



# City of Manitowoc

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

## Meeting Minutes

### Common Council

Monday, December 21, 2020

6:30 PM

Council Chambers

Note-Meeting will also be available via Remote Conferencing

#### A. CALL TO ORDER

#### B. ROLL CALL

**Alderspersons Present:** 9 - Jim Brey, Eric Sitkiewitz, Steven Czekala, Scott McMeans, Jeremiah Novak, Courtney Hansen, Bill Schlei, Brett Vanderkin and John Brunner

**Alderspersons Absent:** 1 - Aaron Bailey

#### C. PLEDGE OF ALLEGIANCE & INVOCATION

#### D. PRESENTATIONS

20-1276

City Clerk administers Oath of Office followed by badge pinning for Police Officer Noah Draxler and Police Officer Bruce Tuma

#### E. PUBLIC HEARINGS

20-1219

6:31 PM - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from R-1 Residential-Agricultural to R-4 Single and Two-Family District for the property located at 4816 W Custer Street.

Mayor declared the meeting open for a public hearing on this matter.

City Clerk reported that the notice of the public hearing was published in the Manitowoc Herald Times Reporter on December 7 & 14, 2020. (Proof of publication is on file in the City Clerk's office).

Community Development Director Adam Tegen provided an overview of the proposed zone change.

The following persons appeared to address the Council regarding this matter:

No interested parties appeared.

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

20-1220

6:32 PM - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from R-1 Residential-Agricultural to P-1 Conservancy District for the property located at 1011 S Parkview Road.

Mayor declared the meeting open for a public hearing on this matter.

City Clerk reported that the notice of the public hearing was published in the Manitowoc Herald Times Reporter on December 7 & 14, 2020. (Proof of publication is on file in the City Clerk's office).

Community Development Director Adam Tegen provided an overview of the proposed zone change.

The following persons appeared to address the Council regarding this matter:

No interested parties appeared.

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

Aldersperson Aaron Bailey joined the meeting at 7:21 p.m.

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

**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**

20-1223 Appointment of Sonia Vasquez to the Citizens Advisory Committee

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

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

**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**

20-1225 Minutes of November 16, 2020 Common Council meeting, recommending approval and place on file.

20-1221 Resignation from Grant Mihalakakos from Crime Prevention Committee effective immediately, recommending acceptance and place on file.

20-1222 Resignation from Joe Holzinger from Building Board of Appeals, recommending acceptance and place on file.

20-1226 Thank you letters from Peter's Pantry, Holy Family Memorial, and The Salvation Army for donation from the Schuette, Wernecke, Wilda, Rank Christmas Fund, recommending placing on file.

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

- 20-1242 Report of Special Events Committee relative to approval of the following events: 5K Annual Run, Walk, & Roll on 10/9/2021; Santa is Coming to Manitowoc! on 11/25/2020 - 12/23/2020; Shelltrack Fat Bike Race on 1/2/2021; Blood Drive on 1/11/2021; Snow Fest on 1/16/2021; WI American Legion Baseball 17u State Tournament on 7/23/2021 - 7/28/2021; WAIVER OF FEES - Community Christmas Dinner on 12/16/2020; recommending acceptance of report and place on file.

**4. Finance Committee (Consent)**

- 20-1160 Communication from City Assessor on 2021 Omitted Property Roll for Parcel 000-230-120 (Doneff's Schuette Building, Inc.) in the amount of an additional \$1,250,000 improvements for 2020, recommend to accept and place on 2021 Omitted Property Roll resulting in additional taxes in the amount of \$26,620.75 for 2020.
- 20-1161 Notice of Claim for Damages from Todd Coenen, Julie Coenen, and Maxwell Coenen, recommend to refer to City Attorney.
- 20-1162 Application for "Class B" Intoxicating Liquor & Fermented Malt Beverage License, TAV-2020A, Mi Tequila LLC, d/b/a El Tequila, 4411 Calumet Ave, recommend to approve application.
- 20-1236 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.
- 20-1237 General City Claims in the amount of \$2,896,314.60 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)****6. Public Infrastructure Committee (Consent)**

- 20-1157 Flower Delivery from Burial Search.com, recommending approval
- 20-1158 Request to waive the street tree removal permit fee at 1807 Washington Street, recommending waiving of permit fee and allowing planters in place of tree
- 20-1163 Bridge Gate Invoice Dispute, recommending to refer to City Attorney

- 20-1229 Report of Board of Public Works of 12/2/20 of approval to place Parks Forestry Assessment for property at 1329 S. 13th St. on a 5-year, no-interest payment plan, recommending acceptance and place on file.
- 20-1230 Report of Board of Public Works of 12/9/20 of request for placement of balcony encroaching City right-of-way at 812/814 S 8th St., recommending to approve the request with the property owner to work with the City Attorney to enter into a Sidewalk Privilege Agreement.
- 20-1232 Report of Board of Public Works of 12/2/2020 for 2nd and Final payment of \$7,704.52 to Vinton Construction for 2020 Concrete Slab Replacement, WS-20-10, recommending payment.
- 20-1233 Report of Board of Public Works of 12/2/2020 for 3rd and Final payment of \$19,601.85 to Vinton Construction for 2020 Misc Construction at South 8th & Quay St, WS-20-16, recommending payment.
- 20-1234 Report of Board of Public Works of 12/2/2020 for 4th and Final payment of \$16,878.68 to Vinton Construction for 2020 Asphaltic concrete Paving Program, WS-20-4, recommending payment
- 20-1245 Progress Invoices from WI DOT in the amount of \$25,326.09 for Waldo Blvd. project #39515003776 and \$4,251.03 for Waldo Blvd. project #39515003777, recommending payment.
- 20-1246 Report of Board of Public Works of 12/9/2020, of quotes received for Two (2) New Fire Engines, QE-20-7, recommending awarding Seagrave Fire Apparatus, LLC in the amount of \$1,268,137.00
- 20-1249 Report of Board of Public Works of 11/11/2020, of bids received for Lincoln Park Fieldhouse Accessibility Renovation, Project WB-20-20, recommending awarding to low bidder, Hamann Construction in the amount of \$104,819.00 with the additional funds per CAWG approval.
- 20-1252 Report of Board of Public Works of 12/16/2020 for 3rd and Final payment of \$41,400.81 to Vinton Construction for 2020 Concrete Paving III, WS-20-7, recommending payment.
- 20-1253 Report of Board of Public Works of 12/16/2020 for 2nd and Final payment of \$23,679.38 to Vinton Construction for 2020 Signalization Crawford Blvd & Harbor Town Ln, WS-20-12, recommending payment.
- 20-1254 Report of Board of Public Works of 12/16/2020 for 3rd and Final payment of \$18,361.72 to Vinton Construction for 2020 Concrete Paving, WS-20-1, recommending payment

- 20-1255 Report of Board of Public Works of 12/16/2020 for 9th and Final payment of \$58,344.28 to Vinton Construction for 2020 Concrete Paving II, WS-20-2, recommending payment.
- 20-1256 Report of Board of Public Works of 12/16/2020 for 1st and Final payment of \$26,805.10 to Northern Pipe, Inc. for 2020 Televising Miscellaneous Sewers II, WU-20-14, recommending payment
- 20-1259 Report of Board of Public Works of final payments to contractors for Agreements under \$25,000.00, recommending acceptance and place on file.

## 7. Public Safety Committee (Consent)

- 20-0804 LifeQuest EMS hardship request, call 182A-19-2213. Recommendation to set up payment plan on \$243.88.
- 20-1198 Sex offender residency appeal for Michael Dean. Recommendation to approve.
- 20-1199 Lakeshore Humane Society agreement between the cities of Manitowoc and Two Rivers. Recommendation to Approve.
- 20-1200 Request to move the Rectangular Rapid Flash Beacon in the area of Waldo Boulevard at North 15th Street from the west side of the street to the east side. Recommendation to approve and move signs.

## 8. Plan Commission (Consent)

### I. COMMITTEE REPORTS

#### 1. Committee of the Whole

- 20-1217 MOU with Translake (SS Badger) for repayment/forgiveness of 10% share of HAP grant
- Moved by Sitkiewitz, seconded by McMeans, that this Agreement be approved and entered into. The motion carried by the following vote:**
- Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey
- 20-1218 Assignment of Lease and Two Loan Agreements from Trans-Lake to Lake Michigan Carferry
- Moved by Sitkiewitz, seconded by McMeans, that this Agreement be approved and entered into. The motion carried by the following vote:**
- Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

- 20-1224** Crusaders of Justicia report of Alderperson Aaron Bailey (District 7) Legal Residency  
**Moved by Sitkiewitz, seconded by McMeans, that this Report be accepted and placed on file. The motion carried by the following vote:**  
**Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey
- 20-1239** Communication from the office of the State of WI Attorney General in response to residency of Manitowoc's Alderperson for District 7, Aaron Bailey  
**Moved by Sitkiewitz, seconded by McMeans, that this Communication be accepted and placed on file. The motion carried by the following vote:**  
**Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey
- 20-1251** 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
- 20-1250** Resolution Extending the Mask Requirement in City Buildings  
**Moved by Sitkiewitz, seconded by Hansen, that this Resolution be adopted. The motion carried by the following vote:**  
**Aye:** 8 - Brey, Sitkiewitz, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey  
**Nay:** 2 - Czekala and McMeans

## 2. Finance Committee

- 20-1046** Agreement with MPU for Electric Vehicle Charging Station  
**Moved by Brey, seconded by McMeans, that this Agreement be approved, but not to start the project until a rate structure is approved by the Common Council. The motion carried by the following vote:**  
**Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey
- 20-1170** Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing  
**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

- 20-1227** Report of City Clerk of summary of fees collected for leased parking stalls for the previous five lease years
- Moved by Brey, seconded by McMeans, that this Report be accepted and placed on file. The motion carried by the following vote:**
- Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey
- 20-1228** Third Amendment to Granicus Service Agreement to implement Boards and Commissions Module.
- Moved by Brey, seconded by McMeans, that this Agreement be approved and entered into. The motion carried by the following vote:**
- Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey
- 20-1240** Correction of Error from City Assessor for multiple parcels owned by Community Development Authority
- Moved by Brey, seconded by McMeans, to rescind the taxes totaling \$11,885.34 and correct assessments for 2020 on all twenty parcels to \$0. The motion carried by the following vote:**
- Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

### 3. Personnel Committee

- 20-1266** Manty Health & Wellness Center Agreement and Clinic Services for 2021
- Council and Human Resources Director Jessie Lillibridge discussed RFP process
- Moved by Brunner, seconded by McMeans, that this Agreement be referred back to the Personnel Committee for complete RFP process. The motion failed by the following vote:**
- Aye:** 3 - Novak, Brunner and Bailey
- Nay:** 6 - Brey, Sitkiewitz, Czekala, McMeans, Hansen and Schlei
- Abstain:** 1 - Vanderkin
- Moved by Czekala, seconded by Hansen, that this Agreement be approved. The motion carried by the following vote:**
- Aye:** 7 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen and Schlei
- Nay:** 2 - Brunner and Bailey
- Abstain:** 1 - Vanderkin

### 4. Public Infrastructure Committee



- 20-1151 Resolution for Dust Palliatives 2021
- Moved by Novak, 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
- 20-1152 Resolution for City-Wide Sidewalk Construction & Repair program for 2021
- Moved by Novak, 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
- 20-1154 Resolution for 2021 Public Works Program
- Moved by Novak, 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
- 20-1153 Resolution for 2021 Seal Coating Program
- Moved by Novak, 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
- 20-1231 Preliminary Resolution Declaring Intent to Levy Special Assessments for Sanitary Sewer Extension on North Rapids Road.
- Moved by Novak, 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
- 20-1235 Resolution for Street Lighting - Waldo Blvd (Memorial Drive to Fleetwood Drive)
- Moved by Novak, 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
- 20-1238 Ordinance to amend Sections 7.210, 8.190; and 13.050 of the Municipal Code regulating Snow and Ice on Sidewalks, Trees and Shrubs, and Removal of Noxious Weeds
- Moved by McMeans, seconded by Brunner, to amend the Ordinance reducing the 1st offense for snow and weed removal to \$300. The motion tied by the following vote:**
- Mayor Justin Nickels voted aye to break the tie and approve the amendment.**

**Aye:** 5 - Brey, McMeans, Schlei, Brunner and Bailey

**Nay:** 5 - Sitkiewitz, Czekala, Novak, Hansen and Vanderkin

**Moved by Novak, seconded by Hansen, 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

**20-1243** Request to accept donation from citizen for playground equipment at Red Arrow Park

**Moved by Novak, seconded by Hansen, 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

**20-1244** Resolution modifying fee schedule for Department of Public Infrastructure for 2021

\*Clerk's note: Ordinance 20-1238 changes 1st offense fee for snow & weed removal to \$300

**Moved by Novak, 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

**20-1257** Resolution for Ornamental Lighting - Bayshore Development

**Moved by Novak, 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

## **5. Public Safety Committee**

**20-1201** Amendments to Snow, Weed, and Forestry Ordinance and forfeiture schedules

\*Clerk's note: this ordinance is a duplicate of 20-1238 previously adopted at this meeting

**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

**20-1202** Ordinance to amend snowmobile regulations

**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

20-1206 Ordinance to establish forfeiture amount for violations of 14.030, Rabies.

**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

20-1247 Ordinance to amend Section 10.010 of the Municipal Code regulating the speed limit on Broadway 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

20-1248 Ordinance to amend Section 10.170 of the Manitowoc Municipal Code regulating Through Intersections at S. 9th St. and Section 10.190 regulating Yield Signs at Summit St.

**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**

20-1260 Ordinance to annex certain territory from the Town of Manitowoc Rapids to the City of Manitowoc as part of the 9th Aldermanic District and the 33rd Ward of the City

**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

20-1261 Resolution creating Ward Number 33, population two (2), for the Custer #6 Annexation Area and that Ward Number 33 is combined with the 17th, 18th, 21st, 23rd, 24th, 25th, 26th, 28th & 32nd Wards for voting purposes and use a common polling place as established for the 9th Aldermanic District

**Moved by Brey, seconded by Sitkiewitz, 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

- 20-1262 Ordinance to rezone property located at 4816 W. Custer Street from "R-1" Residential - Agricultural to "R-4" Single and Two Family District  
**Moved by Brey, 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
- 20-1263 Resolution creating Ward Number 34, population zero (0), for the S. Parkview #1 Annexation Area and that Ward Number 34 is combined with the 9th, 10th, & 29th Wards for voting purposes and use a common polling place as established for the 5th Aldermanic District  
**Moved by Brey, seconded by Sitkiewitz, 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
- 20-1264 Ordinance to annex certain territory from the Town of Manitowoc Rapids to the City of Manitowoc as part of the 5th Aldermanic District and the 34th Ward of the City  
**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
- 20-1265 Ordinance to rezone property located at 1011 S. Parkview Road from "R-1" Residential - Agricultural to "P-1" Conservancy 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

## J. OTHER BUSINESS

## K. ADJOURN

**Moved by Sitkiewitz, seconded by McMeans, that this meeting be adjourned at 8:19 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**