



# City of Manitowoc

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

## Meeting Minutes

### Common Council

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Monday, February 15, 2021

6:30 PM

Council Chambers

Note-Meeting will also be available via Remote Conferencing

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#### A. CALL TO ORDER

#### B. ROLL CALL

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

**Alderspersons Absent:** 1 - Scott McMeans

#### C. PLEDGE OF ALLEGIANCE & INVOCATION

#### D. PRESENTATIONS

21-0142 City Clerk administers Oath of Office followed by badge pinning for Police Officer Jeremy Sonnenburg and Police Officer Joe McDonald

21-0148 Proclamation declaring February 2021, Black History Month

#### E. PUBLIC HEARINGS

21-0145 6:31 PM - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed changes for amendment to the Comprehensive Zoning Ordinance Section 15.330(2) allowing ammunition manufacturing and storage as a permitted use.

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 February 1 & 8, 2021. (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).

21-0146

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-6 Multiple Family District to B-2 Neighborhood Business District for the property located at 2105 Western Avenue

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 February 1 & 8, 2021. (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:

Tracy Hunt & Kassie Swetlik spoke on this matter.

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

### 2. Miscellaneous

### Approval of the Consent Agenda

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

Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

21-0147

Report of 2020 activities of Great Lakes Utilities (GLU) as required by Resolution. Recommending acceptance and place on file.

- 21-0149 Thank you from Catholic Charities for donation from the Schuette, Wernecke, Wilda, Rank Christmas Fund, recommending placing on file.
- 21-0151 Communication form WI DNR of proposed revocation of an Air Pollution Control Permit for Tramontina US Cookware Inc, located at 2005 Mirro Dr., recommending acceptance and place on file.
- 21-0160 Minutes of January 18, 2021 Common Council meeting, recommending approval and place on file.

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

- 21-0152 TID No. 19 Development Agreement with Brix Place LLC, recommending to accept and place on file.
- 21-0167 TID No. 22 Development Agreement with 1015 Buffalo LLC, recommend to place on file.
- 21-0180 Report of Special Events Committee relative to approval of the following events: Hot Chocolate Fundraiser on 2/19 to 2/21/2021; WAIVER OF FEES: Shop with a Cop on 12/9/2021; CANCELED: (WAIVER OF FEES): Blood Drive; Tuesday Tunes on 6/15/2021 - 8/24/2021; Food Truck Day on 6/17/2021; Dog Days of Summer on 6/26/2021; After Hours at the Pool on 6/30, 7/14, & 8/11/2021; Jazz at the Pool on 7/22/2021; Splash Time on 7/24 & 8/21/2021; Customer Appreciation Day on 8/21/2021; Teen Night on 8/21/2021; Back to School Pool Party on 8/28/2021; recommending acceptance of report and place on file.

### 4. Finance Committee (Consent)

- 21-0085 Refunding Bond Presentation from Baird, recommend to accept and place on file.
- 21-0100 4th Quarter Claims Report from City Attorney, recommend to accept the report and place on file.
- 21-0101 Lakeshore Community Foundation quarterly performance report, recommend to accept and place on file.
- 21-0102 Fund statement balances from Lakeshore Community Foundation for K-9 Preservation Fund and Eternal Flame and Veterans Memorial Fund, recommend to accept and place on file.
- 21-0115 Request to install Speed Display Board on Waldo Boulevard, recommend to accept request and not to exceed a cost of \$750.
- 21-0155 General City Claims in the amount of \$8,540,761.50 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.

- 21-0177 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)**

- 21-0105 Proposed 2021 AC Schedule and Pricing Adjustments, recommending approval
- 21-0107 Contract/Agreement with L.W. Allen for the Lift Station SCADA Upgrade, recommending approval of agreement
- 21-0108 State/Municipal Agreement (SMA) for the DOT SISP Traffic Signal Modifications on Connecting Highways, recommending approval of the agreement
- 21-0109 Agreement with JT Engineering for Traffic Signal Modification Design, recommending approval of the agreement
- 21-0110 Custer Street - 2700 Block to S. 39th Street - Removal of Parking on one side of the street, recommending approval of the design and sending an informational letter to affected property owners and having a discussion with Hope House regarding parking changes.
- 21-0111 Proposed Permanent and Temporary Easement at 1320 Dueno Street for South 14th Street Lift Station Improvements, recommending approval of the easement and Engineering to work with Attorney's Office to draft Agreement.
- 21-0112 Approval of LNRP Habitat Restoration Sign content and Installation along Little Manitowoc River Watershed, recommending approval and installation in Spring 2021
- 21-0113 Request to Erect Three Crosses on Hillside located at Evergreen Cemetery March 27 through April 5, 2021, recommending approval.
- 21-0121 Request for Extension of operating hours for the Mobile Cookie Truck, recommending approval for the period of February 21st through April 30th, 2021.
- 21-0157 Progress invoices from WI Department of Transportation for Waldo Blvd project, recommending payment.
- 21-0168 Report of Director of Public Infrastructure Dan Koski of Tonnage Report for the year ending 12/31/20. Recommending acceptance and place on file.
- 21-0169 Report of Board of Public Works of 1/20/2021 of approval to enter into AGMT-21-01 with LaMahieu Tree Service for 2021 Tree Removal and Stump Grinding at various locations within the 2021 City Sidewalk Replacement District for a contract price of \$9,148.54, recommending acceptance of report and place on file.

- 21-0170 Report of Board of Public Works of 1/20/2021 of approval to enter into AGMT-21-01 with LaMahieu Tree Service for 2021 Ash Tree Removal at various locations for a contract price of \$19,950.00 recommending acceptance of report and place on file.
- 21-0171 Report of Board of Public Works of 1/20/2021 of approval to enter into AGMT-21-03 with Lakeland Landscape for 2021 Tree Planting along Bayshore Drive and Bay Point Road for a contract price of \$14,077.00, recommending acceptance of report and place on file.
- 21-0172 Report of Board of Public Works of 1/26/2020 of approval to reduce snow removal assessment from \$300 to \$91 for property located at 819 Sarah Lynn Ct., recommending acceptance of report and place on file.
- 21-0173 Report of Board of Public Works of 1/26/2020 of approval to reduce snow removal assessment from \$300 to \$98 for property located at 801 Sarah Lynn Ct., recommending acceptance of report and place on file.
- 21-0174 Report of Board of Public Works of 1/26/2020 of approval to reduce snow removal assessment from \$300 to \$91 for property located at 509 Wild Oak Dr., recommending acceptance of report and place on file.
- 21-0175 Report of Board of Public Works of 1/26/2020 of approval to reduce snow removal assessment from \$300 to \$91 for property located at 1009 Sarah Miles Ct., recommending acceptance of report and place on file.
- 21-0176 Report of Board of Public Works of 2/3/2021, of bids received for 2021 Seal Coating Program, WS-21-6, recommending awarding to low bidder, Fahner Asphalt Sealers, LLC, in the amount of \$111,130.23.
- 21-0181 Report of Board of Public Works of 2/3/2021 of approval to enter into AGMT-21-04 with Otis Elevator Company for Optiguard Door Protection System for Public Safety Building and Rahr-West Art Museum for a contract price of \$10,000.00, recommending acceptance of report and place on file.

## **7. Public Safety Committee (Consent)**

- 21-0131 LifeQuest hardship request, call 182A-20-3581. Recommending approval of payment plan.

## **8. Plan Commission (Consent)**

### **I. COMMITTEE REPORTS**

#### **1. Committee of the Whole**

- 21-0156 Resolution extending the mask requirement in City buildings through April 30, 2021
- Moved by Czokala, failed for a lack of second, that this resolution be amended to exclude city facilities that are rented.**

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

Aye: 8 - Brey, Sitkiewitz, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

Nay: 1 - Czekala

21-0179 Report of Special Events Committee Recommending approval for the following events subject to Council action: St. Patrick's Day Celebration on 3/13/2021 (Closure of 8th Street from Washington Street to Bank 1st National (402 N 8th St.); Sunrise Easter Sunday on 4/4/2021 (Waiver of noise ordinance from 5:30 a.m. to 7:00 a.m.); Movie & a Book on 6/25/2021, 7/23/2021, & 8/27/2021 (Waiver of noise ordinance until 11:30 p.m.).

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

Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

## 2. Finance Committee

21-0047 Resolution Terminating TID District 10 and Authorizing Treasurer to Distribute Excess Increment to Overlaying Districts

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

Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

21-0048 Resolution Terminating TID District 12 and Authorizing Treasurer to Distribute Excess Increment to Overlaying Districts

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

Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

21-0099 Amendment to Ordinance Section 11.100 of the Municipal Code to clarify license fee for Mobile Food Vendor License.

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

Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

21-0103 2021 Budget Amendment to include \$135,000 to the contingency and offsetting the Fund Balance Applied

Moved by Brey, seconded by Schlei, that the budget amendment be approved. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

21-0117 Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$2,600,000 Taxable General Obligation Promissory Notes

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

**Aye:** 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

**21-0118** Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$2,700,000 General obligation Refunding Bonds

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

**Aye:** 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

**21-0119** Scope of Engagement relative to the Proposed Issuance of \$2,700,000 City of Manitowoc General Obligation Refunding Bonds

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

**Aye:** 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

**21-0120** Scope of Engagement relative to the Proposed Issuance of \$2,600,000 City of Manitowoc Taxable General Obligation Promissory Notes

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

**Aye:** 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

**21-0150** Report of 2020 Municipal Court Revenues & Caseload Statistics

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

**Aye:** 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

**21-0153** Report of Industrial Development Corporation of 1/13/21 recommending to approve the land sale and site plan for the Damm Corporation, for a new building located on Lot 8, Block 1, I-43 Industrial Park No.2, encompassing 15.62 acres

**Moved by Brey, seconded by Schlei, that the Industrial Development Corporation recommendation be approved. The motion carried by the following vote:**

**Aye:** 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

**21-0154** Report of Industrial Development Corporation of 1/13/21 recommending to approve the land sale to AMMO Inc. and to go on record in support of the text amendment permitting ammunition manufacturing and storage in the I-1 Light Industrial Zoning District in the I-43 Industrial Park regarding parcel ID's 449-007-010, 449-007-011, and 449-007-020

**Moved by Brey, seconded by Schlei, that the Industrial Development Corporation recommendation be approved. The motion carried by the following vote:**

**Aye:** 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

- 21-0164** Resolution to approve Rahr-West Art Museum Strategic Plan 2020-2025
- Moved by Brey, seconded by Schlei, that this Resolution be adopted. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey
- 21-0178** Agreement for Management Services for 2021-2023 Manitowoc Farmers' Market
- Moved by Brey, seconded by Schlei, that this Agreement be adopted with term dates 221-2022. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

### 3. Personnel Committee

- 20-0898** Police Contract Bargaining
- Moved by Czekala, seconded by Hansen, that this Agreement be approved as outlined. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey
- 21-0079** 2021 Deputy Fire Chief Request for Approval of Job Description Revisions
- Moved by Czekala, seconded by Hansen, that this Request be approved. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

### 4. Public Infrastructure Committee

- 21-0162** Final Resolution authorizing public improvement and levying special assessments against benefited property located on North Rapids Road
- Moved by Novak, seconded by Hansen, that this Resolution be adopted. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey
- 21-0163** Delayed Assessment Agreement with Debra, Shirley, and Randall Kapitz for a sanitary sewer assessment at 1608 North Rapids Road
- Moved by Novak, seconded by Hansen, that this Agreement be approved. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey
- 21-0165** Sidewalk Privilege Agreement with Coffey Enterprises, LLC
- Moved by Novak, seconded by Hansen, that this Agreement be approved. The motion carried by the following vote:
- Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey



21-0166 Agreement between the City of Manitowoc and the Aging & Disability Resource Center of the Lakeshore Senior Nutrition Program regarding the dining site.

Moved by Novak, seconded by Hansen, that this Agreement be approved. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

## 5. Public Safety Committee

20-1203 Ordinance to regulate outdoor lighting.

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

Aye: 7 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Brunner and Bailey

Nay: 2 - Schlei and Vanderkin

21-0135 Request for reconfiguration of intersection of Cleveland Ave. and Maritime Dr.

Moved by Czekala, seconded by Novak, that this request be approved but not to exceed \$100,000 for 2022 Budget. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

21-0143 Resolution to backfill Assistant Chief of Fire Rescue

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

Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

21-0144 Resolution to backfill Building Inspector position due to a retirement

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

Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

## 6. Plan Commission

21-0070 PC 33-2019: Holy Family Memorial / Core Treatment Services Annual Review of a Conditional Use Permit for the establishment of a Transitional Housing Residential Treatment Center in the B-1 Office - Residential Zoning District located at 3 Riverview Drive.

Moved by Brey, seconded by Sitkiewitz, that the annual review of the Conditional Use Permit be approved with the removal of the annual review condition. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

21-0071 PC 4-2020: Michael Plate. d.b.a. Plate Enterprises: Annual Review of a

Conditional Use Permit - for the operation of a Recycling Facility Located 1107 Franklin Street.

Moved by Brey, seconded by Sitkiewitz, that the annual review of the Conditional Use Permit be approved. The motion carried by the following vote:

**Aye:** 8 - Brey, Sitkiewitz, Czekala, Hansen, Schlei, Vanderkin, Brunner and Bailey

**Nay:** 1 - Novak

21-0072 PC 5-2020: Knutson, Annual Review of a Conditional Use Permit for an Open Sales Lot located at 2020 Dufek Drive.

Moved by Brey, seconded by Sitkiewitz, that the annual review of the Conditional Use Permit be approved. The motion carried by the following vote:

**Aye:** 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

21-0076 PC 2-2021: Annual Review of Community Living Arrangements.

Moved by Brey, seconded by Sitkiewitz, that the annual review of Community Living Arrangements be approved. The motion carried by the following vote:

**Aye:** 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

21-0158 Resolution to approve the revised fee schedule for the Community Development Department

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

**Aye:** 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

21-0159 Ordinance to amend Chapter 15 of the Municipal Code to allow ammunition manufacturing in a "I-1" Light Industrial Zone

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

**Aye:** 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

21-0161 Ordinance for a rezone from R-6 Multiple Family District to B-2 Neighborhood Business District for property located at 2105 Western Avenue.

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

**Aye:** 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

## J. OTHER BUSINESS

## K. ADJOURN

1. Next Scheduled Common Council Meeting: Monday, March 15, 2021 at 6:30pm in the Common Council Chambers at City Hall.

**Moved by Sitkiewitz, seconded by Schlei, that this meeting be adjourned at 7:32 p.m. The motion carried by the following vote:**

**Aye: 9 - Brey, Sitkiewitz, Czekala, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey**

**Mackenzie Reed-Kadow  
City Clerk**