



City of Manitowoc

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

Meeting Minutes

Common Council

Monday, May 15, 2023

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

Alders Present: 10 - Jim Brey, Eric Sitkiewitz, Steven Czekala, Bill Schlei, Brett Vanderkin, Chad Beeman, Michael Cummings, Tim Boldt, Todd Reckelberg and Darian Kaderabek

C. PLEDGE OF ALLEGIANCE & INVOCATION

[23-0388](#) Request from Girl Scout Troop 8209 for a little "Beach Library" at Red Arrow.

Attachments: [23-0388 REQUEST FOR BEACH LIBRARY EMAIL.pdf](#)

[LETTER FROM GIRL SCOUT TROOP FOR TOY BOX FOR BEACH.pdf](#)

Moved by Czekala, seconded by Boldt, that this Request be approved and the City puts in posts. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

D. PRESENTATIONS

[23-0425](#) City Clerk administers Oath of Office and badge pinning of Firefighter/Paramedic Seth Loberger

[23-0426](#) City Clerk administers Oath of Office and badge pinning of Firefighter/Paramedic Ben Molnar

[23-0427](#) City Clerk administers Oath of Office and badge pinning of Firefighter/Paramedic Tyler Tews

[23-0428](#) Proclamation declaring the month of May 2023 as Building Safety Month

Attachments: [Building Safety Month Proclamation](#)

[23-0429](#) Proclamation declaring May 15th - 21st, 2023 as National Police Week and May 15th, 2023 as Peace Officers' Memorial Day

Attachments: [Peace Officers' Proclamation](#)

[23-0441](#) State of the City Address by Mayor Nickels

E. PUBLIC HEARINGS

F. PUBLIC INPUT

Mayor declared the meeting open for public input. In accordance with policy, the public input of the meeting is not made a part of the official record.

G. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

[23-0445](#)

Mayor makes appointments to various committees

Mayor makes the following re-appointments: Crime Prevention - Melia Prange (term: expires 6/1/2025), Charles Rasmussen (term: expires 6/1/2025), Rita Muench (term: expires 6/1/2025), Steven Kleinfeldt (term: expires 6/1/2025), Robert Dewane (term: expires 6/1/2025), Heather Buchko (term: expires 6/1/2025), Jacalyn LeBre (term: expires 6/1/2025), Anissa Fencil (term: expires 6/1/2025); Plan Commission - Daniel Hornug (term: expires 5/1/2026); Harbor Commission - Fred Radant (term: 6/1/2026); Rahr-West Art Museum Board - Kathy Halla (term: expires 6/1/2026), Tricia Zimmerman (term: expires 6/1/2026), Larry Shimon (term: expires 6/1/2026), Cassie LaPean (term: expires 6/1/2026); Industrial Development Corporation - Jeffrey Dvorachek (term: expires 6/1/2025), Dennis Tienor (term: expires 6/1/2025), Christopher Herzog (term: expires 6/1/2025)

**Moved by Sitkiewitz, seconded by Czekala, that these appointment be approved.
The motion carried by the following vote:**

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

H. CONSENT AGENDA

1. Removal of Consent Agenda Items

None

Approval of the Consent Agenda

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

2. Miscellaneous

[23-0430](#)

Minutes of April 17, 2023 Common Council Joint Meeting with the Plan Commission, recommending approval and place on file

Attachments: [Joint CC and Plan Commission Minutes](#)

[23-0431](#) Minutes of April 17, 2023 Common Council meeting, recommending approval and place on file

Attachments: [MeetingMinutes 4-17-23](#)

[23-0432](#) Minutes of May 1, 2023 Common Council Special Meeting, recommending approval and place on file

Attachments: [MeetingMinutes 5-1-23](#)

[23-0433](#) Minutes of April 18, 2023 Common Council Organizational Session, recommending approval and place on file

Attachments: [MeetingMinutes Organizational Session 4-18-23](#)

3. Committee of the Whole (Consent)

[23-0434](#) Report of Special Events Committee relative to approval of the following events: Roncalli Middle School Picnic on 5/16/2023; Silver Creek Beer Garden on 6/25/2023 and 8/6/2023; Lighthouse Grass Volleyball on 7/2/2023; recommending approval

Attachments: [Roncalli Middle School Picnic](#)

[Silver Creek Beer Garden](#)

[Lighthouse Grass Volleyball](#)

4. Finance Committee (Consent)

[23-0248](#) Citizen request for wheel tax reimbursement; recommending to deny the request

Attachments: [T Fessler Wheel Tax Request 2023](#)

[23-0373](#) 1st Qtr 2023 Investment Report ; recommending to accept and place on file

Attachments: [2023 Investment Reconciliation](#)

[23-0374](#) 2023 Capital Allocation Working Group (CAWG) Request Log Report; recommending to accept and place on file

Attachments: [2023 Log of CAWG Requests](#)

[23-0375](#) 1st Qtr 2023 Internal Controls To Prevent and Detect Fraud Report; recommending to accept and place on file

Attachments: [2023_01 Check List for Finance Committee](#)

[23-0377](#) 1 Qtr 2023 Budget Exception Report; recommending to accept and place on file

Attachments: [Q1 2023 Budget Exception Report](#)

[23-0378](#) Request from Baymont Inn for waiver of December 2022 Room Tax late filing penalties and interest; recommending to deny the request

Attachments: [Baymont Inn - December 2022 Room Tax Late Filing Fee Dispute Emails](#)
[Baymont Inn - December 2022 Room Tax Late Filing Fee Dispute Letter](#)
[MCC 23.050 - Room Tax](#)

[23-0380](#) L23-00088 Second Look/Erie Ins/Dondling Subro Claim for >\$5,000 of Vehicle Damage; recommending to refer to City Attorney; recommending to accept and place on file

Attachments: [L23-00088 Second Look.Erie Ins.Dondling Subro Claim](#)
[Second Look - Auto Subrogation Demand Letter](#)
[PROOF OF PAYMENT](#)

[23-0381](#) Approval of the Quadricycle (Pedal Pub) Revised Routes from Big Hitter Worldwide LLC; recommending to approve the request

Attachments: [MTW Route Revision Proposal](#)

[23-0383](#) Agreement with MSA to complete Manitowoc Marina Dock Renovations assessment and design plans; recommending to approve the agreement

Attachments: [05571031 Manitowoc Marina Proposal](#)
[MSA Dock Replacement probable costs 2022](#)
[Manitowoc Marina PSA](#)

[23-0385](#) Agreement with Appraisal Specialist of Wisconsin for valuation of various properties; recommending to approve the agreement

Attachments: [Manitowoc 2023 Letter of Engagement](#)

[23-0392](#) Application of "Class B" Intoxicating Liquor & Fermented Malt Beverage License, Our World LLC, 2315 Washington St.; recommending to approve the Class B Intoxicating Liquor and Fermented Malt Beverage License

Attachments: [Our World LLC Class B Liquor License Application](#)

[23-0393](#) Discussion on staff recommendation regarding Wheel Tax Ordinance; recommending to place on file

Attachments: [MCC - Wheel Tax - Section 23.200 Motor Vehicle Registration Fee](#)

[23-0394](#) Memorandum of Agreement for Weights and Measures Inspection; recommending to enter into the Memorandum of Agreement

Attachments: [FY23 Weights and Measures MOA](#)

[23-0436](#) General City Claims in the amount of \$2,933,049.87 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

Attachments: [Claims](#)

[4-21-2023](#)

[4-28-2023](#)

[5-5-2023](#)

[23-0438](#) 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 approval

Attachments: [LPI Licensing Report](#)

5. Personnel Committee (Consent)

6. Public Infrastructure Committee (Consent)

[23-0384](#) Stormwater Management Facility Maintenance Agreement with Seehafer Specialized Logistics at 4009 Viebahn Street; recommending entering into agreement.

Attachments: [23-0384 STORMWATER AGREEMENT FOR SEEHAFER SPECIALIZED LOGISTICS.pdf](#)

[23-0386](#) 3 Party Design Engineering Contract: between WI D.O.T.; City of Manitowoc; Ayres Associates - S. 30th Street (Dewey to Viebahn); recommending entering into agreement.

Attachments: [23-0386 THREE PARTY DESIGN SERVICES CONTRACT W CITY, DOT & AYRES.pdf](#)

[23-0397](#) Stormwater Pond Agreement with Dramm Corporation; recommending entering into agreement.

Attachments: [23-0397 STORMWATER MANAGEMENT ACCESS & MAINT AGREEMENT W DRAMM .pdf](#)

[23-0416](#) Report of Board of Public Works of 4/19/2023 request to rescind the snow removal assessment for the property located at 2337 S 22nd Street; recommending to rescind the assessment noting that if the current property owner has another offense, they waive future requests to rescind

Attachments: [Appeal for Snow Assessment 2337 S 22nd](#)

[23-0417](#) Report of Board of Public Works on 4/19/2023 of request to rescind snow removal assessment for Parcel #000-263-030; recommending denying the request

Attachments: [Appeal for Snow Assessment 000-263-030](#)

[23-0418](#) Report of Board of Public Works of 4/19/2023, approval to rescind the noxious weed assessment for 1119 Menasha Ave as they were billed in error; recommending to rescind the assessment

Attachments: [Noxious Weed Assessment 1119 Menasha Ave](#)

[23-0419](#) Report of Board of Public Works of 4/19/2023 of approval to enter into AGMT-23-05 with Mulch Express of Wisconsin to furnish and install certified wood chips for City playgrounds, flowerbeds and islands at South 26th and Calumet Ave as outlined in "Exhibit A", Mulch Express' Proposal, for a contact price not to exceed \$16,200; recommending acceptance of report and place on file

Attachments: [Report of BPW - AGMT-23-05](#)

[23-0420](#) Report of Board of Public Works of 5/3/2023 of approval to enter into AGMT-23-06 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; recommending acceptance of report and place on file

Attachments: [Report of BPW - AGMT-23-06](#)

[23-0421](#) Report of Board of Public Works of 5/3/2023 of approval to enter into AGMT-23-07 with Fortress Fence to furnish and install 10' high galvanized chain link fence at Westfield Park as outlined in "Exhibit A", Fortress Fence Proposal, for a contract price not to exceed \$10,560.00; recommending acceptance of report and place on file

Attachments: [Report of BPW - AGMT-23-07](#)

[23-0422](#) Report of Board of Public Works of 5/3/2023, of bids received for Parks Security Cameras, WO-23-21, recommending awarding to low bidder Complex Security Solutions, Inc, in the amount of \$44,664.34

Attachments: [Report of BPW WO-23-21](#)

[23-0423](#) Report of Public Works of 5/3/2023 for 2nd & final payment of \$180,456.00 to Crafts Inc for Manitowoc Public Library Re-Roof Project, WB-22-22; recommending payment

Attachments: [Report of BPW Crafts Inc Final Payment WB-22-22](#)

[23-0424](#) Report of Board of Public Works of final payments to contractors for Agreements under \$25,000.00; recommending acceptance and place on file

Attachments: [Report of BPW - Final Payments](#)

7. Public Safety Committee (Consent)

[23-0405](#) Request to buyout two Enterprise vehicle leases for the Police Department; 2019 Toyota Sienna and 2020 Ford F-150; recommending approval

Attachments: [Enterprise lease buyout](#)
[Memo - Public Safety Committee - Enterprise Lease Buyout](#)
[PD Toyota Sienna and 2020 Ford F150 Buyout Analysis](#)

[23-0406](#) Request to install curb ramps on South 8th Street in front of the Capitol Civic Centre; recommending approval and the Capitol Civic Centre to work with city staff

Attachments: [CCC Curb cut request](#)
[CCC CURB RAMP Proposal](#)

8. Plan Commission (Consent)

I. COMMITTEE REPORTS

1. Committee of the Whole

[23-0435](#) Report of Special Event Committee for the following events subject to Council Action: Manitowoc Salmon Derby on 6/30/2023-7/4/2023 (Waiver of sound ordinance); Acoustic Fest on 7/15/2023 (Waiver of alcohol at Washington Park); Kiwanis Car Show on 8/13/2023 (Waiver of alcohol at Washington Park); Slam I Am Concert on 6/24/2023 (Road closure of N 11th St north of Buffalo St and Buffalo St from 11th to 10th Street); Fourth on the Shore on 7/4/2023 (Road closure for parade (see map), waiver of sound, extension of premise for alcohol license)

Attachments: [Manitowoc Salmon Derby](#)
[Acoustic Fest](#)
[Kiwanis Car Show](#)
[Slam I Am Concert](#)
[Fourth on the Shore](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

2. Finance Committee

[23-0376](#) Resolution to carry forward to 2023 budget various appropriations budgeted in 2022

Attachments: [Carry Forward 2022 to 2023 Request Resolution](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

[23-0395](#) Resolution supporting redevelopment of former ShopKo property

Attachments: [Not of App Behnke](#)

[0054 Brief in Support of Motion for Summary Judgment-2023-04-14 - 34828212.1](#)

[0001.014 Isolated Complaint-2023-02-13 - 34844767.1](#)

[Shopping Center Parcel Map - 34845841.1](#)

[Resolution - Behnke](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

[23-0437](#) Request from Petskull Brewing Company LLC for a temporary extension of premise on 6/24/2023 to extend the premise off of the patio into the fenced in area on Buffalo St and on N 11th St, including the parking lot north of Buffalo St and east of N 11th St

Attachments: [PetSkull Extension of Premise](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

[23-0440](#) Resolution authorizing staff to apply to the Wisconsin Department of Natural Resources ("WDNR") Wisconsin Boating Infrastructure Grant

Attachments: [Res to apply for DNR BIG Grant \(002\)](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

[23-0446](#) Resolution to create a Department of Tourism within the City of Manitowoc's organizational structure

Attachments: [RES TO ADD TOURISM TO CITY.pdf](#)

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

Aye: 7 - Brey, Sitkiewitz, Czekala, Schlei, Beeman, Cummings and Boldt

Nay: 3 - Vanderkin, Reckelberg and Kaderabek

[23-0443](#) Ordinance to amend Section 3.010(5)(a) and 3.010(6)(a) of the Municipal Code to assign committee responsibility for the Department of Tourism and committee oversight of the Department of Tourism and City Clerk

Attachments: [ORD REVISING 3.010\(5\) ADDING TOURISM.pdf](#)

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

Aye: 8 - Brey, Sitkiewitz, Czekala, Schlei, Beeman, Cummings, Boldt and Kaderabek

Nay: 2 - Vanderkin and Reckelberg

3. Personnel Committee

[23-0359](#) Resolution to Hire Seasonal Employees Related to Elected Officials, Department Heads, or Supervisory Personnel

Attachments: [Resolution to hire related seasonals for seasonal employment 2023](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

[23-0444](#) Charter Ordinance to amend Section 2.070 of the Manitowoc Municipal Code regulating indefinite tenure for appointments of City officers to include the Director of Tourism

Attachments: [REVISION OF 2.070 CHARTER ORD.pdf](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

4. Public Infrastructure Committee

[23-0387](#) Request from 631 N. Water Street to pay portion of cost to change Driveway Approach Angle

Attachments: [23-0387 631 N WATER STREET DRIVEWAY ANGLE.pdf](#)

[631 N Water St Staff Recommendation](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

5. Public Safety Committee

6. Plan Commission

J. OTHER BUSINESS

K. ADJOURN

A motion was made by Alderperson Sitkiewitz, seconded by Alderperson

Czekala, that this meeting be adjourned at 8:59 p.m.. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

**Mackenzie Reed
City Clerk**