



City of Manitowoc

Meeting Minutes

Common Council

18-0804

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

CONSENT

Monday, July 16, 2018

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

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

C. PLEDGE OF ALLEGIANCE & INVOCATION

Invocation by Pastor Jeremy Vance of Faith Church

D. PRESENTATIONS

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

18-0721

Mayor makes the following appointments: **Plan Commission:** Greg Jagemann (in place of P. Domer) for unexpired term ending 5-1-19; **Rahr-West Art Museum Board:** Phil Hoff, Carie Lynn Estralla, Amy Fricke-Weigel, Dolly Stokes all re-appointments for a three-year term ending 6-1-21, Alderman Jeremiah Novak in place of Mike Williams for term ending 4-15-19, HaLeigh Zipperer (in place of J. Miller) and Amy Gehrig (in place of M. Bollinger) for a three-year term ending 6-21-19; **Library Board:** Chris Able (in place of B. Vollendorf) and re-appointment of Fred Hazelwood for a three-year term ending 6-1-21; **Committee on Aging:** re-appointment of Mary Schultz for a three-year term ending 6-1-21; **Municipal Tree Commission:** Glenn Pfeffer, Nic Levendusky, Todd Holschbach, and Al Schema all re-appointments for a two-year term ending 6-1-20; **Citizens Advisory Committee:** re-appointment of Janet Breuer for a three-year term ending 6-1-21, Ngu Tita, Benjamin Stalvey, Ralph Kraemer all for a three-year term ending 6-1-21; **Zoological Board:** re-appointment of Al Hrudka, Doug Koch, and Al Schema for a one-year term ending 6-1-19; **Zoning Board of Appeals:** re-appointment of Don Orth, Paul Steinbrecher, and Joe Mrotek for a one-year term ending 6-1-19; **Capitol Civic Centre Board:** Eric Sitkiewitz as ad-hoc member; **TIF Joint Review Board:** Kevin Crawford as Public Member Alternate for indefinite term; **Crime Prevention Committee:** Anne Jansen, Stefan Peterik, and Heather Buchko for indefinite term.

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

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

H. CONSENT AGENDA**1. Removal of Consent Agenda Items**

None

2. Miscellaneous

None

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

18-0701

Minutes of June 18, 2018 Council meeting, recommending approval and place on file.

- 18-0700 Communication from State of Wisconsin DNR relative to Reissuance of General WPDES Permit No. WI-0046566-07-0, recommending acceptance and place on file.
- 18-0702 State/Municipal Agreement for Local Roads Improvement Program New Biennium Project Request from Wisconsin Department of Transportation, recommending acceptance and place on file.
- 18-0709 Communication from Wisconsin Historical Society that the *Arctic Shipwreck* (Tug) located 1.5 miles NE of the Manitowoc Breakwater Light, in Lake Michigan, Manitowoc, Manitowoc County has been placed on the State Register of Historic Places and National Register of Historic Places, recommending acceptance and place on file.
- 18-0714 Communication from State of Wisconsin DNR relative to Water Main Extension Approval - Water main replacement on North Water Street, recommending placing on file.
- 18-0729 Healthiest Manitowoc County Festival Toolkit, recommending placing on file.

3. Committee of the Whole (Consent)

- 18-0708 Report of Special Events Committee relative to approval of the following events: date change for Next Gen Disc Golf Tournament from 6/30/18 to 8/18/18; waiver of fees for Governor Walker Event at Energybank on 7/9/18, Residential Block Party - 800 blk Indian Bluff Dr on 8/4/18; Residential Block Party - 4300 to 4400 blk Country Ln on 8/18/18; Running-A-Fair on 8/21/18; Walk to end Alzheimer's on 9/15/18, MPPA Police Chase on 10/13/18; Ugly Sweater Run on 11/10/18; waiver of fees: SEP Farewell Dinner on 8/7/18; Group Connections: Water Play on 7/19/18; waiver of fees: 10th Annual Street Party - Use of Bandwagon on 7/28/18; stake permit: Brutal Wear Open Tennis Tournament on 8/10-8/12/18; Group Connections: Sensory Play on 8/21/18; Walk to Defeat ALS on 8/25/18; recommending acceptance of report and place on file.

4. Finance Committee (Consent)

- 18-0242 Programs to Improve Housing Stock within the City of Manitowoc, recommending to place on file.
- 18-0673 Minutes of the June 12, 2018 Finance Committee meeting, recommending approval and place on file.
- 18-0676 Order for Dismissal with Prejudice for Manitowoc Asset Improvement, LLC v. City of Manitowoc, et al. 18-CV-00035, recommending to place on file.
- 18-0678 Letter of interest from Red Line Plastics, LLC and Dowco Powersports, LLC of intent to purchase land. Recommending to refer to the Industrial Development Corporation.

18-0707 General City Claims in the amount of \$2,718,303.25 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.

18-0728 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)

18-0660 Aldermanic Compensation, recommending to place on file.

6. Public Infrastructure Committee (Consent)

18-0407 Request for marked crosswalks at the Artist Loft Apartments, recommending placing on file

18-0580 Drainage/Ditch Issue on USH 151, recommending placing on file and sending re-ditch request to CAWG

18-0666 Request from Bartow Builders for a reduction to a barricade rental invoice, recommending reducing the invoice to \$600.

18-0668 Proposals from Seiler Brothers for work on Sidewalk at Maritime Museum, recommending approval and refer to CAWG

18-0669 Calumet Avenue Construction Project, recommending approval for reconstruction in 2018

18-0670 Replacement Cameras - Upper Henry Schuette Park, recommending approval of replacement of surveillance cameras at the park and playground

18-0672 Zoo Roadway and Deer Pen Improvements, recommending approval of the zoo roadway and deer pen improvements funded by the Zoo Society

18-0703 Report of Board of Public Works of June 20, 2018, that the interest rate for 10-year installment plan for 2017 special assessments levied in 2018 to be 3.6857%, and 4.1070% for assessments done in 2018, recommending acceptance and place on file.

18-0704 Report of Board of Public Works of June 20, 2018 of approval to enter into a contract with Camera Corner, Inc., AGMT-18-09, to furnish labor, equipment and material required to install an Audio System in the Council Chambers at City Hall of a contract sum of \$24,752.64, recommending acceptance and place on file.

- 18-0705 Report of Board of Public Works of 6/20/18 for 1st and Final payment of \$9,960.00 to Mulch Express of Wisconsin for 2018 Furnish & Install Wood Chips to 15 Playgrounds and 2 Islands, recommending payment.
- 18-0706 Report of Board of Public Works of 6/20/18 for 1st and Final payment of \$5,399.20 to Chris Lewis Tree Surgery for 2018 Stump Removal, AGMT-18-08, recommending payment.
- 18-0712 Progress Invoice in the amount of \$4,459.60 from Wisconsin Department of Transportation for Waldo Blvd., project 39545701200, recommending payment.
- 18-0713 Progress Invoice from Wisconsin Department of Transportation in the amount of \$2,955.05 for Waldo Blvd., project 39515003700, recommending payment.
- 18-0715 Report of Board of Public Works of 7/11/18 for 4th and Final payment of \$25,046.21 to Vinton Construction Company for Blue Rail Marina Beach Project, WS-17-14, recommending payment.
- 18-0716 Report of Board of Public Works of 7/11/18 for 2nd and Final payment of \$4,982.38 to Sailer Bros Construction for 2018 Miracles Park Poured-In-Place Playground Safety Surfacing (Phase II), WS-18-12, recommending payment.
- 18-0717 Report of Board of Public Works of 7/11/18 for 1st and Final payment of \$24,990.00 to Lemahieu Tree Service for Maritime Drive Bluff Clearing, AGMT-18-06, recommending payment.
- 18-0718 Report of Board of Public Works of 7/11/18 for 1st and Final payment of \$11,711.00 to Dave's Tree Service, Inc. for 2018 Remove 16 Trees at Various Locations for Parks Dept, AGMT-18-05, recommending payment.
- 18-0719 Report of Board of Public Works of 7/11/18 for 2nd and Final payment of \$5,577.93 to Camera Corner, Inc. for City Hall Analog Camera Replacement, recommending payment.
- 18-0720 Report of Board of Public Works of 7/11/18 for 3rd and Final payment of \$24,793.37 to Brickline, Inc. for 2018 Epoxy Pavement Marking Program, WS-18-9, recommending payment.
- 18-0722 Report of Board of Public Works of 7/11/18, of bids received for Lincoln Park Field House Re-Roofing, Project WB-18-16, recommending awarding to low bidder, Powell Roofing Services, Inc. in the amount of \$77,586.25.

- 18-0723 Report of Board of Public Works of 7/11/18 of denial of request to rescind noxious weed charge for property located at 1106 N. 11th St. Recommending acceptance and place on file.
- 18-0724 Report of Board of Public Works of 7/11/18, of quotes received for two ambulance chasses, body, and equipment, QE-18-2, recommending awarding to low bidder, Jefferson Fire & Safety Inc. in the amount of \$346,012.00.
- 18-0727 Report of Board of Public Works of 7/11/18, of bids received for 2018 Concrete Paving II - Calumet Ave Reconstruction, Project WS-18-13, recommending awarding to low bidder, Vinton Construction Company in the amount of \$884,861.16.

7. Public Safety Committee (Consent)

8. Plan Commission (Consent)

- 18-0661 PC 20-2018: Matte / Marcelle, Request for a Change in Zoning from I-1 Light Industrial to R-4 Single and Two Family located 1912 S. 9th Street. Plan Commission recommends approval and instructs the City Clerk to call for a public hearing before the Common Council.
- 18-0663 PC 10 - 2016: Hope House; 3501 Custer Street. Annual Review of a Conditional Use Permit for Transitional Housing in a B-3 General Business District. Recommending continuance of the Conditional Use Permit and removal of the annual review condition.

I. COMMITTEE REPORTS

1. Committee of the Whole

- 17-1219 An Ordinance to create 16.140 and 16.150(13) of the Manitowoc Municipal Code regulating Residential Rental Contact Registration and Inspection Program.
- Moved by Sitkiewitz, seconded by Brey, that this Ordinance be adopted as amended by the Committee of the Whole. The motion carried by the following vote:**
- Aye:** 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams
- 18-0657 Proposed sampling plan and future remedial efforts on the Newton gravel pit, recommending to approve recommendations by City Attorney and Director of Public Infrastructure.
- Moved by Sitkiewitz, seconded by Brey, to approve recommendation by City Attorney and Director of Dept of Public Infrastructure. The motion carried by the following vote:**

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

2. Finance Committee

18-0680 Unbudgeted request to fund Calumet replacement for I-43 to Rapids Road intersection with signal upgrade up to \$500,000.

Moved by Brey, seconded by Lotz, to approve the request up to \$500,000. The motion carried by the following vote:

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

18-0710 Request from Terra Nate, Agent for The Linebacker Sports Bar at 527 N 10th Street, to extend liquor license premise to parking lot and to request a waiver of the noise ordinance until 11:30 pm for live music on August 18, 2018.

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

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

18-0711 Request from Don Murray, Agent, TLM Investments, Inc. to extend his tavern license TAV-1828 on August 18th to include a fenced-in area of his parking lot for annual charity bike/car wash, for premise located at 1421 S. 39th Street.

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

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

18-0725 Ordinance to amend Section 1.030(6) of the Municipal Code changing the location of the voting place for the Sixth Aldermanic District to Lincoln Park, 1215 N. 8th St., Cabin 1.

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

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

3. Personnel Committee

18-0544 How Personnel Standing Committee intends to address District 10 concerns brought forward by their elected representative, Alderperson Gabriel.

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

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

18-0562 Workers Compensation Claim Settlement with Police Employee.

Moved by Sitkiewitz, seconded by Czekala, to approve settlement agreement as outlined by City Attorney and Human Resources. The motion carried by the following vote:

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

4. Public Infrastructure Committee**5. Public Safety Committee****18-0471** Discussion on 2-hour parking.

Moved by Howe, seconded by Czekala, recommending to adopt the changes to the parking study. This Communication was adopted as amended by the following vote:

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

18-0726 Ordinance to amend Section 10.490 of the Municipal Code regulating Two-Hour Parking.

Moved by Howe, seconded by Czekala, recommending adopting this Ordinance. The motion carried by the following vote:

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

18-0686 Manitowoc Sex Offender Residency Board Appeal for Jeremy Kilo Starr.

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

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

18-0687 Citizen request for more signage to be placed at South 22nd Street and Franklin Street to indicate South 22nd Street is a one-way street.

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

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

18-0689 An Ordinance to amend Section 14.260 of the Manitowoc Municipal Code regulating Damage to Property.

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

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

18-0690 An Ordinance to amend Section 11.220 of the Manitowoc Municipal Code regulating Animal Licenses.

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

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

18-0696 LifeQuest ambulance billing hardship request, call # 182A-18-0626.

Moved by Howe, seconded by Czekala, that this Request be denied and a recommendation to work with staff on a payment plan. The motion carried by the following vote:

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

6. Plan Commission

J. OTHER BUSINESS

K. ADJOURN

Moved by McMeans, seconded by Brey, that this meeting be adjourned at 6:58 PM. The motion carried by the following vote:

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

**Deborah Neuser
City Clerk**