



City of Manitowoc

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

Meeting Minutes

Common Council

CONSENT

Monday, October 18, 2021

6:30 PM

Council Chambers

Note - Meeting will also be available via Remote Conferencing (Zoom)

A. CALL TO ORDER

B. ROLL CALL

Alders Present: 10 - Jim Brey, Eric Sitkewitz, Steven Czekala, Bill Schlei, Brett Vanderkin, John Brunner, Chad Beeman, Michael Cummings, Tim Boldt and Todd Reckelberg

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

21-1029 Mayor presents Award of Valor to Firefighter/Paramedic Scott Valleskey

21-1022 Presentation from Mayor Nickels on the 2022 Executive Budget

E. PUBLIC HEARINGS

21-0995 6:30 PM - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed change to Section 1.020 of the Municipal Code regulating Aldermanic District Boundaries

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 October 4 & 11, 2021. (Proof of publication is on file in the City Clerk's Office).

No interested parties appeared to address the Council regarding this item.

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

21-0996 6:30 PM - Public Hearing for the purpose of hearing objections to proposed assessments to property owners for abatement of nuisance Parks Forestry Assessments

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 October 4 & 11, 2021. (Proof of publication is on file on the City Clerk's Office).

No interested parties appeared to address the Council regarding this item.

Mayor declared the public hearing closed. (A recording of the entire public 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

H. CONSENT AGENDA

1. Removal of Consent Agenda Items

None

Approval of the Consent Agenda

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

2. Miscellaneous

21-0998 Minutes of September 20, 2021 Common Council meeting, recommending approval and place on file

3. Committee of the Whole (Consent)

21-1024 Request from Morrisweyer LLC for temporary premise extension in the closed section on Washington Street (between S. 8th St. and S. 7th St.) for an event on October 2, 2021, recommending approval

21-1026 Report of Special Events Committee relative to approval of the following events: WAIVER OF FEES: Munich in Manitowoc on 9/18/2021; 5 Year Anniversary Celebration on 10/10/2021; Zoo Boo on 10/30/2021; Holiday Fair on 11/6/2021; Spring Vendor Craft Show on 4/2/2022; WAIVER OF FEES: Cardboard City 2021 on 10/23 to 10/24/2021; Shelltrack Fat Bike Race on 12/18/2021; George Spoetgen Tournament on 6/18/2022 (Rain Date: 6/25/2022); DATE CHANGE: Exhibition Style Disc Golf on 11/6 to 11/7/2021; recommending acceptance of report and place on file

4. Finance Committee (Consent)

- 21-0939 Granicus Renewal Agreement for Term of 12.1.2021 to 11.30.2022, recommend to enter into agreement.
- 21-0940 Communication from City Assessor on 2021 Omitted Property Roll for parcel 449-004-050 (Apex Leasing, LLP) in the amount of \$4,237.200, recommend to approve the correction.
- 21-0941 Claim for Refund of Property Taxes from Kerry Inc. for property located at 633 S. 20th St. and property located at 1226 South Water St., recommend to approve refund.
- 21-0942 2021 CAWG Request Update, recommend to approve and place on file.
- 21-0943 3rd Quarter 2021 Internal Controls Report, recommend to approve and place on file.
- 21-0944 Financial Guide Book Policy Manual revisions, recommend to approve changes to the policy book.
- 21-0945 Committee recommendation for new position and increased wages for the 2022 budget, recommend to place on file.
- 21-0956 CAWG recommends to fund up to \$10,000 for concrete/ashpalt repairs at DPW Fuel Pumps, recommend to approve request.
- 21-0962 L21-00139 HOWELL Claim - Violation of her liberties while in custody \$1,000,000.00, recommend to deny the claim.
- 21-0963 L21-00140 STATE FARM SUBROGATION/DAWN YANDA Claim - Insured's vehicle damage from accident w/DPI truck \$5,683.20, recommend to settle the claim as directed in closed session.
- 21-0964 L21-00141 NEUSER (Chad) Claim - Plumber charges for blocked sanitary lateral at 1030 West Crescent Drive - City's main \$8,500.00, recommend to approve the claim in the amount of \$8,500.00
- 21-0965 L21-00146 HOWELL Claim (2nd) - Legal fees and punitive damages - County Jail time \$1,300,000.00, recommend to deny the claim.
- 21-0967 US DISTRICT COURT - Kimberly Howell v. City of Manitowoc, recommend to refer to the City Attorney's office.
- 21-0968 US DISTRICT COURT - Kimberly Howell v. Detective David McCue, recommend to refer to the City Attorney's office.
- 21-0999 General City Claims in the amount of \$4,318,463.81 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)

- 21-0808 Request to assist with overgrown vegetation in the ditch line along Orchard Lane creating backups and flooding, recommending mowing of the ditch line
- 21-0947 Draining Issue at 4545 Andrea Court, recommending approval of 6" to 12" pipe and refer to CAWG for funding.
- 21-0948 State / Municipal Agreement for Franklin Street Intersection Signal Rehab, recommending approval
- 21-0949 State / Municipal Agreement for 21st Street Intersection Signal Rehab, recommending approval
- 21-0954 Water Trail Brochure, recommending approval
- 21-0958 2022-2023 LRIP Funding, recommending approval
- 21-0966 2021 Flooding Issues throughout the City, recommending \$200,000 in 2022 budget and to obtain quotes
- 21-0970 Trolley Usage Policy, recommending approval with the \$100.00 per hour charge
- 21-0971 Purchase of Leaf Blower from proceeds of old asset sales, recommending approval
- 21-1017 Report of Board of Public Works of 10/6/2021 for 5th and final payment of \$7,225.39 to Seiler Bros for 2021 Remove & Replace Existing Sidewalks, WS-21-3, recommending payment
- 21-1018 Report of Board of Public Works of final payments to contractors for agreements under \$25,000.00, recommending acceptance and place on file
- 21-1019 Report of Board of Public Works of 9/22/2021 of approval to repeal the noxious weed assessment for property located at 1718 Michigan Avenue, recommending acceptance of report and place on file
- 21-1020 Report of Board of Public Works of 9/22/2021 of approval to repeal the noxious weed assessment for property located at 905 Washington Street, recommending acceptance of report and place on file
- 21-1021 Abatement of Nuisance Report, recommend to approve and assess

7. Public Safety Committee (Consent)

- 21-0980 Request for the 2400 block of Franklin Street to be exempt from street sweeping and spring/fall brush pick up, recommending to place on file
- 21-0981 Request for a "No Parking Here to Corner" sign on the southeast corner of South 10th Street and Madison Street, recommending to place on file

21-0988 LifeQuest EMS billing dispute, call 182A-21-2986, recommending to deny request and work with city on a payment plan

8. Plan Commission (Consent)

I. COMMITTEE REPORTS

1. Committee of the Whole

21-1004 Ordinance to amend 1.020 Aldermanic District Boundaries

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

Aye: 9 - Brey, Sitkewitz, Czekala, Schlei, Brunner, Beeman, Cummings, Boldt and Reckelberg

Nay: 1 - Vanderkin

21-1030 Resolution establishing Supervisory Districts and Ward Boundaries based on the results of the 2020 Federal Census

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

Aye: 9 - Brey, Sitkewitz, Czekala, Schlei, Brunner, Beeman, Cummings, Boldt and Reckelberg

Nay: 1 - Vanderkin

21-1027 Report of Special Event Committee recommending approval for the following events subject to Council action: Homecoming on 10/8/2021 (Street closure of Grand Ave. from S. 21st St to S. 23rd St; No parking on S 9th St from JFK south to Grand Ave., on Grand Ave. from S. 9th St to S. 23rd St and on S. 21st St for 300' north of Grand Ave.); Lakeshore Holiday Parade on 11/24/2021 (Closure of Washington St from S. 19th St to S. 8th St and 8th St from Washington St to Park St)

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

Aye: 10 - Brey, Sitkewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

2. Finance Committee

21-0938 Finance Committee review and recommendation of applicants for open MPU Commissioner position

A nomination was on the floor to elect Dave Diedrich to the MPU Commission. There being no other nominations, it was moved by Brey, seconded by Sitkewitz, to close nominations and cast a unanimous ballot electing Dave Diedrich to the MPU Commission for a five year term ending September 30, 2026. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

3. Personnel Committee

21-1000 Resolution to approve a Self-Funded Workers' Compensation Plan for 2022-2024

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

21-1001 Resolution to approve revised RWAM Guard Job Description and renaming the position to Visitor Services Clerk

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

21-1002 Resolution to approve revised Fire Department job descriptions for Firefighter/Paramedic, Lieutenant, Motor Pump Operator and Captain

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

4. Public Infrastructure Committee

21-0953 Water Trail Plan Adoption

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

5. Public Safety Committee

21-0977 Request for "No Parking During School Hours" on the east side of North 15th Street between Waldo Boulevard and Menasha Avenue.

Clerk's Note: Ordinance not needed, work to be completed through Staff direction

Moved by Schlei, seconded by Vanderkin, to direct DPI to place signs as necessary. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

21-0979 Sex Offender Residency Board Appeal for Joe Xiong.

Moved by Schlei, seconded by Vanderkin, to approve the appeal based on the recommendation from Police Chief. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

21-0982 Ordinance to amend Section 10.410 of the MMC regulating Winter Parking and Snow Emergency.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

21-0983 Ordinance to amend Section 14.560 of the MMC regulating Public Nuisance Properties.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

21-0984 Ordinance to create/amend/ repeal Section 16.130 of the MMC regulating Junked and Abandoned Vehicles.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

21-0985 Ordinance to amend Section 14.020 of the MMC regulating dogs, cats, and other animals.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

21-0986 Ordinance to amend section 16.010 of the MMC regulating Building Regulations.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

21-0987 Ordinance to amend Chapter 31 of the MMC regulating Sign Code.

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

21-0989 Sex Offender Residency Board Appeal for Michael Szente.

Moved by Schlei, seconded by Vanderkin, to approve the appeal based on the recommendation from Police Chief. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

6. Plan Commission

J. OTHER BUSINESS

21-0997

Call for Public Hearing on General City budget to be held at 6:30 p.m. on Monday, November 15, 2021.

Moved by Czekala, seconded by Schlei, to instruct the City Clerk to call for a public hearing. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

K. ADJOURN

Moved by Czekala, seconded by Sitkiewitz, that this meeting be adjourned at 8:01 p.m. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Brunner, Beeman, Cummings, Boldt and Reckelberg

**Mackenzie Reed-Kadow
City Clerk**