



# City of Manitowoc

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

## Meeting Minutes

### Common Council

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Monday, April 17, 2023

6:30 PM

Council Chambers

Note: This meeting will also be held via remote conferencing software (Zoom)

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#### A. CALL TO ORDER

#### B. ROLL CALL

**Alderspersons 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

#### D. PRESENTATIONS

[23-0310](#) Proclamation declaring the week of May 7th through 13th, 2023, as National Travel and Tourism Week

**Attachments:** [Nat Tourism Week Proclamation 2023 - Final](#)

[23-0345](#) Award presentation to Tom Bare for his 27 years of service to the community in serving on the Police & Fire Commission

#### E. PUBLIC HEARINGS

[23-0308](#) 6:32 P.M. - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from P-1 Conservancy to C-1 Commercial for property located at 4221 Calumet Ave

**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 Herald Times Reporter on April 3, 2023 and April 10, 2023 (Proof of publication is on file in the City Clerk's Office).**

**No parties appeared to speak 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.)**

[23-0309](#) 6:34 P.M. - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit located at 734 N. 8th

Street for the Creation of a Used Car Lot pursuant to 15.270(3)a

**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 Herald Times Reporter on April 3, 2023 and April 10, 2023 (Proof of publication is on file in the City Clerk's Office).**

**No parties appeared to speak 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**

Items 23-0311 and 23-0263 were removed from the Consent Agenda

### **Approval of the Consent Agenda**

**Moved by Czekala, seconded by Sitkiewitz, 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**

[23-0312](#) Public Notice of an Air Pollution Control Permit Application Review for Wisconsin Aluminum Foundry, located at 838 S 16th Street, Manitowoc, WI 54220, recommending acceptance and place on file

**Attachments:** [Air Pollution WAF](#)

[23-0313](#) Public Notice of an Air Pollution Control Permit Application Review for B & B Metals Processing Co Inc, located at 14520 Pioneer Road, Newton, WI, recommending acceptance and place on file

**Attachments:** [Air Pollution B & B Metals](#)

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

[23-0332](#) Report of Special Events Committee relative to approval of the following events: Waiver of Fees: Annual Celebration of Clients on 9/8/23; Waiver of Fees: MYBA Draft on 4/12/23; Cares Enough to Wear Pink on 10/14/2023; George Spoentgen Memorial Tournament on 7/15/23; Waiver of Fees: George Spoentgen Memorial Tournament on 7/15/23; Lighthouse Tour on 7/4/23; Malt City Brewfest on 8/5/23; Gumby's Glow Run/Walk on 7/8/23; Manitowoc Garden Faire Extraordinaire on 6/10/23; Waiver of Fees: Lincoln HS End of Year Celebration on 6/7/23; Cool City Car Cruise; recommending approval

**Attachments:** [SE Acted by SE Committee](#)  
[Waiver - Annual Celebration of Clients](#)  
[Waiver - MYBA Draft](#)  
[Cares to Wear Pink](#)  
[George Spoentgen Memorial Tournament](#)  
[Lighthouse Tour](#)  
[Malt City Brewfest](#)  
[Gumby's Glow Run-Walk](#)  
[Manitowoc Garden Faire Extradordinaire](#)  
[Waiver - Lincoln HS End of Year Celebration](#)  
[Cool City Car Cruise](#)

#### 4. Finance Committee (Consent)

[23-0191](#) River Point - River Landing Townhomes recommending to approve the term sheet as submitted

**Attachments:** [River Landing Term Sheet - Final](#)

[23-0274](#) Request to increase Library Public Services Manager Credit Card Limit from \$2,000 to \$5,000 recommending to approve the request

**Attachments:** [Email from Library Executive Director for CC Request](#)

[23-0275](#) Request from Manitowoc County Expo/Fair entertainment pavilion purveyors to extend live band music performances on Friday, August 25th and Saturday, August 26th to 11:30 pm with beer sales ending at Midnight and with music stopping at 11:00 pm on Wednesday, Thursday and Sunday with beer sales ending at 11:30 pm recommending to approve the request

**Attachments:** [Fair Request Letter](#)

[23-0276](#) L23-00075 Borchardt Claim for >\$5,000 for Replacement of Leaking Water Service recommending to refer to the City Attorney's Office

**Attachments:** [L23-00075 BORCHARDT Claim](#)

[23-0277](#) Request for Liquor License Fee Refund - V. Golden recommending to approve the request

**Attachments:** [Liquor License Fee Refund Request Email](#)

[23-0278](#) Request to void Property Tax Equivalent Agreement for 515 Expo Dr recommending to void the contract

**Attachments:** [Email from Community Development Director](#)  
[City-Finance Committe re CVDC 03202023](#)  
[Agreement - City and Custer Village](#)

[23-0280](#) Request for exception to City EPM Travel Expectations/Expenses - Lodging for 2 Finance Dept. Employees recommending to approve the request

**Attachments:** [Memo Finance Dept EPM Lodging Exception Request](#)  
[WGFOA Spring Conference April 2023](#)

[23-0317](#) 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](#)

[23-0318](#) General City Claims in the amount of \$2,020,095.70 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:** [Committee Report on Claims](#)  
[Claims 3-31-23](#)  
[Claims 4-7-23](#)  
[Claims 4-14-23](#)  
[Claims 3-24-23](#)

## 5. Personnel Committee (Consent)

[23-0238](#) Unpaid Leave of Absence Request for Transit Employee recommending to extend current leave until 6/5/2023

## 6. Public Infrastructure Committee (Consent)

[23-0176](#) CORP Final Draft Review and Recommendation for Adoption, recommending adopting

**Attachments:** [23-0176 MEMO for DPI Committee - CORP Update Final Draft Recommendation](#)  
[23-0176 Final Draft - 2023 Manitowoc CORP Appendix](#)  
[23-0176 Final Draft - 2023 Manitowoc CORP Park Specific Recommendation Maps](#)  
[23-0176 Final Draft - 2023 Manitowoc CORP](#)

- [23-0181](#) Stormwater Hydrology and Hydraulics Study Recommendation, recommending including in the 2024 budget request
- Attachments:** [Stormwater Hydrology and Hydraulics Study](#)  
[Stormwater Hydrology and Hydraulics Study Presentation](#)
- [23-0264](#) Request to Fund the Coastal Wetland Aviary Plan Contract of \$12,500 from the Zoo Donation Tube, recommending approval
- Attachments:** [23-0264 Coastal Wetland Aviary Plan funding 4.3.23](#)  
[23-0264 MSA 05571029 Final Proposal \(002\)](#)
- [23-0266](#) Proposed Jurisdictional Transfer of CTH R from Broadway Street to CTH P (Homestead Road), recommending working with City Attorney to finalize details as well as Resolution
- Attachments:** [23-0266 Email for Jurisdictional Transfer of N Rapids Rd](#)  
[CTH R - City costs](#)
- [23-0281](#) Proposed Jurisdictional Transfer (JT) of CTH "CL" (Viebahn St) from S. 10th Street to S. 42nd Street, recommending approval of request and to work with City Attorney to finalize the details.
- Attachments:** [23-0281 Jurisdictional Transfer of CTH CL](#)
- [23-0291](#) Purchase three (3) 42" tables for the Social Room at the Senior Center, recommending approval
- Attachments:** [Senior Center table purchase memo 4.3](#)  
[Senior Center table purchase funding request 4.3.23](#)  
[42 table Quote #11605](#)
- [23-0292](#) Citizen Park Recreation Center Rollaire Renovation, recommending developing a renovation plan for proposals
- Attachments:** [Rollaire Center Improvements](#)
- [23-0319](#) Progress Invoice from WI DOT for Calumet/Washington, Project ID 39541004200 in the amount of \$1,204.85 recommending payment
- Attachments:** [WI DOT Invoice 395-0000294313](#)
- [23-0320](#) Progress Invoice from WI DOT for Calumet/Washington, Project ID 39541004200 in the amount of \$3,847.98 recommending payment
- Attachments:** [WI DOT 395-0000296512](#)
- [23-0321](#) Report of Board of Public Works of 04/05/2023 for 3rd and Final payment of \$42,569.46 to Vinton Construction Co, for S 14th Street Lift Station and Force Main, WU-22-2, recommending payment.

**Attachments:** [Vinton 3&F](#)

[23-0322](#) Report of Board of Public Works of 04/05/2023 for 4th and Final payment of \$93,484.48 to Vinton Construction Co. for 2022 Asphaltic Concrete Paving II Program, WS-22-14, recommending payment.

**Attachments:** [Vinton 4&Final](#)

[23-0327](#) Report of Board of Public Works of 4/5/23, of bids received for Red Arrow Door Replacement, Project #WB-23-16, recommending awarding to low bidder, Phillipi Quality Construction, Inc. in the amount of \$25,543.00.

**Attachments:** [WB-23-16](#)

[23-0328](#) Report of Board of Public Works of 4/5/23, of bids received for Lincoln Park Zoo Exhibit Renovations, Project #WB-23-17, recommending awarding to low bidder, Philippi Quality Construction, Inc. in the amount of \$229,767.00.

**Attachments:** [WB-23-17](#)

[Lincoln Park Zoo Renovation Project Memo](#)

[23-0329](#) Report of Board of Public Works of 4/5/23, of bids received for 2023 Maritime Dr. (10th - York St.) & York St. (7th - 10th St.) Concrete Removal, Installation of Trees & Guards, Landscaping, Epoxy Crosswalk, Project #WB-23-18, recommending awarding to low bidder, Highway Landscapers, Inc. in the amount of \$163,965.88.

**Attachments:** [WB-23-18](#)

[23-0330](#) Report of Board of Public Works of 3/22/23, of bids received for Masonry Wall Repair & Overhead Door Expansion at Transit Mechanic Building - Rebid, Project #WB-23-14R, recommending awarding to low bidder, Jos. Schmitt & Sons Construction in the amount of \$106,233.00.

**Attachments:** [WB-23-14R](#)

[23-0331](#) Report of Board of Public Works of final payments to contractors for agreements under \$25,000.00; recommending acceptance and place on file

**Attachments:** [Final Payment Report](#)

## 7. Public Safety Committee (Consent)

## 8. Plan Commission (Consent)

[23-0144](#) PC4-2020: Plate Enterprises; Review of a Conditional Use Permit for the Operation of a Recycling Facility located at 1107 Franklin Street recommending to accept and place on file a letter from Mike Plate, owner of Plate Enterprises, notifying the City that he is closing his recycling business which then terminates a 2020 issued Conditional Use Permit. The Plan Commission also recommends that the Council grant Mr. Plate's request granting him until May 31st, 2023 time to clean up the building and process all the current materials on the site.

**Attachments:** [23-0144 Report to Council Plate CUP Termination](#)  
[23-1044 PC Report\\_M Plate CUP Annual Review\\_1107 Franklin Street](#)  
[Plate Closure Letter 3-20-2023](#)

## I. COMMITTEE REPORTS

[23-0311](#) Minutes of the March 20, 2023 Common Council meeting, recommending approval and place on file

**Attachments:** [March Minutes](#)

Reconsideration of Ordinance 23-0172 adopted at the March 20, 2023 Common Council meeting

**Moved by Sitkiewitz, seconded by Reckelberg, that this Ordinance be reconsidered. The motion carried by the following vote:**

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

Reconsideration of Ordinance 23-0172 adopted at the March 20, 2023 Common Council meeting

**A motion was made by Reckelberg, seconded by Sitkiewitz, to amend the language in Section 1(1)(a) to remove Director of Parks and Recreation or his designee and replace with Chief of Police and Director of Public Infrastructure or their designee and to adopt as amended. The motion carried by the following vote:**

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

### 1. Committee of the Whole

[23-0333](#) Report of Special Event Committee recommending approval for the following events subject to Council Action: Lincoln Graduation on 6/9/23 (Road closure of S 9th St from Columbus St to Green St, and S 8th St south of Columbus St); Windigo Fest on 10/6/23-10/8/23 (Waiver of sound ordinance); Lakeshore Balloon Glow on 8/18/23 (Road closure of Quay St from 8th St to South 7th St)

**Attachments:** [SE Requiring Council Action](#)

[Lincoln Graduation](#)

[Windigo Fest](#)

[Lakeshore Balloon Glow](#)

**Moved by Czekala, seconded by Sitkiewitz, 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

[23-0265](#) CTH R at Conroe Street 36" CMP Culvert Crossing Quote

**Attachments:** [23-0265 CTH R at Conroe - Culvert Memo](#)

[23-0265 CTH R at Conroe Street Quote and Email](#)

[Information for 23-0265](#)

**Moved by Brey, seconded by Sitkiewitz, that this Request be approved not to exceed \$32,000.00. The motion carried by the following vote:**

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

[23-0314](#) Request from Manitowoc Elks Lodge 0687 for permanent extension of premise to include the private sidewalk on the South side of the building

**Attachments:** [Extension of Premise - Elks Lodge sidewalk](#)

**Moved by Brey, seconded by Sitkiewitz, 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

[23-0315](#) A request from the Manitowoc Elks Lodge 0687 to extend the premise on September 30th, 2023 to include the yard area for Octoberfest Celebration & Live Music, Food & Beverage, Alcohol, Soda etc.

**Attachments:** [Extension of Premise - Elks Lodge Sept 30th](#)

**Moved by Brey, seconded by Sitkiewitz, 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

[23-0334](#) Ordinance to amend Section 3.150 of the Manitowoc Municipal Code creating a Room Tax Commission

**Attachments:** [3.150 Ord for revisions to Room Tax Commission 2023 - Final](#)

**Moved by Brey, seconded by Sitkiewitz, 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

### 3. Personnel Committee

[23-0262](#) Resolution to Hire Seasonal Employees Related to Elected Officials, Department Heads, or Supervisory Personnel

**Attachments:** [Res to hire related seasonals for seasonal employment 2023.pdf](#)

**Moved by Sitkiewitz, 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

[23-0263](#) Request for an Unpaid Intern in the City Attorney's Office-Summer 2023 recommending to move to approve the request

**Attachments:** [ACA Nycz Memo to PC re Summer Intern 2023.pdf.pdf](#)  
[Unpaid Intern Atty.pdf](#)

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

**Aye:** 9 - Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

**Abstain:** 1 - Brey

### 4. Public Infrastructure Committee

[23-0316](#) Resolution Authorizing Emergency Repairs to Storm Sewer Culvert at N. Rapids Rd. & Conroe St.

**Attachments:** [Resolution Authorizing Emergency Repairs to Storm Sewer at N. Rapids Rd. Conroe St](#)

**Moved by Cummings, seconded by Brey, 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

[23-0323](#) Resolution to proclaim May 13, 2023 as World Migratory Bird Day in the City of Manitowoc

**Attachments:** [World Migratory Bird Day Resolution](#)

**Moved by Cummings, seconded by Brey, 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

[23-0324](#) Declaration that the emergency for the 8th Street bridge no longer exists as declared by the Board of Public Works at the meeting of 2/20/2023

**Attachments:** [23-0157](#)

**Moved by Cummings, seconded by Brey, to declare the emergency over. The motion carried by the following vote:**

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

## 5. Public Safety Committee

[23-0298](#) An Ordinance to amend Section 10.830 of the MMC regulating bicycles and e-bikes or electric bicycles.

**Attachments:** [10.830 Ord for E-Bike Revision.DOCX](#)

**Moved by Schlei, seconded by Reckelberg, 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

[23-0299](#) Ordinance regulating unnecessary acceleration/burnouts on City streets.

**Attachments:** [Ord Regulating Unnecessary Acceleration - Burnouts on City Streets.pdf](#)

**Moved by Schlei, seconded by Reckelberg, 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

[23-0325](#) Ordinance to amend Section 10.390 of the MMC regulating parking on Washington Street at S 8th Street

**Attachments:** [Ord amend parking on Washington St. at S 8th St.](#)

**Moved by Schlei, seconded by Reckelberg, 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

## 6. Plan Commission

[23-0142](#) PC 8-2023: City-Initiated Amendment to the Future Land Use Map; Property located at Calumet Avenue, Dewey Street and S. 42nd Street, from Institutional and Public Parks & Open Space to General Business.

**Attachments:** [23-0142 Report to Council 4221 Calumet Ave](#)  
[23-0142 PC Report 4221 Calumet Ave future land use map](#)

**Moved by Brey, seconded by Czekala, that this Action Item be approved. The motion carried by the following vote:**

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

[23-0234](#) PC 11-2023: Hubbart; Request for a Conditional Use Permit for the Creation of a Used Car Lot Located at 734 N. 8th Street pursuant to 15.270(3)a.

**Attachments:** [23-0234 Report to Council Hubbart CUP](#)  
[23-0234 PC Report Hubbart CUP](#)

**Moved by Brey, seconded by Czekala, that this Action Item be approved. The motion carried by the following vote:**

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

[23-0326](#) Ordinance to rezone property located at 4221 Calumet Avenue from P-1 Conservancy to C-1 Commercial

**Attachments:** [Ord to Rezone 4221 Calumet Ave](#)

**Moved by Brey, seconded by Czekala, 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

## J. OTHER BUSINESS

## K. ADJOURN

**Moved by Czekala, seconded by Sitkiewitz, that this meeting be adjourned sine die at 7:57 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**