



City of Manitowoc

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

Meeting Minutes

Common Council

Monday, November 19, 2018

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

Alders Present: 10 - Jim Brey, Mike Howe, Scott McMeans, Eric Sitkewitz, Lee H. Kummer, Steven Czekala, Jeremiah Novak, Todd Lotz, Rhienna Gabriel and Mike Williams

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

18-1181 City Clerk administers Oath of Office for Firefighter/Paramedic Jeffrey Jensen followed by badge pinning.

18-1179 Presentation from Progress Lakeshore

E. PUBLIC HEARINGS

18-1169 Mayor declared the meeting open for a public hearing for the purpose of hearing any citizen or taxpayer on the proposed budget for the upcoming year. City Clerk reported that the notice of the hearing was published in the Herald-Times-Reporter on November 4, 2018. (Proof of publication is on file in the City Clerk's office).
The following persons appeared to address the Council regarding the proposed item:

Paul Klunker. No other interested parties appeared.
Mayor declared the public hearing closed.

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

H. CONSENT AGENDA

1. Removal of Consent Agenda Items

None

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: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

2. Miscellaneous

- 18-1166 Minutes of October 15, 2018 Common Council meeting, recommending approval and place on file.
- 18-1167 Communication from WI DNR of Notification of Proposed Revocation of Air Permits for Aggrecon Ltd, 16800 Little Elkhart Lake Rd, Kiel, WI, recommending acceptance and place on file.
- 18-1182 Communications from Public Service Commission of Wisconsin, recommending placing on file.

3. Committee of the Whole (Consent)

- 18-1188 Report of Special Events Committee relative to the following events: Halloween Zoo Boo on 10/27/18; Shelltrack Fat Bike Race on 12/18/18; Evergleams on 8th & Trolley to the Trees on 11/16/18-1/6/19; recommending acceptance of report and place on file.

4. Finance Committee (Consent)

- 18-1108 Request for change of alcohol premise for Festival Foods Manitowoc to include designated stalls in parking lot for online grocery pickup, recommend to approve the request.
- 18-1110 Unbudgeted CAWG request for repair of memorial drive ponding/water drainage issue, recommend to accept CAWG's recommendation
- 18-1111 Minutes of October 2, 2018 Finance Committee meeting, recommend approval and place on file.
- 18-1112 Minutes of the MPU Commission meetings of 9/11/2018 and 9/24/2018, recommend acceptance and place on file.
- 18-1113 Guide Book Policy Manual, recommend to approve and place on file.
- 18-1115 Certification of 2018 Levy from Lakeshore Technical College, recommend to accept and place on file.

- 18-1117 eCheck Rider to Government Payment Service, Inc. Agreement, recommend to enter into agreement.
- 18-1118 Report out of the results from Lottery Credit audit, recommend to accept and place on file.
- 18-1119 Request for change of alcohol premise for Pick 'n Save Manitowoc to included designated stalls in parking lot for online grocery pickup, recommend to approve the request.
- 18-1120 Unbudgeted CAWG request for Traffic Cameras - South Rapids Road/Calumet Ave, recommend to accept CAWG's recommendation.
- 18-1121 Unbudgeted CAWG request for Traffic Cameras - North Rapids Rd/Waldo Blvd, recommend to accept CAWG's recommendation.
- 18-1122 Minutes of the October 30, 2018 Finance Committee meeting, recommending approval and place on file.
- 18-1135 AT&T Cell Site Lease - FA: 10083172 - Site Name: Fire Department/Mil 128B, recommend to place on file.
- 18-1137 Possible Half-Penny Sales Tax Public Inputs Compiled 12/2017-09/2018, recommend to place on file.
- 18-1138 Minutes from November 1, 2018 Finance Committee Meeting, recommending approval and place on file.
- 18-1139 Unbudgeted CAWG request for new voting booths, recommend to accept CAWG's recommendation.
- 18-1141 Minutes of November 5, 2018 Finance Committee Meeting, recommend approval and place on file.
- 18-1168 General City Claims in the amount of \$3,297,357.81 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.
- 18-1186 Report of Finance Committee to grant the various licenses subject to approvals, inspections, insurance, payment of licenses fees and meeting State Statue requirements, as detailed therein. Recommending acceptance.

5. Personnel Committee (Consent)

6. Public Infrastructure Committee (Consent)

- 17-1031 Request for a designated Christmas Tree drop site in exchange for tree voucher, with advertisement on social media, press release and at local Christmas tree purchasing locations and recommending placing on file
- 18-0897 Drainage Issue at 3711 Menasha Avenue, recommending placing on file
- 18-1011 Memorial Drive Ponding Water/Drainage Issue, recommending City Crews making necessary repairs to fix the ponding water/drainage issue on Memorial Drive in Spring 2019.
- 18-1015 Temporary Private Crossing License for Waldo Blvd/USH 10, recommending approving the request
- 18-1032 Change in the Trail Head of Mariner's Trail, recommending placing on file.
- 18-1035 Storm Sewer Culvert CIPP Lining, recommending placing on file.
- 18-1036 Ray Street Culvert Installation Project Update, recommending placing on file as Railroad Installed the Culvert Pipe.
- 18-1123 Installation of Traffic Cameras at two (2) Intersections - South Rapids Rd/Calumet Ave and North Rapids Rd/Waldo Blvd, recommending approving the request.
- 18-1126 Review of Snow and Ice Control Procedures and Levels of Service for 2018/2019, recommending placing on file.
- 18-1128 Request to use Zoo Donation Tube Monies for Bison Barn Lights, recommending approving the request.
- 18-1130 Perpetual Care Fund Uses, recommending placing on file
- 18-1131 Rails with Trails Opportunity & Invitation, recommending placing on file.
- 18-1132 Rheume Park Drainage Issues, recommending placing on file
- 18-1140 Request to reduce a 2017 Remove & Replace Sidewalk Assessment for 812 Hawthorne Terrace, recommending placing on file
- 18-1159 Report of Board of Public Works of 11/7/18 of adoption of Resolution Authorizing Emergency Repairs to WWTF Emergency Generator, recommending acceptance and place on file.
- 18-1160 Report of Board of Public Works of 10/24/18 for 1st and Final payment of \$12,500.00 to Pheifer Bros. Construction Co. Inc. for Bridge Deck Resealing - Broadway Street Bridge, recommending payment.

- 18-1161 Report of Board of Public Works of 11/7/18 for 3rd and Final payment of \$8,113.87 to Camera Corner, Inc. for City Hall Council Chambers Audio System, recommending payment.
- 18-1162 Progress Invoice from WI Department of Transportation in the amount of \$2,519.95 for Waldo Blvd, Project ID 39515003700, recommending payment.
- 18-1163 Report of Board of Public Works of 10/24/18 on discussion for BPW to have authority to approve final pay estimates, recommending acceptance and place on file.
- 18-1164 Report of Board of Public Works of 10/24/18 of denial of request to rescind noxious weed charge for property located at 1630 Memorial Dr. Recommending acceptance and place on file.

7. Public Safety Committee (Consent)

- 18-0587 Kellner Street and Fleetwood Drive speed deterrent, recommending to place on file.
- 18-1147 Discussion regarding website publication of nuisance landlords, recommending to place on file.
- 18-1148 Discussion on metal detecting on City property, recommending to place on file.
- 18-1150 Waiver of loud noise ordinance for Spanish Thanksgiving Concert at Manitowoc County Expo, recommending approval.
- 18-1151 Lifequest billing dispute 182A-18-2809, recommending to forgive bill.
- 18-1152 Lifequest billing hardship 182A-18-2859 and 182A-18-2774, recommending to set up a payment plan.

8. Plan Commission (Consent)

I. COMMITTEE REPORTS

1. Committee of the Whole

- 18-1185 Intergovernmental Agreement between the City of Manitowoc and Manitowoc Public Utilities for Management of Wastewater Treatment Facility
- Moved by McMeans, seconded by Brey, that this Agreement be entered into subject to changes discussed around hourly rates and billing terms. The motion carried by the following vote:**

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

18-1189 Report of Special Events Committee recommending approval for the following events subject to Council action: Lights in Lincoln Park & Walk/Run on 11/8/18-1/5/19 (approval of advertising signs in the City right-of-ways); Turkey Trot on 11/22/18 (waiver of noise ordinance from 7 am to 8 am); Lakeshore Holiday Parade on 11/21/18 (closure of Washington & N 8th Sts. for parade).

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

18-1192 Revised lease for leased parking stalls in public parking lots. January 1, 2019 - June 30, 2019, \$150 per stall for six months

Moved by McMeans, seconded by Brey, to approve the revised lease for leased parking stalls in public parking January 1, 2019 - June 30, 2019. The motion carried by the following vote:

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

18-1193 Metal Ware Offer to Purchase Vacant Land, Parcels 449-007-011 and 449-007-020, Consistent with Land Rebate Policy

Moved by McMeans, seconded by Brey, to enter into the land purchase agreement contingent upon the negotiation and approval of a developers agreement. The motion carried by the following vote:

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

2. Finance Committee

18-1156 Ordinance Creating a Wheel Tax and Amending Special Assessments

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

18-1106 General City budget of proposed 2018 levy for 2019, in the amended amount of \$15,593,418.63 with \$879,538 in proposed tax incremental financing.

Moved by Lotz, seconded by Brey, to amend the library's budget to increase the levy allocation by \$34,000. The motion carried by the following vote:

Aye: 6 - Brey, Kummer, Novak, Lotz, Gabriel and Williams

Nay: 4 - Howe, McMeans, Sitkiewitz and Czekala

Moved by Kummer, seconded by Novak, to remove \$175,000 from borrowing for sidewalk construction on the east side of N. 8th St. from Albert Dr. to the south. The motion carried by the following vote:

Aye: 7 - Howe, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Williams

Nay: 3 - Brey, McMeans and Gabriel

Moved by Kummer, seconded by Novak, to remove \$200,000 from borrowing for CP parking lot reconstruction and expansion. The motion failed by the following vote:

Aye: 3 - Howe, Kummer and Novak

Nay: 7 - Brey, McMeans, Sitkiewitz, Czekala, Lotz, Gabriel and Williams

Moved by Kummer, seconded by Howe, to add back \$20,000 into the borrowing to create a tow rope and ice skating rink at Silver Creek Park. The motion carried by the following vote:

Aye: 8 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Lotz and Williams

Nay: 2 - Novak and Gabriel

Moved by Kummer, seconded by Howe, to remove \$220,000 from borrowing for farmers lot reconfiguration project. After discussion, Kummer withdrew motion.

Moved by Kummer, seconded by Williams, to take the \$220,000 borrowing for the Farmers Market parking lot and the \$320,000 borrowing for resurfacing Quay St. and categorize as \$540,000 for downtown improvements consistent with the Downtown Master Plan. The motion carried by the following vote:

Aye: 7 - Howe, McMeans, Kummer, Novak, Lotz, Gabriel and Williams

Nay: 3 - Brey, Sitkiewitz and Czekala

Moved by Kummer, seconded by Williams, to sever the agreement with Progress Lakeshore and use the \$66,000 for investing in City personnel for community development. The motion failed by the following vote:

Aye: 3 - Kummer, Gabriel and Williams

Nay: 7 - Brey, Howe, McMeans, Sitkiewitz, Czekala, Novak and Lotz

Moved by Brey, seconded by Lotz, that this Budget be adopted as amended. The motion carried by the following vote:

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

18-1184

Scope of Engagement relative to up to \$10,000,000 City of Manitowoc, Wisconsin Industrial Development Revenue Bonds, Series 2019 (Robinson Metal, Inc. Project)

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

18-1109

Claims settlement for M. Bennett claim for a \$11,880.36 contribution from the City.

Moved by Brey, seconded by Lotz, to approve the claim for M. Bennett for \$11,880.36 from the City. The motion carried by the following vote:

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

Abstain: 1 - Howe

- 18-1116** Consideration of an Initial Resolution Regarding Industrial Development Revenue Bond Financing for Robinson Metal, Inc. Project. Information with respect to the job impact of the project will be available at the time of considerations of the Initial Resolution.
- Moved by Brey, seconded by Lotz, that this Resolution be adopted. The motion carried by the following vote:**
- Aye:** 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams
- 18-1134** Resolution to extend Tax Increment Financing District No. 15 for one year in order to improve the City's housing stock in accordance with Ch. 66.1105(6)(g), Wis. Stats
- Moved by Brey, seconded by Lotz, that this Resolution be adopted. The motion carried by the following vote:**
- Aye:** 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams
- 18-1170** Wisconsin Statewide Debt Collection Agreement
- Moved by Brey, seconded by Lotz, that this Agreement be entered into. The motion carried by the following vote:**
- Aye:** 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams
- 18-1171** Resolution to Fill Vacancy in Administrative Support Specialist - City Clerk's Office
- Moved by Brey, seconded by Lotz, that this Resolution be adopted. The motion carried by the following vote:**
- Aye:** 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams
- 18-1180** 2018 Poor Fund Report and Recommended Distribution
- Moved by Brey, seconded by Lotz, that this Report be accepted. The motion carried by the following vote:**
- Aye:** 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

3. Personnel Committee

4. Public Infrastructure Committee

- 18-1016** Memorandum of Understanding for Little Manitowoc River Coastal Wetland Restoration Project Design and Construction
- Moved by Kummer, seconded by Novak, that this Memorandum of Understanding be accepted and entered into. The motion carried by the following vote:**
- Aye:** 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams
- 18-1124** Stormwater Management Facility Maintenance Agreement for Hamilton Street Mini Storage.
- Moved by Kummer, seconded by Novak, that this Agreement be entered into. The motion carried by the following vote:**
- Aye:** 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams
- 18-1125** Temporary Access Easement Agreement over Unimproved Right-of-Way for 2719 Calumet Avenue.
- Moved by Kummer, seconded by Novak, that this Agreement be entered into. The motion carried by the following vote:**
- Aye:** 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams
- 18-1158** Ordinance to amend Section 10.410 of the Manitowoc Municipal Code regulating parking between December 1st and March 31st
- Moved by Kummer, seconded by Novak, that this Ordinance be adopted. The motion carried by the following vote:**
- Aye:** 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams
- 18-1183** Master Services Agreement Task Order 6 for Lower Schuette Park Pedestrian Bridge Feasibility Study
- Moved by Kummer, seconded by Novak, that this Agreement Item be approved. The motion carried by the following vote:**
- Aye:** 9 - Brey, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams
- Nay:** 1 - Howe

5. Public Safety Committee

- 18-1190** Ordinance to amend Manitowoc Municipal Code 10.730 Regulating Parking
- Moved by Howe, seconded by Czekala, that this Ordinance be adopted. The motion carried by the following vote:**
- Aye:** 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

6. Plan Commission

J. OTHER BUSINESS

K. ADJOURN

Moved by McMeans, seconded by Brey, that this meeting be adjourned at 9:10 p.m. The motion carried by the following vote:

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

**Deborah Neuser
City Clerk**