



## City of Manitowoc

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

### Meeting Minutes

### Common Council

Monday, July 15, 2019

6:30 PM

Council Chambers

#### A. CALL TO ORDER

#### B. ROLL CALL

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

#### C. PLEDGE OF ALLEGIANCE & INVOCATION

#### D. PRESENTATIONS

19-0802 City Clerk administers Oath of Office followed by badge pinning for the following Firefighter/Paramedics: Wesley Pautz, Zachary Enright, Tyler Zastrow, and Michael Loritz

#### E. PUBLIC HEARINGS

19-0766 6:30 p.m. Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from "C-1" Commercial and "P-1" Conservancy to "B-2" Neighborhood Business and "B-3" General Business for property located at 200 E. Waldo Blvd.

Mayor declared the meeting open for a public hearing for the purpose of hearing any and all interested parties in the matter of proposed change in zone from "C-1" Commercial and "P-1" Conservancy to "B-2" Neighborhood Business and "B-3" General Business for property located at 200 E. Waldo Blvd.

City Clerk reported that the notice of the hearing was published in the Herald-Times-Reporter on July 1 & 8, 2019. (Proof of publication is on file in the City Clerk's office).

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

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.

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

19-0813 Mayor to appoint Alderperson Mike Williams as an alternate to Alderperson

Sitkiewitz on the Ethics Commission.

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

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

## H. CONSENT AGENDA

### 1. Removal of Consent Agenda Items

Removal of document 19-0749 by Ald. Sitkiewitz; removal of document 18-1031 by Ald. Howe.

### 2. Miscellaneous

#### 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, Kummer, Czekala, Williams, McMeans, Howe, Novak, Lotz and Jacobs

- 19-0768 Minutes of June 17, 2019 Common Council meeting, recommending acceptance and place on file.
- 19-0767 Resignation from Ben Harrison from Industrial Development Corporation, recommending acceptance and place on file.
- 19-0780 Thank you from Kevin Crawford for Crawford Blvd. dedication event, recommending acceptance and place on file.
- 19-0815 Fund statement from Lakeshore Community Foundation Q2 City of Manitowoc K-9 Preservation Fund, recommending acceptance and place on file.
- 19-0825 Communication from Public Service Commission of WI relative to application to adjust electric rates, recommending acceptance and place on file.

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

- 19-0795 Report of Special Events Committee relative to approval of the following events: Tuesdays at 10! on 6/18-8/6/2019; Lighthouse Tour on 7/13/19; Skatepark Expansion Opening Celebration on 7/13/2019; Fill the Boot Drive on 8/15-8/17/19; Stake Permit - Lakeshore CAP 0.5K on 8/17/19; Silver Creek Bike Race on 9/7/19; Bike Ride for Hunger on 9/21/19; Residential Block Party - 4300-4400 blk Country Ln on 7/20/19; Ice Cream Social on 6/29/19; Waiver of Fees - Manitowoc County Fair on 8/21-8/25/19; Waiver of Fees - AIS Snapshot Day on 8/17/19; Waiver of Fees - Manitowoc River Paddle Appreciation on 9/13/19; ManitoWALK vs ALS on 8/24/19; Scenic Shore 150 Bike Tour on 7/20-7/21/19; State Permit - Brutal Wear Open Tennis Tournament on 8/9-8/11/19; Running-A-Fair on 8/21/19; Stake Permit - Thrivent Member

Summer Picnic on 7/18/19; recommending acceptance and place on file.

- 19-0814 Communication from Community Development Director April Kroner resigning her position effective July 19, 2019, recommending acceptance of resignation and place on file.

#### 4. Finance Committee (Consent)

- 19-0669 Proposed addition to City's Guidebook, Chapter 3.6 - Budget Carryforward Policy, recommending approval
- 19-0720 Minutes of May 7, 2019 Finance Committee meeting, recommending approval and place on file.
- 19-0721 Minutes of MPU Commission meetings of April 22, 2019 & May 13, 2019, recommending acceptance and place on file.
- 19-0724 Request from Don Murray, Agent, TLM Investments, Inc. to extend his tavern license TAV-1954 on September 7th to include a fenced-in area of his parking lot for annual charity bike wash, for premise located at 1421 S. 39th Street, recommending approval.
- 19-0726 Update on Services Agreement with Grow It Forward, recommending to place on file.
- 19-0727 Responsible Bidder Criteria, recommending to place on file.
- 19-0728 Sidewalk Cafe Permit application for Ryan's on York including extension of premise to serve alcohol at outdoor sitting area, recommending approval.
- 19-0736 Amend the Room Tax Allocations Policy including the Discover Manitowoc Grant Policy, recommending approval.
- 19-0769 General City Claims in the amount of \$2,033,906.03 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.
- 19-0800 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)

- 19-0740 Transit Grievance-05-16-2019 Denial, recommending to place on file.
- 18-1255 Discussion on Contracting for Concession Services throughout the City of Manitowoc, recommending approval of Request for Proposal to send out to potential contractors.

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- 19-0471 Discussion regarding converting eastern most lane of Lakeside Boulevard into a bike lane, recommending including in 2020 budget.
- 19-0743 Request for bus stop at 8th and School Street, recommending removing bus stop.
- 19-0744 Request to purchase a Cemetery Backhoe, recommending approval of cooperative purchasing agreement for equipment
- 19-0747 Request for curb and Gutter on Roneta Lane be extended west to include 5017, 5018 and 5024 Roneta Lane, recommending approving and forwarding to Mayor for 2020 budget
- 19-0770 Report of Board of Public Works of 06/27/2019 for 3rd and Final payment of \$51,950.00 to 5th Pocket Skateparks for 2019 Miracles Skate Park Upgrades, WS-19-2, recommending payment.
- 19-0771 Report of Board of Public Works of 6/27/19 of approval to enter into a contract with SC Concrete for a new concrete walkway through Red Arrow Park, AGMT-19-13, for a contract price of \$22,680.25, recommending acceptance and place on file.
- 19-0772 Report of Board of Public Works of 6/27/19 of approval to enter into a contract with Hubbart Electric, Inc. for new lighting for walkway monuments, flag poles, cannon and future areas at Red Arrow Park, AGMT-19-14, for a contract price of \$9,376.00, recommending acceptance and place on file.
- 19-0773 Park project update for playground equipment and splash pads, recommending approval of revised parks plan and move forward with new budgeted plan
- 19-0775 Report of Board of Public Works of approval to enter into a contract with Fortress Fence for repairs to fence at ball field at Lincoln Park, repairs to fence on Field 1 at Citizen Park, AGMT-19-15, for a contract price of \$18,475.00, recommending acceptance and place on file.
- 19-0779 On Street parking West side of North 9th Street from Maritime Drive to York Street, recommending approval and blocking off driveway approach with a barricade.
- 19-0811 Progress invoices from WI Department of Transportation for Waldo Blvd project in the amounts of: \$7,908.51, \$6,214.16, \$1,756.98, \$240,576.82, \$491.14, recommending payment.
- 19-0817 Report of Board of Public Works of 7/10/19 for 6th and Final payment of \$64,412.75 to Vinton Construction for 2018 Concrete Paving, WS-18-1, recommending payment.
- 19-0818 Report of Board of Public Works of 7/10/19 for 2nd and Final payment of \$9,987.50 to Badger Docks Lifts for Kayak Launch at Manitou Park, AGMT-19-12, recommending payment.

- 19-0821 Report of Board of Public Works of July 10, 2019 of denial for weed cutting assessment appeal for property located at 721 S. 22nd St., recommending acceptance and place on file.

## 7. Public Safety Committee (Consent)

- 19-0646 Riverview Park emergency siren testing, recommending to place on file.
- 19-0776 Request for 2-hour parking on the West side of South 8th Street between W. Marshall Street and Hamilton Street, in front of Burbey CPA LLC business frontage, recommending to place on file.

## 8. Plan Commission (Consent)

### I. COMMITTEE REPORTS

#### 1. Committee of the Whole

- 18-1228 Performance Management and Pay Recommendation

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

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

- 19-0796 Report of Special Events Committee recommending approval for the following events subject to Council action: Windigo Fest & Parade on 10/4-10/6/19 (Closure of Franklin St. from S. 6th-8th, parking restrictions along parade route on Sat. on 8th St. from Washington to State St. & lift downtown parking restrictions; Waiver of noise ordinance until midnight on Fri. & Sat.; Permission for vendors to sell food & alcohol on City property); Fat Seagull Street Party on 7/27/19 (Closure of Quay St. from S. 8th to S. 9th; extension of premise for alcohol); St. Francis Community Picnic on 8/9-8/10/19 (Closure of N. 14th St. between Waldo & Menasha); Kiwanis Car & Motorcycle Show on 8/11/19 (Closure of S. 11th & S. 12th Sts. between Washington & Marshall Sts., waiver of rules prohibiting alcohol in the park); Balloon Glow on 8/16/19 (Closure of Quay St. from S. 6th to S. 8th); Manitowoc Praisefest (Closure of S. 12th St. from Washington to Marshall St.)

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

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

- 19-0801 Resolution authorizing staff to apply for the Wisconsin Assessment Monies Program (WAM) - Contractor Services Award for the Canadian National Peninsula property

Moved by Sitkiewitz, seconded by McMeans, that this Resolution be adopted. The

motion carried by the following vote:

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

## 2. Finance Committee

19-0723 Presentation by Brad Viegut regarding the City's Financing Timeline and 2019 borrowing amount, and illustrative financing plan for subsequent years.

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

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

19-0725 Ordinance to amend Section 1.030(5) of the Municipal Code changing the location of the voting place for the Fifth Aldermanic District to The Manitowoc Public School District Administration Office at 2902 Lindbergh Drive (East entrance)

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

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

19-0730 Ordinance to amend Section 11.260 of the Manitowoc Municipal Code regulating Sidewalk Cafes

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

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

19-0799 Application for "Class B" Intoxicating Liquor & Fermented Malt Beverage License, TAV-1970-1, for Pizza Garden, 301 N. 8th Street

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

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

19-0812 Request from Bridgeview Bar, TAV-1953 for an extension of premise for an event on July 20, 2019

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

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

19-0816 Receipt and Release from Shirley M. Jacob Administrative Trust for distributions of \$1,319.16 and \$19,510.79 to Manitowoc Senior Center.

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

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

### 3. Personnel Committee

19-0696 Resolution to Approve Revised Background Check Policy

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

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

19-0738 Resolution to Backfill Community Development Director Position

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

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

19-0739 Accommodations for Pregnant Police Officers - Request from Officer Devalk

Moved by Czekala, seconded by Sitkiewitz, that this Report be placed on file. The motion carried by the following vote:

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

19-0741 Transit Grievance-05-22-2019-Denial

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

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

### 4. Public Infrastructure Committee

19-0746 Resolution for Ornamental Lighting - Meijer Lane and Crawford Blvd extension

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

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

19-0749 Request from Wellness Committee for a discount at Aquatic Center/Mini Golf for City Employees, recommending a \$1 discount for City Employees

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

Aye: 6 - Brey, Czekala, McMeans, Howe, Novak and Lotz

Nay: 4 - Sitkiewitz, Kummer, Williams and Jacobs

- 19-0754      **Revision #4 - State/Municipal Financial Agreement for a State Let Highway Project**
- Moved by Novak, seconded by Kummer, that this Agreement be approved and enter into the agreement. The motion carried by the following vote:**
- Aye:** 10 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Novak, Lotz and Jacobs
- 19-0793      **Consulting Services Agreement with AECOM for Infrared (IR) Thermographic Testing of the Bridge Decks on the Broadway St. & 21st. St. Bridges.**
- Moved by Novak, seconded by Kummer, to enter into the agreement. The motion carried by the following vote:**
- Aye:** 10 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Novak, Lotz and Jacobs
- 19-0794      **Ordinance to adjust rates for sewer service charges effective August 1, 2019**
- Moved by Novak, seconded by Kummer, that this Ordinance be adopted. The motion carried by the following vote:**
- Aye:** 10 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Novak, Lotz and Jacobs
- 19-0827      **Ordinance prohibiting dogs in Miracles Park**
- Moved by Novak, seconded by Kummer, that this Ordinance be adopted. The motion carried by the following vote:**
- Aye:** 10 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe, Novak, Lotz and Jacobs

## 5. Public Safety Committee

- 18-1031      **Update on Design of Pedestrian Bridge over the Little Manitowoc River, recommending approval of staff moving forward with design and foundation and bridge installation in 2020.**
- Moved by Howe, seconded by Williams, that this Request be denied and removed from the budget. The motion failed by the following vote:**
- Aye:** 1 - Howe
- Nay:** 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Jacobs
- Moved by Novak, seconded by Kummer, that this Request be approved to have staff move forward with the project. The motion carried by the following vote:**
- Aye:** 9 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Novak, Lotz and Jacobs
- Nay:** 1 - Howe

Mayor confirmed budget cap of \$150,000.

- 19-0822      **Ordinance regulating Two Hour Parking on York Street and N. 9th Street**



Moved by Howe, seconded by Lotz, to approve the committees report.

After short discussion it was moved by Sitkiewitz, seconded by Kummer, that this Ordinance be tabled. The motion carried by the following vote:

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

19-0823 Ordinance to amend Section 10.390 of the Municipal Code regulating parking on N. 9th Street

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

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

19-0826 Ordinance to amend Section 10.730 of the Municipal Code regulating Angle Parking

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

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

## 6. Plan Commission

19-0293 Ordinance amending Section 22.010 of the Municipal Code entitled: "Official Map - Master Subdivision Plans" for portion of Archer Street Vacation

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

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

19-0294 Resolution approve the discontinuance of a portion of Archer Street , in the interest of the public, pursuant to Wis. Stat. 66.1003.

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

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

19-0733 Ordinance Rezoning from C-1 Commercial & P-1 Conservancy to B-2 Neighborhood Business & B-3 General Business property located at 200 E. Waldo Blvd and adjacent land near E. Waldo Blvd & Bayshore Drive.

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

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

## 7. Finance Committee

19-0729

Resolution Providing for the Sale of Approximately \$6,900,000 General Obligation Promissory Notes

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

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

**J. OTHER BUSINESS**

**K. ADJOURN**

Moved by Sitkiewitz, seconded by McMeans, that this meeting be adjourned to Thursday, July 25th at 6:00 p.m. The motion carried by the following vote:

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

**Deborah Neuser  
City Clerk**