



City of Manitowoc

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

Meeting Minutes

Common Council

Monday, August 19, 2019

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

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

Alderspersons 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.

Attachments: [COMMEND Manitowoc Garden Club](#)

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.

Attachments: [CC Min 7-15-19](#)

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.

Attachments:[Report 19-0901](#)[Block Party - Manistee Ct.](#)[NAFA World Series](#)[Block Party - Knuell St](#)[Waiver of Fees - Mural Project](#)[Waiver of Fees - MIRA Dinner](#)[Gumby's Ride Fore a Cure](#)[Fall into the Zoo](#)[Waiver of Fees - Serve Sunday](#)[St Francis Tailgate](#)[Night of Hope](#)[Red Cross Blood Drive](#)[Waiver of Fees Festival Foods Picnic](#)[Moonlight Paddle](#)[Shaggy Shuffle](#)[Block Party - N 16th St](#)

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.

Attachments:[Signed Final Report and Financial Statements - City of Manitowoc](#)

Signed Management Letter - City of Manitowoc

Corrective Action Plan - City of Manitowoc

[19-0830](#) Minutes of June 24, 2019 Finance Committee meeting, recommending approval and place on file.

Attachments: [Finance Minutes 6-24-19](#)

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

Attachments: [MPU Commission minutes 5-28-19](#)

[MPU Commission minutes 6-18-19](#)

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

Attachments: [New Tavern Application 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.

Attachments: [Dead by Dawn Tavern 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.

Attachments: [CAWG Request - Cradlepoint Routers & Antennas](#)

[19-0837](#) Communication from Manitowoc County Treasurer of public notice of the tax foreclosure action in Rem 2019. Recommending placing on file.

Attachments: [2019 County Foreclosures](#)

[19-0843](#) Lakeshore Community Foundation quarterly performance report, recommend to accept and place on file.

Attachments: [2019 Q2 LCF Performance Report](#)

[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.

Attachments: [On the Rocks Application](#)

[19-0852](#) Potential offer from Mishawaka Land & Timber Co. to purchase the rights to cell tower lease, recommend to place on file.

Attachments: [Mishawaka Land & Timber Co.](#)

[19-0856](#) 2nd Quarter 2019 Report of Internal Controls, recommend to accept and place on file.

Attachments: [2019_02 Check List for Finance Committee](#)

[19-0857](#) 2nd Quarter 2019 Report of the Capital Allocation Working Group (CAWG) activities, recommend to accept and place on file.

Attachments: [2019_02 Log of CAWG Requests](#)

[19-0858](#) 2nd Quarter 2019 Budget Exception Report, recommend to accept and place on file.

Attachments: [02_2019 Budget Exception Report](#)

[19-0859](#) Lowe's Home Centers, LLC Summons and Complaint 2019 Assessment, Case number 2019CV000332, recommend to accept and refer to the City Attorney.

Attachments: [Lowe's Summons & Complaint](#)

[19-0860](#) Policy establishing Responsible Bidder Criteria, recommend to approve the policy.

Attachments: [Responsible Bidder Policy](#)

[19-0861](#) Update on agreement between the City and Grow it Forward regarding the Farmer's Market, recommend to place on file.

Attachments: [2019 Farmers Market Agreement final](#)
[2019 Marketing Strategic Plan](#)

[19-0862](#) Claims report from City Attorney, January through June 2019, recommend to accept and place on file.

Attachments: [Claims Report to Finance Committee Jan to June 2019.pdf](#)

[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.

Attachments: [CAWG Recommendation - Badger Books](#)

[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.

Attachments: [August Claims](#)

[8-16-19](#)

[8-9-2019](#)

[8-2-19](#)

[7-26-2019](#)

[7-19-2019](#)

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

Attachments: [Kenny's donation](#)

[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.

Attachments: [19-0902 License Report August 2019](#)

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.

Attachments: [WU-19-8 BWP Report](#)

[Memo - WU-19-8](#)

[Bid Tab WU-19-8](#)

[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.

Attachments: [WB-19-16](#)

[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.

Attachments: [Snow removal appeal - 3518 Menasha](#)

[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.

Attachments: [WO-19-12R](#)

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

Attachments: [DOT Progress Invoice](#)

[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.

Attachments: [Final Payment WB-18-20](#)

[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.

Attachments: [Final Payment AGMT-19-10](#)

[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.

Attachments: [Final Payment AGMT-19-15](#)

[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.

Attachments: [Final Payment WB-17-2](#)

[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.

Attachments: [WU-19-14](#)

[Bid Tab WU-19-14](#)

[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.

Attachments: [Weed appeal 1914 S. 14th](#)

7. Public Safety Committee (Consent)

[19-0887](#) Request for painted lane use symbols at Division and South 10th Street, recommending placing on file.

Attachments: [Request for Painted Lane Use Symbols at Division and S. 10th St. 07-24-19](#)

[Diagram Image](#)

[Division Street image 1](#)

[Division Street image 2](#)

[19-0888](#) Request for stop signs to replace the currently existing yield signs in the 2600 block of Custer Street, recommending placing on file.

Attachments: [Request for stop signs to replace the currently existing yield signs in the 2600 block of Custer Street. 07-29-19](#)

[Map image 07-29-19](#)

[2600 - 2700 BLK CUSTER ST ACCIDENT DATA 07-09-19](#)

8. Plan Commission (Consent)

I. ITEMS PREVIOUSLY TABLED

[19-0822](#) Ordinance regulating Two Hour Parking on York Street and N. 9th Street

Attachments: [Ord - 2 Hr Parking on N. 9th and York](#)

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

Attachments: [Ord - Parking on N. 9th](#)

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

Attachments: [Ord - 2 Hr Parking on N. 9th and York](#)

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

Attachments: [Downtown projects 2019](#)

[2019 conceptual downtown project budget](#)

[Pedestrian Light Enhancement Area 8.19.19](#)

[8th Quay Intersection Traffic Calming](#)

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.

Attachments: [Report 19-0905](#)
[Badger Tail Gate Party](#)
[Munich in Manitowoc](#)
[HarvestFest](#)

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.

Attachments: [19-0906 Request from Planner](#)
[City Centre HAP Grant Resolution Revised](#)

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.

Attachments: [19-0907 Resign Jacobs](#)

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

Attachments: [Aquatic Center](#)
[Manitowoc Aquatic-Architectural Plans](#)
[Manitowoc Aquatic-Civil Site Plans](#)
[Manitowoc Progress 2019.07.05](#)
[FW Aquatic Center Expansion](#)

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

Attachments: [Final Ord 19-0834](#)
[Ord Amending 11.010\(10\)\(b\) on Class A](#)

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

Attachments: [Scope of engagement](#)

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

Attachments: [Award Resolution](#)

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

Attachments: [Chi You, LLC Application](#)

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.

Attachments: [MMC 18.120 Electrical Code 08-06-19](#)

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.

Attachments: [ord 19-0903 park s 17](#)

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.

Attachments: [Ordinance - Annexation Correction](#)

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**