



# City of Manitowoc

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

## Meeting Minutes

### Common Council

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Monday, September 18, 2017

6:30 PM

Council Chambers

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#### A. CALL TO ORDER

Mayor Nickels called the meeting to order at 7:00 p.m.

#### B. ROLL CALL

**Alders Present:** 9 - Dave Soeldner, Jim Brey, Scott McMeans, Eric Sitkiewitz, Lee H. Kummer, Steven Czekala, Jeremiah Novak, Todd Lotz and Rhienna Gabriel

**Alders Absent:** 1 - Mike Howe

#### C. PLEDGE OF ALLEGIANCE & INVOCATION

#### D. PRESENTATIONS

[17-0883](#) Presentation to various groups of proceeds from Showtime 2017 Event.

[17-0973](#) Proclamation declaring October 8th - 14th, 2017, as Fire Prevention Week.

**Attachments:** [17-0773](#)

#### 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.

#### G. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

[17-0970](#)

Mayor makes the following appointments: Farmer's Market Committee (Grow It Forward), Tim Gadzinski for an indefinite term; Harbor Commission, Citizen member; Police and Fire Commission, Ted Zigmunt (in place of Mary Schilder) for a 5 year term expiring on 4/1/2022; Wastewater Treatment Facility Board, Al Schema (in place of Gregg Wolf as residential user) for a 3 year term expiring on 6/1/2020 and Mike Howe (Council Representative); Manitowoc Area Visitor and Convention Bureau, Brennan Seehafer, City of Manitowoc appointment; Citizen Advisory Committee, Erin Schultz for a 3 year term expiring on 6/1/2020.

**Attachments:** [17-0970](#)

[Request](#)

**Moved by McMeans, seconded by Brey, that these Appointments be confirmed.  
The motion carried by the following vote:**

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

## H. CONSENT AGENDA

### 1. Removal of Consent Agenda Items

Aldersperson Soeldner requested that items 17-0880 and 17-0882 be removed from Consent Agenda.

Aldersperson Novak requested that item 17-0565 be removed from 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 - Soeldner, Brey, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

### 2. Miscellaneous

[17-0884](#)

Minutes of August 21, 2017 Council meeting, recommending approval and place on file.

**Attachments:** [17-0884](#)

[17-0885](#)

Communication from Manitowoc County Public Works Department notifying the City of tax deed properties that will be offered for sale. Recommending placing on file.

**Attachments:** [17-0885](#)

[17-0918](#) Communication from Ruth St. John and John Dunham West Foundation, Inc. notifying the City of award of \$2,000 grant for general support of Showtime 2017. Recommending placing on file.

**Attachments:** [17-0918](#)

[17-0930](#) Communication from State of WI DNR relative to lead action level exceedance with follow-up required, recommending placing on file.

**Attachments:** [17-0930](#)

[17-0943](#) Communication from State of WI DNR relative to the completion status of the City's permit application to discharge materials to a water of the state in Lake Michigan in Manitowoc County, recommending placing on file.

**Attachments:** [17-0943](#)

[17-0944](#) Public Notice of Air Pollution Control Permit application review of Broadwind Towers, 101 S. 16th Street, Manitowoc, recommending placing on file.

**Attachments:** [17-0944](#)

### 3. Committee of the Whole (Consent)

[17-0946](#) Report of Special Events Committee relative to approval of the following events: WAIVER OF FEES - MPSD English Language Arts Back to School Meeting on 8/28/2017; United Way Fall Tailgate on 9/28/2017; Hands Joined in Peace Prayer & Candlelight Vigil on 8/27/2017; Walk to end Alzheimer's on 9/16/2017; End Domestic Violence Awareness Vigil on 10/19/2017; Ugly Sweater Run/Walk on 11/11/2017; WAIVER OF FEES - Cardboard City on 9/23-9/24/2017; recommending acceptance of report and place on file.

**Attachments:** [MPSD ELA Meeting - Waiver of Fees](#)

[United Way Fall Tailgate](#)

[Hands Joined in Peace - Prayer Vigil](#)

[Walk to End Alzheimer's](#)

[End Domestic Violence Vigil](#)

[Ugly Sweater Run](#)

[Cardboard City - Waiver of Fees](#)

[17-0947](#) Report of Special Events Committee Recommending approval for the following event subject to Council action: Turkey Trot on 11/23/2017 (waiving noise ordinance from 7 AM to 8 AM & waiving restrictions regarding dogs in Red Arrow Park)

**Attachments:** [Turkey Trot](#)

### 4. Finance Committee (Consent)

[17-0876](#) Approve extension of contract for ISDN PRI Lines and Centrex Lines with AT & T which are necessary for the city's telecommunication network; recommend to Approve.

**Attachments:** [Phone Line Renewal 2017](#)

[17-0894](#) I-43 Tech Park Land Sales Realtor Commission Policy and Recommendation of the Industrial Development Corporation; recommend to Approve.

**Attachments:** [17-0894\\_Staff Report-Realtor Commission\\_Finance](#)

[17-0895](#) Letter of Interest Regarding I-43 Tech Park Land Sale (Parcel 449-003-070, 3.16 acres) and Recommendation of the Industrial Development Corporation; recommend to Approve.

**Attachments:** [17-0895\\_Staff Report-Color Craft Land Sale\\_Finance](#)  
[17-0895\\_Staff Report Attachments](#)

[17-0942](#) General City Claims in the amount of \$4,133,304.38 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:** [17-0942](#)  
[9-15-17](#)  
[9-8-17](#)  
[9-1-17](#)  
[8-25-17](#)

[17-0952](#) 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:** [17-0952](#)

## 5. Personnel Committee (Consent)

## 6. Public Infrastructure Committee (Consent)

[17-0893](#) Request to rescind the weed charge at 1247 South 31st Street, recommending denying the request.

**Attachments:** [17-0893](#)

[17-0901](#) Request to rescind a weed charge for 1802 Washington Street. Recommending denying the request.

**Attachments:** [17-0901\\_201708301110](#)

[17-0903](#) Disc Golf Project Request for Course Expansion funded through Parkland Dedication Fund up to \$11,388. Recommending approval subject to approval of City Attorney and referred to Consent Agenda.

**Attachments:** [2017 Improvements - Silver Creek Park FINAL.pdf](#)

[17-0905](#) Request to rescind the "fine" portion of the weed charge for properties on Ridgeway Court. Recommending denying the request.

**Attachments:** [17-0905\\_201708301257](#)

[17-0907](#) Property Owner looking to develop vacant lot on West Custer Street East of S. Alverno Road which is considered wetland. Recommending placing on file.

**Attachments:** [17-0907\\_201708301352](#)

[17-0908](#) Request to rescind weed charge for 2312 South 21st Street. Recommending granting the request.

**Attachments:** [17-0908\\_201708301400](#)

[17-0909](#) Request to reduce the weed charge fee for 721 North 7th Street. Recommending denying the request.

**Attachments:** [17-0909\\_201708301405](#)  
[201709051303](#)

[17-0916](#) Report of Board of Public Works of 08/23/2017 for 1st and Final payment of \$18,218.50 to Mulch Express of Wisconsin to Furnish & Install Wood Chips to 15 Playgrounds and 2 Islands, recommending payment.

**Attachments:** [17-0916](#)

[17-0917](#) Report of Board of Public Works of 08/23/2017 for 5th and Final payment of \$18,433.03 to Holian Environmental Cleaning Co. for Mirro Building Asbestos & Environmental Hazards Abatement, WB-16-10, recommending payment.

**Attachments:** [17-0917](#)

[17-0920](#) Request to allow the property owners of 1710 Western Avenue to remove the chainlink fence on Westfield Park side and install their own fence that will provide better security for their dogs, recommended working with Life Safety Division for proper permits and inspection.

**Attachments:** [17-0920\\_201708310933](#)

[17-0926](#) Report of Board of Public Works of September 6, 2017 for 3rd and Final payment of \$2,444.50 to Flex Court Athletics for Citizen Park Tennis Court Refurbishment, WS-17-21R, recommending payment.

**Attachments:** [17-0926](#)

[17-0927](#) Progress Invoice from Wisconsin Department of Transportation in the amount of \$4,086.94 for Waldo Blvd, Cty R thru 8th St, Project No. 39515003700, recommending payment.

**Attachments:** [17-0927](#)

[17-0928](#) Progress Invoice from Wisconsin Department of Transportation in the amount of \$22,002.98 for Waldo Blvd, 8th St thru Maritime Dr, Project No. 39545701200, recommending payment.

**Attachments:** [17-0928](#)

[17-0933](#) Report of Board of Public Works of August 23, 2017, of quotes received for ferric chloride for Wastewater Treatment Facility, recommending awarding to low quoter, Kemira Companies in the amount of \$456 per dry ton.

**Attachments:** [17-0933](#)

[17-0941](#) Report of Board of Public Works of September 6, 2017 relative to special assessment at 4018 Springhill Drive, recommending reducing special assessment footage to 220' with Spindler to enter into No Access Agreement for remaining footage not billed.

**Attachments:** [17-0941](#)

[17-0950](#) Report of Board of Public Works meeting of August 23, 2017 relative to the weed complaint appeals process flowing directly to the Board of Public Works. Recommending approval and place on file.

**Attachments:** [17-0950](#)

## **7. Public Safety Committee (Consent)**

## **8. Plan Commission (Consent)**

[17-0945](#) Report of City Plan Commission relative to amending Section 15.050 of the amended zone map to rezone property east of S. 18th St. and south of Clark St. from "R-4" Single and Two Family District to "I-2" Heavy Industrial District. Recommending Clerk to call for public hearing.

**Attachments:** [17-0945](#)

## **I. COMMITTEE REPORTS**

## 1. Committee of the Whole

[17-0959](#) Discussion on Riverview Drive Apartments Status Memo

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

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

## 2. Finance Committee

[17-0816](#) Report of Finance Committee with recommendation of Alex Allie to serve as a member of the Manitowoc Public Utilities Commission for a five year term, October 1, 2017 through September 30, 2022.

**Attachments:** [17-0816](#)

It was moved by Alderperson Brey to nominate Alex Allie as a member of the Manitowoc Public Utilities Commission. There being no further nominations, nominations were closed and upon roll call vote, the following voted for Allie: Kummer, Czekala, Soeldner, Sitkiewitz, McMeans, Brey, Gabriel, Novak, Lotz. Mayor declared Alex Allie elected to serve for a five-year term.

[17-0877](#) Resolution Providing for the Sale of Approximately \$775,000 General Obligation Promissory Note.

**Attachments:** [prs capital financing plan manitowoc 090517](#)  
[cr4 manitowoc cy \(Base\)](#)  
[cr4 manitowoc cy \(Sc2\)](#)

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

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

[17-0896](#) Term Sheet for Tax Incremental Financing for Project "Spirit" on Parcel 000-237-000.

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

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

[17-0897](#) Project Plan and Boundary for Creation of Tax Incremental Financing District #19, Downtown.

**Attachments:** [TID 19 Project Plan - DRAFT 09182017](#)

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

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

**Nay:** 1 - Soeldner

[17-0898](#) Resolution Supporting Creation of Tax Incremental Financing District #19, Downtown, and Declaring the Area in Need of Rehabilitation and Conservation.

**Attachments:** [17-0898](#)

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

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

**Nay:** 1 - Soeldner

[17-0904](#) Term Sheet for Schuette Building Renovations Including Tax Incremental Financing, Brownfields Loan, Downtown Revolving Loan, and WEDC Grant.

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

**Aye:** 8 - Soeldner, Brey, McMeans, Sitkiewitz, Kummer, Czekala, Lotz and Gabriel

**Nay:** 1 - Novak

[17-0910](#) Ordinance to recreate Section 11.010(14) of the Municipal Code regulating Reserve "Class B" Licenses.

**Attachments:** [17-0910](#)

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

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

[17-0951](#) Resolution Authorizing Amendments to \$3,000,000 City of Manitowoc, Wisconsin Midwestern Disaster Area revenue Bonds, Series 2012 (Baileigh Industrial, Inc. Project) Issued on June 27, 2012.

**Attachments:** [Resolution 17-0951](#)

[Bond Amendment Summary](#)

[17-0951](#)

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

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



[17-0971](#) Request from Ted Frisch, Agent, Three T's, Inc. to extend his tavern license TAV-1766 on October 7th to include a fenced-in area of his parking lot, for premise located at 2202 Marshall St.

**Attachments:** [17-0971](#)

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

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

### 3. Personnel Committee

[17-0892](#) Request to enter into 2018 DPW Wage Agreement with Local 662.

**Attachments:** [Base Wage Negotiating Request](#)  
[17-0892](#)

**Moved by Sitkiewitz, seconded by Czekala, that this Request be accepted, HR Director to respond, and placed on file. The motion carried by the following vote:**

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

[17-0956](#) Resolution to revise Employee Policy Manual compensation plan matrix.

**Attachments:** [17-0956](#)

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

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

### 4. Public Infrastructure Committee

[17-0906](#) Request to approve the Terrace Planting Policy Revised August 2017.

**Attachments:** [17-0906\\_201708301324](#)

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

**Aye:** 8 - Soeldner, Brey, McMeans, Sitkiewitz, Kummer, Czekala, Novak and Lotz

**Nay:** 1 - Gabriel

[17-0915](#) Stormwater Management Facility Maintenance Agreement with David and Lori Schultz (d.b.a. Dave's Auto), 2329 N. Rapids Rd.

**Attachments:** [17-0915](#)

**Moved by Kummer, seconded by Soeldner, that this Agreement be entered into.  
The motion carried by the following vote:**

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

[17-0565](#) Approval to allow dogs in the City Parks and referred to Consent Agenda, recommend to direct City Attorney to draft an Ordinance for Council.

**Attachments:** [17-0565\\_201706011105](#)  
[17-0565\\_201709051407](#)

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

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

[17-0919](#) Resolution for Permanent Limited Easement (PLE) for City parcel on Waldo Blvd near Little Manitowoc River.

**Attachments:** [17-0919\\_201708310957](#)

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

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

[17-0949](#) Agreement (AGMT 17-12) with Klein Asphalt Maintenance Inc. for asphalt maintenance to the two parking lots at the Senior Center, 3330 Custer St. Recommending entering into the agreement.

**Attachments:** [17-0949](#)

**Moved by Kummer, seconded by Soeldner, that this Agreement be entered into.  
The motion carried by the following vote:**

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

[17-0954](#) Resolution in support of the 2018 Wisconsin DNR Urban Forestry Grant.

**Attachments:** [17-0954](#)

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

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

[17-0958](#) Ordinance to amend Section 14.020 of the Municipal Code pertaining to regulations of parks and related facilities, to dogs within parks and beach areas in the City of Manitowoc.

**Attachments:** [17-0958](#)

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

**Aye:** 8 - Soeldner, Brey, McMeans, Sitkiewitz, Kummer, Czekala, Lotz and Gabriel

**Nay:** 1 - Novak

## 5. Public Safety Committee

[17-0955](#) Ordinance to amend Section 10.390 of the Manitowoc Municipal Code regulating parking prohibitions on Menasha Ave.

**Attachments:** [17-0955](#)

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

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

## 6. Plan Commission

[17-0880](#) Tax Incremental District #19: Proposed Downtown TID 19 Project Plan and Boundary Creation. Recommending to approve the project plan, boundary including City Hall and Library.

**Attachments:** [17-0880](#)

[TID 19](#)

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

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

**Nay:** 1 - Soeldner

[17-0881](#) Proposed Land Sale in I-43 Industrial Park east of I-Tec Drive. Lot 7, Block 3, Manitowoc I-43 Industrial Park No. 3. Tax Parcel #449-003-070.

**Attachments:** [17-0881 PC 24-2017 Staff Report with attachments](#)

[17-0881 Report to Council Color Craft Land sale](#)

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

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

[17-0882](#) Plan Commission's Resolution approving Tax Incremental District 19 Project Plan and Boundary. Recommending accepting and place on file.

**Attachments:** [17-0882](#)

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

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

**Nay:** 1 - Soeldner

**J. OTHER BUSINESS**

**K. ADJOURN**

Meeting adjourned at 8:10 p.m.

**Moved by McMeans, seconded by Brey, that this meeting be adjourned. The motion carried by the following vote:**

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

**Deborah Neuser  
City Clerk**