

20-0589



# City of Manitowoc

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

## Meeting Minutes

### Common Council

# CONSENT

Monday, May 18, 2020

6:30 PM

Council Chambers

#### A. CALL TO ORDER

#### B. ROLL CALL

Alders Present: 10 - Jim Brey, Eric Sitkiewitz, Steven Czekala, Scott McMeans, Jeremiah Novak, Todd Lotz, Courtney Hansen, Bill Schlei, Brett Vanderkin and John Brunner

#### C. PLEDGE OF ALLEGIANCE & INVOCATION

#### D. PRESENTATIONS

20-0483

MPU Presentation of Findings and Recommendations - Generation Resiliency Project

Manitowoc Public Utilities CEO & General Manager Nilaksh Kothari gave Council a presentation on the proposed Generation Resiliency Project

#### 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

Mayor Justin Nickels made the following appointments to the Brownfields Advisory Committee: Rich Hoerth, David Diedrich, Karen Nichols, Mike Huck, Peter Wills, Terrance Fox, Dennis Teinor

Moved by Sitkiewitz, seconded by McMeans, to approve the Mayor's appointments. The motion carried by the following vote:

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

#### 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, Lotz, Hansen, Schlei, Vanderkin and Brunner

## 2. Miscellaneous

- 20-0477 Minutes of April 1, 2020 Common Council special meeting, recommending approval and place on file
- 20-0478 Minutes of April 20, 2020 Common Council meeting, recommending acceptance and place on file.
- 20-0479 Minutes of April 21, 2020 Common Council organizational session, recommending acceptance and place on file.
- 20-0480 Communication from Wisconsin DNR relative to Water Main Plan and Specification Approval at water main replacements on S. 13th St., S. 29th St., Maritime Dr., Buffalo St., and York St., recommending acceptance and place on file.
- 20-0481 Public Notice of an Air Pollution Control Permit Application Review of Ridgeview Recycling and Disposal Facility located at 6207 Hempton Lake Rd., Whitelaw, WI, recommending acceptance and place on file.

## 3. Committee of the Whole (Consent)

## 4. Finance Committee (Consent)

- 20-0335 Request from Holy Family College for an exception to MMC 11.010(12)(c) "Class B" License Regulations regulating the Minimum Operating Requirements to be open a minimum 60 days each year for at least four hours per day, recommend to place on file.
- 20-0414 Request from Time Out Sports Bar & Grill, TAV-1906 for a temporary extension of premise, recommend to approve request.
- 20-0418 Scope of Engagement relative to City of Manitowoc - Community Development Authority Bond Financing for Southfield Townhouses Project, recommend to approve.

- 20-0419 Request from Manitowoc County Expo/Fair entertainment pavilion purveyors to extend live band music performances on Friday, August 28 and Saturday, August 29, 2019 to 11:30 p.m. with beer sales ending at Midnight and with music stopping at 11:00 p.m. on Tuesday, Wednesday, Thursday, and Sunday and beer sales discontinuing at 11:30 p.m., recommend to approve the request.
- 20-0420 Memorandum of Agreement for Weights and Measures Inspection, recommend to approve the agreement.
- 20-0423 1st Quarter Budget Exception Report, recommend to accept and place on file.
- 20-0427 Request to purchase equipment to upgrade CastNET Channel 4 Digital Signage, recommend to approve the request.
- 20-0432 Communication from Nicholas Mueller, Community Development, requesting blanket authority to solicit donations for work downtown, as outlined therein, recommend to accept communication.
- 20-0439 MOU with County for tax collection pursuant to Act 185, recommend to enter into MOU and refer to the City Attorney to draft a resolution.
- 20-0484 General City Claims in the amount of \$2,564,227.64 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.
- 20-0514 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.

#### 5. Personnel Committee (Consent)

#### 6. Public Infrastructure Committee (Consent)

- 20-0343 Stormwater Management Facility Maintenance Agreement with Lakeside Foods, Inc., 1801 South 30th Street, Manitowoc, WI 54220, recommending entering into Agreement
- 20-0406 Request for Approval to use Zoo Donation Tube Funding for Landscaping, recommending approval of donation tube funding.
- 20-0408 Reallocation of Manitou Park to Spring Street Trail Project Funding to Camp Vits Trail Head Project, recommending approval
- 20-0411 CAWG Request for OpenSite Designer (OSD) Configuration - Bentley Engineering Software - Survey Code Update, recommend to approve the request.

- 20-0412 Request to Install Lane Designation Pavement Markings at S. 41st and Custer St., recommend to deny and place on file.
- 20-0433 Senior Center Fee Schedule Change, recommending approval
- 20-0435 Stormwater Management Facility Maintenance Agreement with Forest Creek LLC, 100 Maritime Drive Suite 3C., recommending to enter into the agreement
- 20-0438 Manitowoc Youth Baseball Association Updates, recommending approval and to continue to work with the MYBA with City Attorney's Office.
- 20-0490 Report of Board of Public Works of approval to enter into AGMT-20-02 with Americas Landscape Lawn Service, LLC for grass cutting and trimming services for properties in non-compliance with City weed ordinance for a three year term at a rate of time and material, recommend acceptance and place on file.
- 20-0501 Report of Board of Public Works of 5/6/2020 of approval to enter into AGMT-20-03 with Mulch Express of Wisconsin to furnish and install certified wood chips for 15 City Playgrounds, 2 Flowerbeds and 2 Islands at S. 26th and Calumet Ave. for a contract price of \$12,450.00, recommending acceptance and place on file.
- 20-0502 Report of Board of Public Works of 5/6/2020 of approval to enter into AGMT-20-04 with SC Concrete for installation of 2 new storm sewer inlets in the 1100 block of N. 12th St. for a contract price of \$8,354.00, recommending acceptance and place on file.
- 20-0503 Report of Board of Public Works of 4/29/2020 of approval of Permanent Easement by Chad B. Neuser and Bianna L. Neuser for the sum of \$2,7100 for a perpetual easement to be utilized for a permanent utility easement for storm sewer southwest of W. Crescent Drive, recommending approval.
- 20-0504 Report of Board of Public Works of 4/29/2020 of approval of Temporary Construction Easement by Chad B. Neuser and Brianna L. Neuser for the purpose of sloping, grading, restoration and operating construction equipment during the construction of a storm sewer southwest of W. Crescent Dr., recommending approval.
- 20-0505 Progress invoices from WI Department of Transportation for Waldo Blvd project in the amounts of: \$1,240.60, \$1,008.10, \$144,646.81, \$662,207.63, recommending payment.
- 20-0506 Report of Board of Public Works of 4/29/2020 of approval of Permanent Easement by Ralph & Susan Skarda Rev Trust dated March 1, 1994 for a permanent utility easement for storm sewer west of W. Crescent Dr, recommending approval.

## 7. Public Safety Committee (Consent)

## 8. Plan Commission (Consent)

### I. COMMITTEE REPORTS

#### 1. Committee of the Whole

20-0379

Proposal from Boys and Girls Club for Mirro property

Moved by Sitkiewitz, seconded by McMeans, to support the Boys & Girls Club purchase of 1512 Washington St. & instruct City staff to continue to negotiate the transfer of the property and to instruct City staff to move forward with grant dollars for cleanup & structural analysis. The motion carried by the following vote:

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

20-0473

Lakeshore Mall Tax Appeal

Moved by Sitkiewitz, seconded by McMeans, to authorize City Attorney and Finance Director to enter into settlement as proposed. The motion carried by the following vote:

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

20-0482

Proposal from Herald Times Reporter to publish Council proceedings, legal notices, display ads and ordinances, for the contract year beginning June 1, 2020.

Moved by Sitkiewitz, seconded by McMeans, to approve and enter into a contract. The motion carried by the following vote:

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

20-0516

CN Peninsula Project - Phase 2

Moved by Sitkiewitz, seconded by McMeans, to approve the funding plan and recommendation as presented. The motion carried by the following vote:

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

20-0521

Request from Fat Seagull for extension of premise and street closure on Saturday, May 23rd from 2pm - 6pm and Sunday, May 24th from 2pm - 6pm

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

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

**20-0518** Resolution authorizing staff to approve street closure requests and temporary extension of premises requests

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, Lotz, Hansen, Schlei, Vanderkin and Brunner

**20-0539** Resolution authorizing Mayor's actions during state of emergency

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

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

## 2. Finance Committee

**20-0538** Resolution authorizing MPU Commission to fund Generation Resiliency Project

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, Lotz, Hansen, Schlei, Vanderkin and Brunner

**20-0508** Request from Green Street Food & Spirits for temporary extension of premise.

Moved by Brey, seconded by McMeans, that this Request be approved through September 7, 2020. The motion carried by the following vote:

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

**20-0509** Ordinance to amend Section 1.030(1) of the Municipal Code changing the location of the voting place for the First Aldermanic District to Silver Creek Fieldhouse at 3001 S. 10th Street

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

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

**20-0512** Pekarske Builders: Request for an Option and right of First Refusal for Lot 1, Block 9, Manitowoc I-43 Industrial Park Subdivision No. 3

Moved by Brey, seconded by McMeans, to approve this request with effective date being established as May 20, 2020. The motion carried by the following vote:

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

- 20-0519** Request for \$14,000 from the City of Manitowoc Room Tax Undesignated Reserve Fund to offset carferry dock fee for 2020
- Moved by Brey, seconded by McMeans, that this Request be approved. The motion carried by the following vote:
- Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Lotz, Hansen, Schlei, Vanderkin and Brunner
- 20-0520** Resolution authorizing \$150,000 from the City of Manitowoc Undesignated Reserve Fund for a Small Business COVID-19 Relief Fund
- Moved by Brey, seconded by McMeans, that this Request be adopted. The motion carried by the following vote:
- Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Lotz, Hansen, Schlei, Vanderkin and Brunner
- 20-0537** Resolution waiving interest and penalties on 2020 property tax installment payments until October 1, 2020 pursuant to Wisconsin Act 185
- 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, Lotz, Hansen, Schlei, Vanderkin and Brunner

### 3. Personnel Committee

- 20-0511** Transit employees Agreement for 2020-2022
- Moved by Czekala, seconded by Hansen, that this Agreement be entered into. The motion carried by the following vote:
- Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Lotz, Hansen, Schlei, Vanderkin and Brunner
- 20-0524** Resolution to approve the agreement with Associated Financial Group as the City's Benefits Broker for years 2021 through 2023
- Moved by Czekala, seconded by Hansen, that this Resolution be adopted. The motion carried by the following vote:
- Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Lotz, Hansen, Schlei, Vanderkin and Brunner
- 20-0535** Service Fee Agreement with Associated Financial Group, LLC (Associated Benefits and Risk Consulting)
- Moved by Czekala, seconded by Hansen, that this Agreement be entered into. The motion carried by the following vote:
- Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Lotz, Hansen, Schlei, Vanderkin and Brunner

**20-0540** Resolution enacting a spending and hiring freeze for 2020 due to COVID-19

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

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

**20-0510** Appointment of a Council member to the Bargaining Committee

Moved by Czekala, seconded by Hansen, to appoint Alderman Scott McMeans to be the City Council representative on the Bargaining Committee. The motion carried by the following vote:

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

**4. Public Infrastructure Committee**

**20-0323** Bay Pointe Recreation Trail Resolution

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, Lotz, Hansen, Schlei, Vanderkin and Brunner

**20-0324** Camp Vits Public Access Resolution

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, Lotz, Hansen, Schlei, Vanderkin and Brunner

**20-0407** Resolution authorizing Manitowoc Public Utilities to apply for Safe Drinking Water Loan 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, Lotz, Hansen, Schlei, Vanderkin and Brunner

**20-0507** Memorandum of Understanding for Construction of a 20-foot Wide Section of Concrete Pavement on S. 18th St. for Wisconsin Aluminum Foundry Company, Inc.

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, Lotz, Hansen, Schlei, Vanderkin and Brunner



20-0523 Resolution to hire, backfill and overlap DPI Maintenance Engineer due to retirement  
**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, Lotz, Hansen, Schlei, Vanderkin and Brunner

20-0536 Access Agreement with Wisconsin Public Service Corporation (WSPC) for remedial investigation at N. 10th and Chicago St. site  
**Moved by Novak, seconded by Hansen, that this Agreement be approved. The motion carried by the following vote:**  
**Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Lotz, Hansen, Schlei, Vanderkin and Brunner

**5. Public Safety Committee**

20-0417 Ordinance to create Section 11.180 of the Municipal Code regulating Commercial Quadricycles (Pedal Pubs)  
**Moved by Lotz, seconded by Novak, that this Ordinance be adopted. The motion carried by the following vote:**  
**Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Lotz, Hansen, Schlei, Vanderkin and Brunner

20-0463 Ordinance to amend Section 10.570; 15.030; and 15.430 of the Manitowoc Municipal Code regulating Off-Street Parking and Loading.  
**Moved by Lotz, seconded by McMeans, that this Ordinance be adopted. The motion carried by the following vote:**  
**Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Lotz, Hansen, Schlei, Vanderkin and Brunner

**6. Plan Commission**

20-0513 Resolution for the submission of a Community Development Block Grant (CDBG) Application  
**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, Lotz, Hansen, Schlei, Vanderkin and Brunner

**J. OTHER BUSINESS**

**K. ADJOURN**

**Moved by Sitkiewitz, seconded by McMeans, that this meeting be adjourned at 8:10 p.m. The motion carried by the following vote:**

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

Deborah Neuser  
City Clerk