



City of Manitowoc

18-1069
900 Quay Street
Manitowoc, WI 54220
www.manitowoc.org

Meeting Minutes

Common Council

CONSENT

Monday, September 17, 2018

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

Alders Present: 8 - Jim Brey, Scott McMeans, Eric Sitkiewitz, Steven Czekala, Jeremiah Novak, Todd Lotz, Rhienna Gabriel and Mike Williams

Alders Absent: 2 - Mike Howe and Lee H. Kummer

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

18-0906 Proclamation declaring October 2018 as Crime Prevention Month

18-0907 Commendation to Firefighter/Paramedic Scott Valleskey and Firefighter/Paramedic Tyler Kiel

E. PUBLIC HEARINGS

18-0905 6:35 PM - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from "R-6" Multiple Family to "I-1" Light Industrial for property generally located east of S. 35th Street, west of S. 30th Street, south of Yorkshire Lane and north of Dewey Street.

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 "R-6" Multiple Family to "I-1" Light Industrial for property generally located east of S. 35th Street, west of S. 30th Street, south of Yorkshire Lane and north of Dewey Street.

City Clerk reported that the notice of the hearing was published in the Herald-Times-Reporter on September 3 and 10, 2018. (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 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**H. CONSENT AGENDA****1. Removal of Consent Agenda Items**

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: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

2. Miscellaneous

18-0904 Minutes of August 20, 2018 Common Council meeting, recommending approval and place on file.

3. Committee of the Whole (Consent)

18-0945 Report of Special Events Committee relative to approval of the following events: Ride to Remember on 9/8/18; Waiver of Fees - Serve September on 9/9/18; Stake Permit - Calvary Chapel of Manitowoc Event on 10/5-10/7/18; Rubick 5K Run/Walk on 10/6/18; Waiver of Fees - Art Slam on 9/8/18, 9/15-16/18; Waiver of Fees - Shop with a Cop on 12/5/18; Waiver of Fees - Magical Trolley Ride to the North Pole on 12/7-12/8/18; Miracles Special Olympic tournament on 6/15/19 (rain date of 6/16/19); recommending acceptance of report and place on file.

4. Finance Committee (Consent)

18-0884 Unbudgeted CAWG Request - Replacement Cameras - Aquatic Center \$36,100.00, recommend to approve the request up to \$36,100.

18-0893 Minutes of the August 7, 2018 Finance Committee meeting, recommend approval.

18-0894 Report from Ryan Wilson, City Assessor on Personal Property closed Account, Parcel 000-918-104, GE Capital Commercial Inc., recommend to rescind the taxes due in the amount of \$836.96 and the Assessed value of \$41,500.

18-0895 Minutes of the Manitowoc Public Utilities Commission meetings of June 25, 2018 and July 30, 2018, recommending acceptance and place on file.

18-0896 Staff report of donations received, recommend to accept and place on file.

- 18-0900 West Foundation Grant in the amount of \$5,000 to restore 1935 Mack Fire Truck in cooperation with the Manitowoc IAFF Local 368 (Owner of Fire Truck), recommend to approve request and accept grant.
- 18-0902 Request for blanket approval to accept cash donations for K-9 and Eternal Flame funds, recommend to approve the request.
- 18-0908 General City Claims in the amount of \$2,000,000.87 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.
- 18-0947 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)

- 18-0882 Workers Compensation Claim Settlement with Former Employee, recommending to authorize the City Attorney and Human Resources to enter into an approved settlement agreement

6. Public Infrastructure Committee (Consent)

- 18-0924 Progress invoice from WI Department of Transportation in the amount of \$7,104.61 for Waldo Blvd. CTH R to 8th St., project #39515003700, recommending payment.
- 18-0925 Progress invoice from WI Department of Transportation in the amount of \$1,484.69 for Waldo Blvd., 8th St. to Maritime Dr., project #39545701200, recommending payment
- 18-0926 Progress invoice from WI Department of Transportation in the amount of \$1,619.73 for Waldo Blvd., 8th St. to Maritime Dr., project #39545701200, recommending payment.
- 18-0927 Report of Board of Public Works of 9/5/18 for 4th and Final payment of \$7,374.88 to Kip Gulseth Construction Company, Inc. for 2018 Lawton Terrace Sanitary Sewer, WU-18-2, recommending payment.
- 18-0928 Report of Board of Public Works of 9/5/18 for 1st and Final payment of \$95,930.64 to Scott Construction, Inc. for 2018 Seal Coating Program, WS-18-6, recommending payment.

- 18-0929 Report of Board of Public Works of 9/5/18 for 1st and Final payment of \$5,820.00 to Seiler Bros Construction for Storm Sewer and Regrade back yards along 4100 Block of Ray Street, 18-12, recommending payment.
- 18-0930 Report of Board of Public Works of 9/5/18, of bids received for Sidewalk Replacement at Maritime Museum, Project WS-18-17, recommending awarding to low bidder, Seiler Bros. Construction Inc in the amount of \$58,236.90.
- 18-0931 Report of Board of Public Works of 9/5/18, of bids received for 2018 Televising Miscellaneous Sewers II, Project WJ-18-18, recommending awarding to low bidder, Green Bay Pipe & TV, LLC in the amount of \$24,058.78.
- 18-0932 Report of Board of Public Works of 9/5/18 of denial of request to reduce noxious weed charge for property located at 706 S. 30th St. Recommending acceptance and place on file.
- 18-0933 Report of Board of Public Works of 9/5/18 of approval to enter into a contract with Kip Gulseth Construction Company Inc. to furnish and relay approximately 100 feet of 15 inch storm sewer pipe for a contract price of \$9,999.14, AGMT-18-13, recommending acceptance and place on file.
- 18-0934 Report of Board of Public Works of 9/5/18 of approval to enter into a contract with Pheifer Bros. Constr. Co., Inc. to seal Broadway Street bridge deck for a contract price of \$12,500.00, AGMT-18-14, recommending acceptance and place on file.
- 18-0941 Report of Board of Public Works of September 6, 2018 of approval to enter into a contract with Fortress Fence to furnish and install chain link fence for Red Arrow Park for a contract price of \$14,976.00, AGMT-18-11, recommending acceptance and place on file.

7. Public Safety Committee (Consent)

- 18-0915 Manitowoc Sex Offender Residency Board Appeal for Michael Szente, recommending to deny request.

8. Plan Commission (Consent)

- 18-0867 PC 29-2018: Popp Enterprises, LLC: Request to Rezone Property from R-6 Multiple Family to I-1 Light Industrial for an area east of S. 35th Street and north of Dewey Street, recommending approval of the rezoning request and for City Clerk to call for a public hearing for the September 17th Council meeting.

18-0869 PC 1-2018: Woodland Shadows LLC: Quit Claim Deed for Virginia Drive purposes, recommending approval of the Quit Claim Deed.

18-0870 PC 30-2018: Review of Tax Foreclosure Properties from Manitowoc County, recommending to place on file.

I. COMMITTEE REPORTS

1. Committee of the Whole

18-0946 Report of Special Events Committee recommending approval of the following events subject to Council action: Pig to Pig Walk on 9/8/18, Waiver of noise ordinance from 7 am to 8 am; Birthday Party at Chewy's on 9/22/2018, Closure of Buffalo St. from N 8th to N 7th, waiver of noise ordinance until 11 pm; HarvestFest on 9/29/18, Closure of Quay St. from S 8th to the Library driveway

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

2. Finance Committee

18-0890 Election by Common Council of Manitowoc Public Utilities Commissioner for a term of five years, pursuant to Municipal Code, as the following term will expire: Mark Seidl, term expires September 30, 2018.

A nomination was on the floor to elect Mark Seidl to the MPU Commission. There being no other nominations, it was moved by Brey, seconded by Czekala, to close nominations and cast a unanimous ballot appointing Mark Seidl to the MPU Commission for a five year term ending September 30, 2023. The motion carried by the following vote:

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

18-0891 License Nonrenewal and Revocation Procedure (Not Alcohol Licenses)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

18-0892 Ordinance to create/amend/repeal Section 11.220 of the Manitowoc Municipal Code regulating Animal Licenses.

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

- 18-0960** Request from Chewy's, TAV-1816, for an extension of premise on September 22, 2018 for their Birthday Party event.
Moved by Brey, seconded by Lotz, that this Request be approved. The motion carried by the following vote:
Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams
- 18-0968** Resolution Declaring the Canadian National Peninsula Blighted and Authorizing the Community Development Authority to Acquire and Assist the Redevelopment of the Property
Moved by Brey, seconded by Lotz, that this Resolution be adopted. The motion carried by the following vote:
Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams
- 18-0971** Resolution Amending Tax Increment District No. 15 Project Plan
Moved by Gabriel, seconded by Williams, that this Resolution be amended such that section C reads: "that TID No. 14 and TID No. 15 be terminated no later than December 31, 2019" . The motion carried by the following vote:
Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

Moved by Brey, seconded by Lotz, that this Resolution be adopted as amended. The motion carried by the following vote:
Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams
- 18-0972** Resolution Amending the Project Plan Tax Increment District No. 19 of the City of Manitowoc
Moved by Brey, seconded by Lotz, that this Resolution be adopted. The motion carried by the following vote:
Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams
- 18-0973** Resolution Creating Tax Increment District No. 22 of the City of Manitowoc
Moved by Williams, seconded by Gabriel, that this Resolution be amended to remove the Meijer property from proposed TIF District 22. The motion carried by the following vote:
Aye: 5 - Czekala, Novak, Lotz, Gabriel and Williams
Nay: 3 - Brey, McMeans and Sitkiewitz

Moved by Brey, seconded by Lotz, that this Resolution be adopted as amended. The motion failed by the following vote:
Nay: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

- 18-0976** CAWG request to approve up to \$58,237 for replacement of sidewalk along sheetwall near Maritime Museum
- Moved by Brey, seconded by Williams, that this request be approved. The motion carried by the following vote:
- Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

3. Personnel Committee

- 18-0937** Resolution to hire April Kroner as Community Development Director.
- Moved by Sitkiewitz, seconded by Czekala, that this Resolution be adopted. The motion carried by the following vote:
- Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams
- 18-0938** Resolution to hire seasonal employees related to elected officials, departments heads, or supervisory personnel.
- Moved by Sitkiewitz, seconded by Czekala, that this Resolution be adopted. The motion carried by the following roll call vote:
- Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams
- 18-0969** Resolution adopting a Relocation Policy for Exempt New Hire positions
- Moved by Sitkiewitz, seconded by Czekala, that this Resolution be adopted. The motion carried by the following vote:
- Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams
- 18-0970** Resolution Adopting Health, Dental, and Vision Plan for 2019
- Moved by Sitkiewitz, seconded by Czekala, that this Resolution be adopted. The motion carried by the following vote:
- Aye: 7 - Brey, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams
- Abstain: 1 - McMeans

4. Public Infrastructure Committee

- 18-0935** Stormwater Management Facility Maintenance Agreement with Kerry Inc., a Delaware corporation for property located at 4343 Expo Dr., Parcel #835-101-011.
- Moved by Novak, seconded by Williams, that this Agreement be entered into. The motion carried by the following vote:

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

18-0936 Stormwater Management Facility Maintenance Agreement with Aurora Medical Group, Inc. for property located at 3509 Dewey St., Parcel #836-301-011.

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

Aye: 7 - Brey, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

Abstain: 1 - McMeans

18-0944 Resolution to install and maintain one, non-ornamental, 100 Watt, open-bottom style, high pressure sodium, street light in the alley way between 954 and 948 North 5th St.

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

18-0948 Communication from Jim Muenzenmeyer, Capital Projects/Transit Manager, of WisDOT Transit System Management Performance Review.

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

18-0967 Resolution Authorizing Community Development to Apply for Grants for a Safe Harbor/Transient Dock

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

5. Public Safety Committee

18-0916 An Ordinance to amend Section 14.020 of the Manitowoc Municipal Code regulating Dogs, Cat and Other Animals.

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

18-0917 An Ordinance to create Section 14.180 of the Manitowoc Municipal Code regulating Aggressive Panhandling.

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

18-0919 Lifequest billing dispute 18-2129.

Moved by Czekala, seconded by McMeans, to grant the request and rescind invoice in the amount of \$310. The motion carried by the following vote:

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

18-0920 Lifequest billing dispute 18-1750.

Moved by Czekala, seconded by McMeans, to rescind the invoice in the amount of \$310. The motion carried by the following vote:

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

18-0940 Ordinance to amend Section 10.390 of the Manitowoc Municipal Code regulating parking

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

18-0942 Ordinance to amend Section 10.730 of the Manitowoc Municipal Code to designate one handicap parking stall on a portion of 11th St. between Washington St. and Marshall St. to accommodate Washington Park patronage.

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

18-0949 Ordinance to amend Section 10.490 of the Manitowoc Municipal Code regulating Two Hour Parking.

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

6. Plan Commission

18-0943

Ordinance amending the amended zone map changing from "R-6" Multiple Family to "I-1" Light Industrial for property being generally located east of S. 35th St, west of S. 30th St., south of Yorkshire Lane and north of Dewey St.

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

J. OTHER BUSINESS

K. ADJOURN

Moved by McMeans, seconded by Brey, that this meeting be adjourned at 8:20 p.m. The motion carried by the following vote:

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

**Deborah Neuser
City Clerk**