signs pursuant to 15.450(18)(e) (7). Recommending approval.
- 17-0775 PC 17-2015: Annual Review. Amy Sheck, Four Paws Pet Care, 1718 S. 15th Street Home Occupation Expanded Use Conditional Use Permit Pursuant to Chapter 15.030. Recommending approval of the annual review and also removal of the annual review condition.
- 17-0779 PC 19-2017: Schaeffer: Release of Easement; W. Custer Street. Recommending approval with recording costs to be paid by Mr. Schaeffer.

J. COMMITTEE REPORTS

1. Committee of the Whole

- 17-0838 Contract from Kimley-Horn for Downtown Master Plan Services.
- Moved by McMeans, seconded by Brey, that this Contract be approved, not to exceed \$80,000.00 from Room Tax undesignated funds. The motion carried by the following vote:**
- Aye:** 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel
- 17-0833 Report of Special Events Committee Recommending approval for the following events subject to Council action: Lincoln High School Homecoming Parade & Fireworks on 9/29/2017 (Parade route: Grand Ave. from S. 23rd to S. 9th Sts. & S. 9th St. from Grand Ave. to the JFK Fieldhouse); Balloon Glow on 8/18/2017 (Closure of Quay St. from S. 7th to S. 8th Sts.); Pink Heals National Tour on 9/26/2017 (Closure of S. 12th St. from Marshall to Washington Sts.; waiver of rules prohibiting alcohol in the park); Harvest Fest on 9/30/2017 (Closure of Quay St. from S. 8th St. to the Library entrance); Robert Zill Memorial Scholarship Benefit on 8/19/2017 (Closure of Buffalo St. between N. 7th and N 8th Sts.; Extension of premise for alcohol license).
- Moved by McMeans, seconded by Brey, that this Report be approved. The motion carried by the following vote:**
- Aye:** 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

2. Finance Committee

17-0793 City Attorney Quarterly Claims Report, recommending accepting and placing on file

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0802 Term Sheet for Schuette Building Renovation Including Tax Incremental Financing, Brownfields Loan, Downtown Revolving Loan, and WEDC Grant, recommending placing on file

Moved by Brey, seconded by McMeans, that this Action Item be placed on file. The motion carried by the following vote:

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0824 Resolution establishing election official's wages for 2018.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0840 Ordinance to repeal Section 11.010(14) of the Municipal Code regulating Reserve "Class B" Licenses.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0845 Resolution declaring property at 422 and 424 North 10th St. blighted and authorizing the Community Development Authority to acquire and assist the redevelopment of the property.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0846 Ordinance to amend Section 17.107 to increase the 5-year Well Operation permit fee to \$125.00.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0848 Settlement agreement between Lowe's Home Centers, LLC and the City of Manitowoc.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

I. RECESS

During recess, Finance Committee discussed #17-0843 Contract with Vierbicher Associates, Inc. to provide Tax Increment Financing (TIF) Consulting Services to the City. Moved by Sitkiewitz, seconded by McMeans, to enter into the contract. The motion carried by the following vote:

Aye: 5 - Brey, McMeans, Sitkiewitz, Howe, Lotz. Call back to order.

17-0843 Contract with Vierbicher Associates, Inc. to provide Tax Increment Financing (TIF) Consulting Services to the City.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

3. Personnel Committee

17-0733 Agreement between City of Manitowoc and City of Manitowoc Police Department Employees, Law Enforcement Employee Relations Division of the Wisconsin Professional Police Association for 2018-2020.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0825 Resolution to backfill Administrative Support Specialist position in City Clerk's office and to backfill any budgeted vacancies created as a result of this hiring.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

4. Public Infrastructure Committee

17-0595 Modifications to the Mariner's Trail at YMCA, Yacht Club and Little Manitowoc River, recommending the three (3) projects to the Mayor for 2018 budget process.

Moved by Kummer, seconded by Brey, that this Communication be approved, and recommend these three projects to the Mayor for 2018 budget process. The motion carried by the following vote:

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0842 Contract 17-11 with Tri City Glass & Door to furnish and install bronze aluminum entrances, and thermally broken fixed storefront windows at the Rahr-West Art Museum at a cost of \$19,450.00.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0844 Resolution to approve the backfilling of a Bridgetender position, at Grade C, according to the Compensation Plan and Employee Policy Manual.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0847 Ordinance to amend Section 7.280 of the Municipal Code to grant corner lot reduction special assessments for seal coating streets.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0823 Contract with Aurora Health Care North, Inc. relative to outdoor exercise equipment at Little Manitowoc River Walkway and Mariner's Trail.

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

Aye: 8 - Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

Abstain: 1 - McMeans

17-0837 Report from Board of Public Works to approve request for 10-year installment plan for parcel 000-039-010. Recommending placing on file.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0839 Contract with McMullen & Pitz Construction Company to repair the sheet pile cap at Manitowoc Harbor at a cost of \$24,500.00.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0822 Stormwater Management Facility Maintenance Agreement with Shady Lane Inc.

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

Aye: 8 - Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

Abstain: 1 - McMeans

5. Public Safety Committee

17-0313 Policy regarding placement of lighted regulatory or warning signs.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0742 Mtwc. Sex Offender Residence Board of Appeal for Nathan C. Willis with recommendation from Police Chief Nick Reimer to approve this request and forward to Council.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0780 Lifequest EMS billing dispute, Call #: 182A-17-0977

Moved by Howe, seconded by Czekala, to approve the requested bill to be paid by the City in the amount of \$1,100.50. The motion carried by the following vote:

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0835 Ordinance to amend Section 14.240 of the Manitowoc Municipal Code regulating Crimes Against Sexual Morality.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

17-0836

Ordinance to create the Bond Schedule for violations of Section 11.035, Escort Services, and Section 14.240, Crimes Against Sexual Morality.

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

Aye: 9 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

6. Plan Commission

K. OTHER BUSINESS

L. ADJOURN

Meeting adjourned at 7:30 p.m.

**Deborah Neuser
City Clerk**