



City of Manitowoc

Meeting Minutes

Common Council

20-0921
900 Quay Street
Manitowoc, WI 54220
www.manitowoc.org

CONSENT

Monday, August 17, 2020

6:30 PM

Council Chambers

Note-Meeting will also be available via Remote Conferencing

A. CALL TO ORDER

B. ROLL CALL

Alders Present: 10 - Jim Brey, Eric Sitkiewitz, Steven Czekala, Scott McMeans, Jeremiah Novak, Courtney Hansen, Bill Schlei, Brett Vanderkin, John Brunner and Aaron Bailey

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

20-0813 Recognition of WOMT Radio's Recent Awards from the Wisconsin Broadcasters Association

20-0826 Commendation to Manitowoc County Deputy Jonathon Schwede

E. PUBLIC HEARINGS

20-0814

6:31 p.m. - Public Hearing for the purpose of hearing any and all interested parties in the matter of proposed changes to Chapter 15 of the Manitowoc Municipal Code regulating off-street parking and loading.

Mayor declared the meeting open for a public hearing for the purpose of hearing any and all interested parties in the matter of proposed changes to Chapter 15 of the Manitowoc Municipal Code regulating off-street parking and loading.

City Clerk reported that the notice of the hearing was published in the Herald Times Reporter on August 3 & 10, 2020. (Proof of publication is on file in the City Clerk's office).

Community Development Director Adam Tegen gave an overview of the proposed changes.

The following persons appeared to address the Council regarding the proposed change:

No interested parties appeared.

Mayor declared the public hearing closed. (A recording of the entire hearing is on file in the City Clerk's office).

20-0815

6:32 p.m. - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from "P-1" Conservancy to "R-5" Low Density Multiple-Family District for property located in the 1100 block of Bayshore Drive.

Mayor declared the meeting open for a public hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from "P-1" Conservancy to "R-5" Low Density Multiple-Family District for property located in the 1100 block of Bayshore Drive.

City Clerk reported that the notice of the hearing was published in the Herald Times Reporter on August 3 & 10, 2020. (Proof of publication is on file in the City Clerk's office).

Community Development Director Adam Tegen gave an overview of the proposed changes.

The following persons appeared to address the Council regarding the proposed change:

Ray Bieberitz
Bobbi Jo Welch

No other interested parties appeared.

Mayor declared the public hearing closed. (A recording of the entire hearing is on file in the City Clerk's office).

20-0816

6:33 p.m. - Public Hearing for the purpose of hearing any and all interested parties in the matter of proposed changes to Chapter 15 of the Manitowoc Municipal Code; Proposed changes: Amendment to Chapter 15.030 and 15.310(3) Removing Recycling Facilities as a Conditional Use in the C-1 Commercial Zoning District

Mayor declared the meeting open for a public hearing for the purpose of hearing any and all interested parties in the matter of proposed changes to Chapter 15 of the Manitowoc Municipal Code. Proposed changes: Amendment to Chapter 15.030 and 15.310(3) Removing Recycling Facilities as a Conditional Use in the C-1 Commercial Zoning District.

City Clerk reported that the notice of the hearing was published in the Herald Times Reporter on August 3 & 10, 2020. (Proof of publication is on file in the City Clerk's office).

Community Development Director Adam Tegen gave an overview of the proposed changes.

The following persons appeared to address the Council regarding the proposed change:

No interested parties appeared.

Mayor declared the public hearing closed. (A recording of the entire hearing is on file in the City Clerk's office).

20-0817

6:34 p.m. - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit for the establishment of a Transitional Housing Use located at 1114 S. 11th Street, for a maximum overnight capacity of up to 10 individuals

Mayor declared the meeting open for a public hearing for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit for the establishment of a Transitional Housing Use located at 1114 S. 11th Street, for a maximum overnight capacity of up to 10 individuals.

City Clerk reported that the notice of the hearing was published in the Herald Times Reporter on August 3 & 10, 2020. (Proof of publication is on file in the City Clerk's office).

Community Development Director Adam Tegen gave an overview of the proposed changes.

The following persons appeared to address the Council regarding the proposed change:

Christma Rusch

No other interested parties appeared.

Mayor declared the public hearing closed. (A recording of the entire hearing is on file in the City Clerk's office).

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

Plan Commission

20-0753

PC 25-2020: Lighthouse Recovery Community Center; Request for a Conditional Use Permit Under Section 15.230(3)k and 15.370(27) for Property at 1114 S. 11th Street for the establishment of a Transitional Housing Use for a maximum overnight capacity of up to 10 individuals.

Moved by Brey, seconded by Sitkiewitz, to approve the Conditional Use Permit. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0711 Ordinance to Rezone property located in the 1100 block of Bayshore Drive from "P-1" Conservancy to "R-5" Low Density Multiple-Family District.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

2. Miscellaneous

20-0825 Minutes of July 20, 2020 Common Council Meeting, recommending acceptance and place on file.

3. Committee of the Whole (Consent)

20-0846 Report of Special Events Committee relative to approval of the following events: Date Change - Residential Block Party - 2100 Block S. 22nd St. on 9/26/2020; Manitowoc Junior Ships Baseball Tournament on 7/25-7/26/2020; Waiver of Fees - Manitowoc Noon Rotary Meeting on 8/6/2020; Waive of Fees: KAN Cool School Supply Giveaway on 8/15/2020; Waiver of Fees: Blood Drive on 9/9/2020; Scrimmage Baseball Games on 8/2/2020; Date Change - Homet Hustle on 10/4/2020; recommending acceptance of report and place on file.

4. Finance Committee (Consent)

20-0758 Application for "Class B" Intoxicating Liquor & Fermented Malt Beverage License, Brix Place, LLC, 939 S. 8th St., recommend to approve license.

20-0759 Application for "Class B" Intoxicating Liquor & Fermented Malt Beverage License, TAV-2007A, Tonys on Memorial LLC, 1228 Memorial Drive, recommend to approve license.

- 20-0760 CAWG recommendation to fund \$4,700.00 for Boards and Commissions Granicus Product, recommend to refer to the Mayor's office for inclusion into the 2021 budget.
- 20-0766 Funding for a Parklet Prototype, recommend to approve to prototype and spend up to \$7,500 from Room Tax fund balance.
- 20-0767 2nd Quarter Budget Exception Report, recommend to accept and place on file.
- 20-0772 Update on budget for 2020 downtown improvement projects, recommend to accept and place on file.
- 20-0773 Discussion and possible action on \$38,031 remaining from the COVID Small Business Grant Program, recommend to accept and place on file and advise that a formal request for the funds be submitted.
- 20-0774 June 2020 Investment Report, recommend to accept and place on file.
- 20-0775 Discussion on COVID-19 Expenses and CARES Funding, recommend to accept and place on file.
- 20-0777 2019 CAFR and Management Letter, recommend to accept and place on file.
- 20-0790 Communication from City Clerk Deborah Neuser announcing her retirement effective January 7, 2021, recommend to accept and place on file.
- 20-0818 General City Claims in the amount of \$4,892,177.51 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.

5. Personnel Committee (Consent)

- 20-0734 Request from Local 662 to enter into 2021 DPW Wage Agreement, recommending to send letter and place on file.

6. Public Infrastructure Committee (Consent)

- 20-0761 CAWG recommendation to fund \$75,000.00 for Engineering Department Broadway Bridge Overlay/Redecking, recommend to approve the request.
- 20-0762 CAWG recommendation to fund up to \$50,000.00 for Engineering department Concrete Crushing, recommend to approve the request.
- 20-0769 Request to use donation tube funds for transformation of bird exhibit to a porcupine exhibit, recommending approval with Zoo Society matching the contribution
- 20-0770 Masterplan for Lincoln Park Zoo, recommending approval

- 20-0779 Request for sidewalk and/or pedestrian crossings in triangular area of Rapids Rd/Waldo Blvd to North 40th Street, recommending placing on file as Bike and Pedestrian Plan will address sidewalk at this location.
- 20-0783 Stormwater Management Facility Maintenance Agreement for GLTD Holdings, LLC (Color Craft), recommending approval
- 20-0784 Request for wider driveway approach at 2728 Knuell Street, recommending approval of 32.6' driveway approach width
- 20-0785 Flooding concerns at 955 North 5th Street, recommending forwarding a request to CAWG for \$50,000 to install larger inlets and televising misc sewers in the area.
- 20-0788 Request for approval of updated Parks and Recreation Logo, recommending approval of logo submitted by DPI and planed on file
- 20-0820 Report of Board of Public Works of 8/5/2020 for 2nd and Final payment of \$2,214.85 to Green Bay Pipe & TV, LLC for 2020 Televising Miscellaneous Sewers I, WJ-20-5, recommending payment.
- 20-0821 Report of Board of Public Works of 8/5/2020 for 1st and Final payment of \$12,450.00 to Mulch Express of Wisconsin for 2020 Furnish & Install Wood Chips to 15 Playgrounds, 2 Islands and 2 Flowerbeds, AGMT-20-03, recommending payment.
- 20-0822 Report of Board of Public Works of 8/5/20 for 1st and Final payment of \$5,266.00 to Hubbartt Electric Inc. for Light Poles at Riverwalk, AGMT-20-06, recommending payment.
- 20-0823 Report of Board of Public Works of 8/5/2020 for 1st and Final payment of \$15,600.00 to Hutchinson Property Services for Ball Diamond & Field Maintenance at Lincoln Park & West Field Park, AGMT-20-07, recommending payment.
- 20-0824 Report of Board of Public Works of 8/5/2020 for 8th and Final payment of \$1,106.06 to AECOM for Project #60135471 (82518) Former Town of Newton Gravel Pit, recommending payment.
- 20-0839 Progress Invoice from WI DOT for Waldo Blvd. project #39515003776 in the amount of \$2,553.32, recommending payment.
- 20-0840 Progress Invoice from WI DOT for Waldo Blvd. project #39515003777 in the amount of \$299,213.69, recommending payment.

- 20-0844 Report of Board of Public Works of 7/22/2020 of approval to enter into AGMT-20-05 with Lakeland Landscape to provide and plant trees for Concrete and Asphalt Reconstruction areas of the City of Manitowoc as designed and provided by the City Engineering Department and the City Forester for a contract price of \$6,693.00; recommending acceptance and place on file.
- 20-0845 Report of Board of Public Works of 8/5/2020 of approval to enter into AGMT-20-12 with Thor Industrial Services to replace decking on path on east side of 8th St. bridge for a contract price of \$7,200.00; recommending acceptance and place on file.

7. Public Safety Committee (Consent)

- 20-0805 LifeQuest EMS hardship request, calls 182A-19-2927 and 182A-19-2741, recommending to approve the request
- 20-0806 LifeQuest EMS hardship request, calls 182A-19-3573 and 182A-19-3536, recommending approval of a payment plan

8. Plan Commission (Consent)

- 20-0712 Release of Easement ; Lot 3 & Lot 4, Block 5, Doneff Addition No. 3, recommending approval
- 20-0720 Manitowoc Public Utilities: Request for an Electrical Utility Easement from the City of Manitowoc located at 900 Maritime Drive, south of the Little Manitowoc River Walkway, recommending to approve granting of the utility easement to MPU and authorize the Mayor and Clerk to sign the easement document.

I. COMMITTEE REPORTS

1. Committee of the Whole

- 20-0842 Report of Special Events Committee recommending approval of the following events subject to Council action: Windigo Fest on 10/2-10/4/2020 (waiver of noise ordinance until 1 a.m. Friday & Saturday); Drive In Movie on 8/21/2020 (Closure of Quay St. From S. 8th to the Wharf, waiver of noise ordinance until 11 p.m.)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0843 Resolution Affirming Mayoral Declaration of Emergency

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

Council President Sitkiewitz read the notice to convene in closed session: Notice is hereby given that the above governmental body may adjourn into a closed session during the meeting as authorized by Section 19.85(1)(e) of the Wisconsin Statutes, which authorizes the governmental body to convene in closed session for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. The specific subject matter that may be considered in closed session is:

20-0782 Letter of Intent from Doneff's Schuette Building for property located in the 800 Block of Franklin Street

Closed Session

Moved by Brey, seconded by Brunner, to convene in closed session. The motion carried by the following roll call vote:

Aye: 8 - Brey, Sitkiewitz, Czekala, Hansen, Schlei, Vanderkin, Brunner and Bailey

Abstain: 2 - McMeans and Novak

20-0782 Letter of Intent from Doneff's Schuette Building for property located in the 800 Block of Franklin Street

Common Council deliberated in closed session. (redacted – Closed Session)

Reconvene in Open Session

Moved by Schlei, seconded by Czekala, to reconvene in open session. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Czekala, Hansen, Schlei, Vanderkin, Brunner and Bailey

Abstain: 2 - McMeans and Novak

2. Finance Committee**20-0764** Appointments to Capital Allocation Working Group for term June 1, 2020 through May 31, 2022: Adam Tegen, Community Development Director; Nick Reimer, Police Chief; Todd Blaser, Fire Chief; Greg Vadney, Director Rahr-West Art Museum; Dan Koski, Director of Public Infrastructure; Jeremy Walvoord, Buildings and Grounds/Fleet Division Manager, Steve Corbeille, Finance Director/Treasurer

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0771 Resolution to set rate of pay for Municipal Board of Absentee Canvassers (Central Count)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0776 Term Sheet for Howe Building Renovation at 702 York Street for project by East Point Rentals LLC

Moved by Brey, seconded by McMeans, to approve the Term Sheet as negotiated by the Community Development Director. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0827 Two year operator license application #200215 for Courtney Siebert, requesting Council approval and waiver of MMC 11.010(4) requiring applicants be Manitowoc County residents continuously for a period of not less than one year.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0828 Two year operator license application #200212 for Kylie Bowman, requesting Council approval and waiver of MMC 11.010(4) requiring applicants be Manitowoc County residents continuously for a period of not less than one year.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0829 Resolution to Fill Vacancies and Have an Overlap in the Finance Department

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0835 Contribution Request from Eternal Flame Fundraising Committee

Moved by Brey, seconded by McMeans, to approve the request of \$50,000.00 to be taken from the General Fund - Undesignated. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0836 CAWG recommendation to fund up to \$50,000 for Department of Public Infrastructure for storm inlets and restoration work in the N. 5th St. and Pine St. area

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0838 Resolution to Approve Seasonal Hiring Rate for Election Custodian for 2021

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

3. Personnel Committee

20-0436 Police Six Month Contract Approval

Moved by Czekala, seconded by Hansen to approve as proposed.

Motion to approve amended by Czekala and seconded by Hansen to Place on File. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

Moved by Czekala, seconded by Hansen, to place this on file. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0837 Resolution to Approve Pandemic Response Policy

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0841 Ordinance to set Mayor's salary for 2021-2024

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

4. Public Infrastructure Committee

20-0112 Pedestrian Sign Installation and Maintenance Agreement with Alliance Laundry

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

5. Public Safety Committee**20-0763** CAWG recommendation to fund up to \$54,401 for Manitowoc Fire Rescue Department Communication Equipment.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0801 An ordinance to amend section 14.575 of the MMC regulating Sexual Offender Residency Restrictions.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0802 An ordinance to amend section 8.250 of the MMC regulating parks and park facility Exclusions.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0847 Ordinance to amend 10.390 of the Manitowoc Municipal Code regulating Parking Prohibited on North 12th Street

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

6. Plan Commission**20-0531** Ordinance to Amend Chapter 15.030 Definitions, 15.430 Off-Street Parking and Loading Regulations and 15.510 Mobile Home Parks, Mobile Homes, Manufactured Homes and Recreational Vehicles.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0719 Ordinance to Amend Chapter 15.030 Definitions and 15.310(3) Removing Recycling Facilities as a Conditional Use in the C-1 Commercial Zoning District.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

J. OTHER BUSINESS

K. ADJOURN

Moved by Sitkiewitz, seconded by Brunner, that this meeting be adjourned at 7:36 p.m. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

**Deborah Neuser
City Clerk**