

CONSENT



City of Manitowoc

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

Meeting Minutes

19-0654

Common Council

Monday, May 20, 2019

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, Mike Howe, Todd Lotz and Bruce Jacobs

Alders Absent: 1 - Jeremiah Novak

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

19-0563 City Clerk administers oath of office to Police Officer Kody Wipperfurth followed by badge pinning.

19-0521 Proclamation declaring the week of May 19-25, 2019 as Emergency Medical Services Week

E. PUBLIC HEARINGS

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.

COMMITTEE REPORTS

Finance Committee

19-0459 Ordinance to change the name of a portion of Dewey Street to Crawford Boulevard, in area west of Calumet Ave

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, Howe, Lotz and Jacobs

G. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

19-0568 Mayor makes the following Alderperson appointments for terms ending 4/20/20: Board of Public Works: Jim Brey, Lee Kummer and Mike Williams; Rahr-West Art Museum Board of Directors: Jeremiah Novak; Zoological Board: Steve Czekala; Harbor Commission: Lee Kummer; MPU Commission: Eric Sitkiewitz; Crime Prevention Committee: Steve Czekala; Industrial Development Corporation: Jim Brey and Mike Williams; Ethics Board: Eric Sitkiewitz; Community Development Authority: Jeremiah Novak and Lee Kummer; Library Board: Todd Lotz; Cemetery Commission: Mike Williams; Municipal Tree Commission: Lee Kummer; MAVCB Board of Directors: Lee Kummer, Progress Lakeshore Board of Directors: Eric Sitkiewitz; WI Maritime Museum Board of Directors: Todd Lotz; MIRA: Scott McMeans; Capitol Civic Centre Board of Directors: Scott McMeans

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, Howe, Lotz and Jacobs

19-0569 Council appointment of Council member to serve on Plan Commission for ensuing one year term ending 4/20/20.

Motion made by Sitkiewitz to nominate Alderperson Jim Brey to serve on the Plan Commission. Motion made by Kummer to nominate Alderperson Jeremiah Novak to serve on the Plan Commission. Alderperson Jim Brey was nominated to serve on the Plan Commission for a one year term ending 4/20/20 by the following 8-1 roll call vote:

Brey: Williams, McMeans, Jacobs, Czekala, Brey, Howe, Lotz, Sitkiewitz
Novak: Kummer

19-0570 Mayor makes the following citizen appointments: Cemetery Commission: re-appointment of Atty. John Bilka for term expiring 4/30/23; Citizens Advisory Committee: re-appointment of June Kramer for term expiring 6/1/22; Harbor Commission: re-appointments of Rich Larsen and Peter Allie for terms expiring 6/1/22; Library Board: re-appointment of Abbey Quistorf and Patrick Neuenfeldt for terms expiring 6/1/22; Plan Commission: re-appointment of Greg Jagemann for term expiring 5/1/22; Police and Fire Commission: re-appointment of Michael Wellner for term expiring 4/30/24; Rahr-West Art Museum Board: re-appointment of Erin LaBonte and Candice Giesen for terms expiring 6/1/22; Board of Ethics: appointment of John Fillingim and Al Schema for terms expiring 6/1/22

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, Howe, Lotz and Jacobs

H. CONSENT AGENDA

1. Removal of Consent Agenda Items

None

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, Howe, Lotz and Jacobs

2. Miscellaneous

- 19-0522 Minutes of April 15, 2019 Common Council meeting, recommending approval and place on file.
- 19-0523 Minutes of April 16, 2019 Common Council Organizational meeting, recommending approval and place on file.
- 19-0525 Resignation from Douglas Koch from Zoological Board effective June 1, 2019, recommending acceptance and place on file.
- 19-0571 Communication from WI DNR of Announcement of 2019 Recycling Grants to Responsible Units, recommending acceptance and place on file.

3. Committee of the Whole (Consent)

- 19-0577 Report of Special Events Committee relative to approval of the following events: Silver Cup disc Golf Tournaments on 7/12-7/14/19 & 7/27/19; Lakeshore Pandemic on 9/29/19; Prodigy Games on 10/12/19; recommending acceptance of report and place on file.

4. Finance Committee (Consent)

- 19-0499 Request to Hire a Paid Intern from June-August, 2019 for Community Development-20 hrs/week, recommend to approve the request.
- 19-0500 Performance Contract with Tradition Energy for Natural Gas Pre Buy, recommend to enter into agreement.
- 19-0501 Request for updates to credit card membership and limits, recommend to approve request.
- 19-0502 1st Quarter CAWG Report, recommend acceptance and place on file.
- 19-0504 CAWG Membership Update - Appointment of Jeremy Walvoord, Building and Grounds Division Manager as replacement for J. Muenzenmeyer, recommend to approve the appointments.
- 19-0505 Request from Salute to Everyone, TAV-1870 for an extension of premise, recommend to approve request.

- 19-0507 Memorandum of Agreement for Weights and Measures Inspection, recommend to approve the agreement.
- 19-0508 Minutes of various MPU Commission and Great Lakes Utilities meetings, recommending acceptance and place on file.
- 19-0509 Minutes of April 1, 2019 Finance Committee meeting, recommending approval and place on file.
- 19-0510 Unbudgeted CAWG request to fund DPI Replacement Crafcro Pavement Sealer, recommend to approve request.
- 19-0511 Unbudgeted CAWG request to fund DPI Replacement Cemetery Backhoe, recommend to approve request.
- 19-0512 Unbudgeted CAWG request to fund DPI Cemetery Insulate Cold Storage Room, recommend to approve request.
- 19-0513 Budget Exception Report, recommend to accept and place on file.
- 19-0524 General City Claims in the amount of \$2,711,277.77 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.
- 19-0579 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)

- 19-0333 Street Sweeping Parking Ban Times, recommending placing on file
- 19-0347 Meadow Court (Meadow Lane to MacArthur Drive) Pavement Condition, recommending approving for Vinton Construction to reconstruct the area on Meadow Court from Meadow Lane to MacArthur Drive, with concrete.
- 19-0354 Dog Park Design for Halverson Park, recommending placing on file
- 19-0470 Discussion regarding Quay Street (8th to west of 6th Street) becoming a pedestrian street and re-routing traffic, recommending placing on file.
- 19-0472 Discussion to design a trail connecting Spring Street with Manitou Park and converting Spring Street to a one-way street heading east with a bike lane, recommending placing on file.
- 19-0473 Rerouting Mariner Trail behind the Yacht Club, recommending placing on file

- 19-0474 Farmer's Market relocating to Quay Street (between 8th and approximately 6th Street) on the pedestrian street, recommending placing on file.
- 19-0476 Review of street sweeping parking ban, recommending placing on file
- 19-0478 Approval to purchase Cold Storage at Cemetery, Crafcov Pavement Sealer, and Cemetery Backhoe that were approved at CAWG, recommending approval
- 19-0479 Recommendation to purchase a Carousel for 8th and Quay Street, recommending placing on file
- 19-0482 Request to direct Engineering Department how to proceed with improving the new pavement condition on Dewey Street, recommending grinding the new pavement in areas as needed and sending out letters to inform the property owners this will be taking place.
- 19-0484 Request to paint parking stalls on North 9th Street between Maritime Drive and Chicago Street, recommending approval
- 19-0487 Fill Site on N. 8th Street, recommending approval
- 19-0526 Report of Board of Public Works of 5/1/19 for 2nd and Final payment of \$1,984.12 to Green Bay Pipe & TV, LLC for 2019 Televising Miscellaneous Sewers I, WU-19-5, recommending payment.
- 19-0527 Report of Board of Public Works of 5/1/19 for 1st and Final payment of \$19,525.00 to Chris Lewis Tree Surgery for 2019 Ash Tree Removal, AGMT-19-02, recommending payment.
- 19-0528 Report of Board of Public Works of 5/1/19 for 4th and Final payment of \$9,949.61 to Vinton for 2018 Concrete Slab Replacement, WS-18-10, recommending payment.
- 19-0529 Report of Board of Public Works of 5/1/19 of approval to enter into AGMT-19-09 with Seiler Bros. Construction, Inc. for Concrete Work at Washington Park to include a slab and sidewalk for a contract price of \$11,860.00, recommending acceptance and place on file.
- 19-0530 Report of Board of Public Works of 5/1/19 of approval to enter into AGMT-19-11 with Seiler Bros. Construction, Inc. for Concrete and Trench Work at 700 Quay St. for a contract price of \$6,080.00, recommending acceptance and place on file.

- 19-0542 Report of Board of Public Works of 5/1/19 of denial of appeal for snow shoveling violations for properties at 1119 Huron & 946 N. 8th St. Recommending acceptance and place on file.
- 19-0586 Report of Board of Public Works of 5/15/19 for 2nd and Final payment of \$11,752.50 to R Turner Construction, LLC for Cemetery Storage Room Remodeling, AGMT-19-07, recommending payment.
- 19-0598 Report of Board of Public Works of 5/15/19 of approval to draft and enter into No Access Agreements relative to Special assessments for 2018 Asphalt Concrete Paving of Broadway Street for the following parcels: 238-003-270, 238-003-280, and 238-003-290, recommending acceptance and place on file.
- 19-0600 Report of Board of Public Works of 5/15/19 of approval to enter into AGMT-19-05 with Cretton Enterprises for 2019-2021 Flower Maintenance & Weed Control Areas for a contract price of \$9,689.86 for 2019, \$9,134.86 for 2020 and \$9,0161.66 for 2021, recommending acceptance and place on file.
- 19-0601 Report of Board of Public Works of 5/15/19 of approval to enter into AGMT-19-10 with LaForce, Inc. for Installation of Security Systems at Union Park, Washington Park, and Pulaski Park for a contract price of \$12,541.00, recommending acceptance and place on file.
- 19-0602 Report of Board of Public Works of 5/15/19 of approval to enter into AGMT-19-12 with Badger Docks and Lifts for Kayak Launch at Maintou Park for a contract price of \$19,975.00, recommending acceptance and place on file.

7. Public Safety Committee (Consent)

- 18-1051 Cleveland Avenue and Maritime Drive speed deterrent, recommending to place on file.
- 19-0539 Citizen request for flashing stop signs to be installed at the intersections of South 8th Street and Columbus Street and South 9th Street and Columbus Street, recommending to place on file.
- 19-0540 Citizen request for stop signs to be installed at the intersection of South 41st Street and Rock Street, recommending to place on file.

8. Plan Commission (Consent)

- 19-0466 PC 18-2019: Northwest #20 - Strharsky: Petition for Direct Annexation from the Town of Manitowoc Rapids. Recommending to accept the annexation petition as presented and to place a temporary zoning classification of R-1 Residential - Agricultural Zoning District on the property, and require dedication of Homestead Road.

I. COMMITTEE REPORTS

1. Committee of the Whole

- 19-0468** Presentation by Manitowoc Fire Department on Manitowoc Growth Study
- Moved by Sitkiewitz, seconded by McMeans, that this Presentation be placed on file. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs
- 19-0562** Request from Manitowoc Fire Rescue Department to purchase a new ambulance.
- Moved by Sitkiewitz, seconded by McMeans, that this Request be approved. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs
- 19-0575** Ordinance to annex certain territory from the Town of Manitowoc Rapids to the City of Manitowoc as part of the 10th Aldermanic District and the 19th, 20th and 27th Ward of the City.
- Moved by Sitkiewitz, seconded by McMeans, that this Ordinance be adopted. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs
- 19-0576** Resolution to combine Ward 30 with the 10th, 20th and 27th Wards for voting purposes and use a common polling place as established for the 10th Aldermanic District
- Moved by Sitkiewitz, seconded by McMeans, that this Resolution be adopted. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs
- 19-0578** Report of Special Events Committee recommending approval for the following events subject to Council action: Garden Faire Extraordinaire on 6/8/19 (closure of S 11th & 12th Sts. between Washington & Marshall with handicap parking spots on S. 11th); HFM Maritime Marathon on 6/9/19 (closure of lift bridge & one-way closure on Viebahn St. & Lakeside Blvd, waiver of noise ordinance from 7-8AM); Vic Ferrari July 3rd Celebration on 7/3/19 (Closure of Quay St. from S. 6th to S. 8th, waiver of noise ordinance until 11:30PM); Lakeshore CAP 0.5K on 8/17/19 (closure of Lincoln Park roadway between Fieldhouse & Cabin 1); Manitowoc Salmon Derby on 7/4-7/7/19 (waiver of noise ordinance until 11:30PM on Fri. & Sat., extension of fermented beverage sales on City property until 11:30PM); SubFest on 7/12-7/14/19 (closure of Maritime Dr., waiver of noise ordinance until 11PM on Sat, extension of premise); Community Summer Carnival on 8/3/19 (closure of Quay St. from S. 6th to S. 8th Sts.)
- 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, Howe, Lotz and Jacobs

2. Finance Committee

19-0503 Ordinance to amend 11.010(12) to amend the regulations for "Class B" intoxicating liquor licenses

Moved by Brey, seconded by McMeans, that this Ordinance be amended to remove "to the public" from section (c)2 so the ordinance reads, "agrees to be open a minimum of 60 days". The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

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

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

Abstain: 1 - Howe

19-0514 Ordinance to Amend 11.130 Direct Sellers (Special Events Exception)

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, Howe, Lotz and Jacobs

19-0520 Updates to Ordinance for Lead Service Line Replacement - Water Laterals

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, Howe, Lotz and Jacobs

19-0572 Unbudgeted CAWG request for traffic signal modifications at the intersection of Custer St. and S. Rapids Rd.

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

3. Personnel Committee

19-0340 Lakeland University Corporate Partnership Agreement

Moved by Czekala, seconded by Sitkiewitz, that this Request be entered into. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

19-0488 Silver Lake College-Corporate Partnership Agreement

Moved by Czekala, seconded by Sitkiewitz, that this Request be entered into. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

19-0489 Resolution to Hire Seasonal Employees Related to Elected Officials,
Department Heads, or Supervisory Personnel

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

19-0495 Internal Key Control Policy

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

19-0497 Request to Fill a Temporary Summer Recreation Supervisor at a
Recommended Rate of \$18.00/hr

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

4. Public Infrastructure Committee

19-0032 County Highway R (Rapids Road) and Custer Street Intersection Discussion

Moved by Kummer, seconded by Brey, that this Request be placed on file. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

19-0477 Resolution for Street Lighting - Rapids Road (Custer to Broadway Street)

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

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

Nay: 1 - Kummer

19-0485 Pursue opportunity from the WDOT for two electric buses

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

19-0496 Fire Pit Request for Lower Schuette Park

Moved by Kummer, seconded by Brey, that this Request be approved and that the Fire Department be involved. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

- 19-0574** Award of WI DNR Recreational Boating Facilities Grant and WI Coastal Management Grant for transient dock facility
- Moved by Kummer, seconded by Brey, to accept both grants, and authorizing the Mayor, City Attorney, Community Development and Public Infrastructure to review and approve any and all agreements and contracts with grantors, design engineer, and contractors related to the project. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

5. Public Safety Committee

- 19-0389** Discussion and possible action on backfill and training overlap of the Fire & Rescue Administrative Assistant position.
- Moved by Howe, seconded by Lotz, that this Request be approved. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs
- 19-0543** Ordinance to amend section 19.020 of the Manitowoc Municipal Code regulating construction of ordinances - rules for holidays.
- Moved by Howe, seconded by Lotz, that this Ordinance be adopted. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs
- 19-0544** Ordinance to amend section 14.270 of the Manitowoc Municipal Code regulating smoking and tobacco products.
- Moved by Howe, seconded by Lotz, that this Ordinance be adopted. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs
- 19-0545** Ordinance to amend section 14.290 of the Manitowoc Municipal Code regulating restrictions on sale or gift of cigarettes or tobacco products to children.
- Moved by Howe, seconded by Lotz, that this Ordinance be adopted. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs
- 19-0546** Ordinance to amend section 14.160 of the Manitowoc Municipal Code regulating unlawful use of telephone, cell phone, computerized communication system.
- Moved by Howe, seconded by Lotz, that this Ordinance be adopted. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

19-0551

Ordinance to amend chapter 18 of the Manitowoc Municipal Code (Electrical Code).

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

19-0573

Ordinance to amend Section 10.490 of the Manitowoc Municipal Code regulating 2-hour parking on the east and west side of N. 9th St. from the Manitowoc River to Maritime Drive.

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

6. Plan Commission

J. OTHER BUSINESS

K. ADJOURN

Moved by Sitkiewitz, seconded by McMeans, that this meeting be adjourned at 7:39 p.m. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Lotz and Jacobs

**Deborah Neuser
City Clerk**