



City of Manitowoc

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

Meeting Minutes

Common Council

CONSENT

Monday, August 19, 2019

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

Alders Present: 8 - Jim Brey, Eric Sitkiewitz, Lee H. Kummer, Steven Czekala, Mike Williams, Scott McMeans, Mike Howe and Jeremiah Novak

Alders Absent: 2 - Todd Lotz and Bruce Jacobs

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

19-0865 Unveiling of City of Manitowoc 150th Anniversary Logo

19-0908 Commendation and thanks to Manitowoc Garden Club for 75 years of dedication to the Manitowoc community.

E. PUBLIC HEARINGS

None

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

19-0866 Mayor to appoint Steve Corbeille as city employee representative on the Board of Ethics

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

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: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

2. Miscellaneous

19-0867 Minutes of July 15, 2019 Common Council meeting, recommending acceptance and place on file.

3. Committee of the Whole (Consent)

19-0901 Report of Special Events Committee relative to approval of the following events: Block Party at 816 Manistee Ct. on 8/3/19; NAFA World Series on 8/9 to 8/11 and 8/15 to 8/19 (CANCELLED); Block Party at 2500 block of Knuell St. on 8/17/2019; Waiver of Fees - Mural Project at S. 9th & Quay St. on 7/29-8/9/19; Waiver of Fees - MIRA Farewell Dinner on 8/7/19; Gumby's Ride Fore a Cure on 10/6/19; Fall into the Zoo on 9/28/19; Waiver of Fees - Serve Sunday on 9/8/19; Waiver of Fees - use of Bandwagon on 9/8/19; St. Francis of Assisi Night of Hope on 9/22/19; American Red Cross blood drive on 10/31/19; Waiver of Fees - Festival Foods Picnic on 8/14/19; Moonlight Paddle on 9/13/19; Shaggy Shuffle on 10/26/19; St. Francis of Assisi Tailgate Party on 9/20/19; Block Party - 1000 Block N. 16th St. on 9/1/19; recommending acceptance of report and place on file.

4. Finance Committee (Consent)

19-0798 Bryan Grunewald, Principal, State and Local Government, CLA (CliftonLarsonAllen LLP) presentation of Management Letter and Comprehensive Annual Financial Report (CAFR) for year ended December 31, 2018, recommend to accept and place on file.

19-0830 Minutes of June 24, 2019 Finance Committee meeting, recommending approval and place on file.

19-0831 Minutes of MPU Commission meetings of May 28, 2019 & June 18, 2019, recommending acceptance and place on file.

19-0833 Policy for new "Class B" Retail Intoxicating Liquor & Fermented Malt Beverage License (Tavern), recommend to approve the policy.

- 19-0835 Application for "Class B" Intoxicating Liquor & Fermented Malt Beverage License, for Dead by Dawn Productions, 719A Franklin St./901-903 S. 8th St., recommend to approve the application.
- 19-0836 Capital Allocation Working Group (CAWG) recommendation to fund up to \$25,757.93 as an unbudgeted request for Public Safety to purchase Squad Car Cradlepoint Routers and Antennas, recommend to approve the request.
- 19-0837 Communication from Manitowoc County Treasurer of public notice of the tax foreclosure action in Rem 2019. Recommending placing on file.
- 19-0843 Lakeshore Community Foundation quarterly performance report, recommend to accept and place on file.
- 19-0844 Application for "Class B" Intoxicating Liquor & Fermented Malt Beverage License, for One More Time LLC, On The Rocks at 101 Maritime Dr., recommend to approve the application.
- 19-0852 Potential offer from Mishawaka Land & Timber Co. to purchase the rights to cell tower lease, recommend to place on file.
- 19-0856 2nd Quarter 2019 Report of Internal Controls, recommend to accept and place on file.
- 19-0857 2nd Quarter 2019 Report of the Capital Allocation Working Group (CAWG) activities, recommend to accept and place on file.
- 19-0858 2nd Quarter 2019 Budget Exception Report, recommend to accept and place on file.
- 19-0859 Lowe's Home Centers, LLC Summons and Complaint 2019 Assessment, Case number 2019CV000332, recommend to accept and refer to the City Attorney.
- 19-0860 Policy establishing Responsible Bidder Criteria, recommend to approve the policy.
- 19-0861 Update on agreement between the City and Grow it Forward regarding the Farmer's Market, recommend to place on file.
- 19-0862 Claims report from City Attorney. January through June 2019, recommend to accept and place on file.
- 19-0863 Capital Allocation Working Group (CAWG) recommendation to fund up to \$49,530.00 as an unbudgeted request for Finance/Clerk Division to purchase Badger Books (E-Poll Books), recommend to approve the request.
- 19-0868 General City Claims in the amount of \$7,381,100.83 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.

19-0869 Report of donation from Kenny's Club of \$6,000 for fence at Citizen Park, recommending acceptance and place on file.

19-0902 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)

6. Public Infrastructure Committee (Consent)

19-0820 Report of Board of Public Works of 7/10/19, of bids received for 2019 Sanitary & Storm Sewer Construction, Project WU-19-8, recommending awarding to low bidder, Vinton Construction Company in the amount of \$360,384.44.

19-0828 Report of Board of Public Works of July 24, 2019, of bids received for Playground Equipment for Citizen Park, Project WB-19-16, recommending awarding to low bidder, Lee Recreation in the amount of \$70,740.00.

19-0873 Report of Board of Public Works of July 24, 2019 of denial of request to rescind snow removal assessment for property at 3518 Menasha Ave, recommending acceptance and place on file.

19-0874 Report of Board of Public Works of 7/24/2019, of bids received for Dog Park Fence at Halvorsen Park - Rebid, Project WO-19-12R, recommending awarding to low bidder, Fortress Fence in the amount of \$29,355.00.

19-0893 Progress Invoice from Wisconsin Department of Transportation for Waldo Blvd, project 39545701272 in the amount of \$272,433.44, recommending payment.

19-0894 Report of Board of Public Works of 8/7/19 for 1st and Final payment of \$76,762.00 to MJI Building Services, LLC for Remove & Upgrade Existing Accordion Doors at Manitowoc Senior Center, WB-18-20, recommending payment.

19-0895 Report of Board of Public Works of 8/7/19 for 1st and Final payment of \$12,541.00 to LaForce for Security Systems at Union, Pulaski and Washington Parks, AGMT-19-10, recommending payment.

19-0896 Report of Board of Public Works of 8/7/19 for 1st and Final payment of \$18,475.00 to Fortress Fence for Repair & Replace Fencing at Lincoln Park & CP2 & Remove and Replace Fence at CP3, AGMT-19-15, recommending payment.

- 19-0897 Report of Board of Public Works of 8/7/19 for 21st and Final payment of \$193,489.46 to CD Smith Construction for Wastewater Treatment Facility Improvements, WB-17-2, recommending payment.
- 19-0898 Report of Board of Public Works of 8/7/19, of bids received for Televising Sewers II, Project WU-19-14, recommending awarding to low bidder, Green Bay Pipe & TV, LLC in the amount of \$29,852.24.
- 19-0899 Report of Board of Public works of 8/7/19 of denial of request to rescind weed cutting assessment for property at 420 N. 7th St., recommending acceptance and place on file.
- 19-0900 Report of Board of Public Works of 8/7/19 of denial of request to rescind weed cutting assessment for property at 1914 S. 14th St., recommending acceptance and place on file.

7. Public Safety Committee (Consent)

- 19-0887 Request for painted lane use symbols at Division and South 10th Street, recommending placing on file.
- 19-0888 Request for stop signs to replace the currently existing yield signs in the 2600 block of Custer Street, recommending placing on file.

8. Plan Commission (Consent)

I. ITEMS PREVIOUSLY TABLED

- 19-0822 Ordinance regulating Two Hour Parking on York Street and N. 9th Street
- Moved by Sitkiewitz, seconded by Howe, that this Ordinance be taken off the table. The motion carried by the following vote:
- Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak
- 19-0823 Ordinance to amend Section 10.390 of the Municipal Code regulating parking on N. 9th Street
- Moved by Sitkiewitz, seconded by Howe, that this Ordinance be taken off the table. The motion carried by the following vote:
- Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak
- Moved by Sitkiewitz, seconded by Howe, that this Ordinance be referred to the Public Safety Committee. The motion carried by the following vote:
- Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

19-0822 Ordinance regulating Two Hour Parking on York Street and N. 9th Street

Moved by Sitkiewitz, seconded by Howe, that this Ordinance be amended to change the date of the sunset to December 31, 2019. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

J. COMMITTEE REPORTS**1. Committee of the Whole****19-0778** Proposed Downtown Improvement Projects

Moved by Sitkiewitz, seconded by McMeans, to approve the lighting project at a cost not to exceed \$115,000. The motion carried by the following vote:

Aye: 5 - Brey, Sitkiewitz, Czekala, McMeans and Novak

Nay: 3 - Kummer, Williams and Howe

19-0905 Report of Special Events Committee relative to approval of the following events subject to Council approval: Chewy's Badger Tail Gate Party on 8/30/19 (Closure of Buffalo St. from N. 8th to The Crossings driveway, Waiver of Noise Ordinance until 11 p.m., and extension of alcohol premise); PetSkull Brewing Munich in Manitowoc on 9/21/19 (Closure of N. 9th St. in front of 220 N. 9th, subject to approval of extension of alcohol premise by State of Wis.); HarvestFest to include sidewalk sales, horse & wagon rides, music, use of tables, trash cans and traffic control items, as well as crossing guard on 9/28/19, recommending approval.

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

19-0906 Resolution authorizing the City to submit a Harbor Assistance Program grant application on behalf of City Centre LLC and Broadwind Towers & Heavy Fabrications.

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

19-0907 Communication from Alderperson Bruce Jacobs, resigning his position as Alderperson for District 10, effective August 31, 2019.

Moved by Sitkiewitz, seconded by McMeans, that this Communication be accepted and placed on file. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

Moved by Brey, seconded by McMeans, to accept resumes for the District 10 vacancy until September 11, 2019 subject to approval at the September 16, 2019 Council meeting. The motion carried by the following vote:

Aye: 7 - Brey, Sitkiewitz, Czekala, Williams, McMeans, Howe and Novak

Nay: 1 - Kummer

2. Finance Committee

19-0722 Agreement to Fundraise and Build Phase Three of the Manitowoc Family Aquatic Center

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

19-0834 Ordinance to amend 11.010 of the Municipal Code regulating "Class A" License Regulations

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

19-0870 Scope of Engagement relative to Proposed Issuance of \$6,900,000 City of Manitowoc General Obligation Promissory Notes

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

19-0871 Resolution awarding the sale of \$6,900,000 general obligation promissory notes

Bradley Viegut from Baird provided an overview of the borrowing.

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

19-0875 Application for "Class B" Intoxicating Liquor & Fermented Malt Beverage License, for Chi You, LLC, Chi You at 1517 Washington Street

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

3. Personnel Committee

4. Public Infrastructure Committee

5. Public Safety Committee

19-0884 Manitowoc Sex Offender Residency Board Appeal for Craig Erdman.

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

19-0885 Ordinance to amend Section 18.120 of the Manitowoc Municipal Code regulating Electrical Code.

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

19-0903 Ordinance to amend Section 10.390 of the Manitowoc Municipal Code to remove the no parking restrictions on South 17th Street from Washington Street to Marshall Street.

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

6. Plan Commission

19-0872 Ordinance to correct Ordinance 19-0575 annexing certain territory from the Town of Manitowoc Rapids to the City of Manitowoc as part of the 10th Aldermanic District and the 19, 20th, and 27th Wards of the City.

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

K. OTHER BUSINESS

L. ADJOURN

Moved by Sitkiewitz, seconded by McMeans, that this meeting be adjourned at 7:42pm. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Howe and Novak

**Deborah Neuser
City Clerk**