



City of Manitowoc

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

Meeting Minutes

Common Council

CONSENT

Monday, February 17, 2020

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, Todd Lotz and Courtney Hansen

Alderspersons Absent: 1 - Jeremiah Novak

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

E. PUBLIC HEARINGS

20-0153

6:30 p.m. Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit for the establishment of a "Recycling Facility" in the C-1 Commercial District located at 1107 Franklin St.

Mayor declared the meeting open for a public hearing for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit for the establishment of a "Recycling Facility" in the C-1 Commercial District located at 1107 Franklin St.

City Clerk reported that the notice of the hearing was published in the Manitowoc Herald Times Reporter on 2/3/2020 & 2/10/2020. (Proof of publication is on file in the City Clerk's office).

City Planner Paul Braun provided an overview of the proposed CUP.

The following persons appeared to address the Council regarding the proposed change:

No interested parties appeared.

Mayor declared the public hearing closed. (A recording of the entire hearing is on file in the City Clerk's office).

20-0154

6:31 p.m. Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit for an Open Sales Lot located at 2020 Dufek Drive

Mayor declared the meeting open for a public hearing for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit for an Open Sales Lot located at 2020 Dufek Dr.

City Clerk reported that the notice of the hearing was published in the Manitowoc Herald Times Reporter on 2/3/2020 & 2/10/2020. (Proof of publication is on file in the City Clerk's office).

City Planner Paul Braun provided an overview of the proposed CUP.

The following persons appeared to address the Council regarding the proposed change:

No interested parties appeared.

Mayor declared the public hearing closed. (A recording of the entire hearing is on file in the City Clerk's office).

20-0155

6:32 Public Hearing for the purpose of hearing any and all interested parties in the matter of proposed changes to Chapter 15 of the Municipal Code. Proposed changes: Amendment to Chapter 15.540 - Sign Ordinance, and Amendment to Chapter 15 regarding Bed & Breakfasts, Residential Dwellings and Short-Term Rentals.

Mayor declared the meeting open for a public hearing for the purpose of hearing any and all interested parties in the matter of proposed changes to Chapter 15 of the Municipal Code.

City Clerk reported that the notice of the hearing was published in the Manitowoc Herald Times Reporter on 2/3/2020 & 2/10/2020. (Proof of publication is on file in the City Clerk's office).

City Planner Paul Braun provided an overview of the proposed CUP.

The following persons appeared to address the Council regarding the proposed change:

No interested parties appeared.

Mayor declared the public hearing closed. (A recording of the entire 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

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, Lotz and Hansen

2. Miscellaneous

- 20-0156 Minutes of January 20, 2020 Common Council meeting, recommending approval and place on file.
- 20-0170 Report of 2019 activities of Great Lakes Utilities (GLU) as required by Resolution. Recommending acceptance and place on file.

3. Committee of the Whole (Consent)

- 20-0185 Report of Special Events Committee relative to approval of the following events: Brutal Wear Open Tennis Tournaments on 8/7-8/9/2020; Waiver of Fees: Magical Trolley Ride to the North Pole on 12/4-12/5/2020; Waiver of Fees: Shop With a Cop on 12/9-12/10/2020; Waiver of Fees & Event: Believe in Bella on 2/22/2020; Touch the Trucks on 7/15/2020; recommending acceptance of report and place on file.

4. Finance Committee (Consent)

- 20-0103 CAWG recommended funding for Unbudgeted request to construct additional storm inlets at 1112 N. 12th St. in the amount not to exceed \$35,000, recommend approval.
- 20-0105 2019 Capital Allocation Working Group request log, recommend acceptance and place on file.

20-0157 General City Claims in the amount of \$9,301,659.50 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.

20-0174 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)

20-0057 Out of State Travel Request -Snow Plow Training-Ohio-DPI, recommending approval.

20-0109 Out of State Travel Request-FASTER Conference-DPI, recommending approval.

6. Public Infrastructure Committee (Consent)

20-0113 Agreement for Professional Services with McMahon Associates, Inc. for Sanitary Sewer & Lateral Reconstruction, recommending entering into Agreement

20-0116 Request for permission to operate a Mobile Cookie Booth, recommending approval of the request

20-0117 Storm Sewer Inlets for North 12th Street between Waldo Blvd and Windiate Street, recommending approval for additional inlets

20-0125 Purchase of a z-track lawn mower from Cemetery Perpetual Care Fund, recommending approval

20-0158 Report of Board of Public Works of 1/22/2020 of appeal for snow removal assessment for property at 3207 Mero St., recommending to deny the appeal.

20-0159 Report of Board of Public Works of 1/22/2020, of bids received for 2020 Epoxy Painting - Pavement Marking Program, Project WS-20-9, recommending awarding to low bidder, Brickline Inc Madison in the amount of \$117,512.40.

20-0160 Report of Board of Public Works of 1/22/2020 of approval to enter into AGMT-20-21 with Chris Lewis Tree Surgery for Ash Tree Removal at various locations for a contract price of \$9,450.00, recommending acceptance and place on file.

20-0161 Report of Board of Public Works of 2/5/2020 of appeal for noxious weed assessment for property at parcel 520-031-070, recommending to deny the appeal.

- 20-0162 Report of Board of Public Works of 2/5/2020 of appeal for snow removal assessment for property at 719 York St., recommending to rescind the assessment.
- 20-0163 Report of Board of Public Works of 2/5/2020, of bids received for 2020 Tree & Stump Removal for Sidewalk Remove & Replace Program, Project WO-20-11R, recommending awarding to low bidder, Kuzisaso Construction in the amount of \$45,440.00.
- 20-0164 Report of Board of Public Works of 2/5/2020, of bids received for 2020 Televising Miscellaneous Sewers I, Project WU-20-5, recommending awarding to low bidder, Green Bay Pipe & TV, LLC in the amount of \$44,026.67.
- 20-0165 Report of Board of Public Works of 2/5/2020, of bids received for Blue Rail Restroom Facility, Project WB-20-15, recommending awarding to low bidder, A.C.E. Building Service in the amount of \$598,932.00 subject to the City receiving grants sufficient to complete the project.
- 20-0166 Report of Board of Public Works of 2/5/2020, of bids received for 2020 Concrete Paving II, Project WS-20-2, recommending awarding to low bidder, Vinton Construction Company in the amount of \$1,755,456.16.
- 20-0167 Report of Board of Public Works of 2/5/2020, of quotes received for Sewer Jetter with Front Mount Hose Reel with Rear Dump Valve for Sewer Flushing for Dept. of Public Infrastructure, Quote QE-20-5, recommending awarding to Macqueen Equipment in the amount of \$248,556.00.
- 20-0168 Report of Board of Public Works of 2/5/2020, of quotes received for Two Tandem Axle Dump Trucks with Plow and Wing for Dept. of Public Infrastructure, Quote QE-20-4, recommending awarding to low quoter, Monroe Truck in the amount of \$171,228.00.
- 20-0169 Report of Board of Public Works of 2/5/2020, of quotes received for Two 2.5 Ton Trucks with Slide in Salter with Plow and Wing Attachments for Dept. of Public Infrastructure, Quote QE-20-3, recommending awarding to low quoter, Monroe Truck in the amount of \$228,460.00.

7. Public Safety Committee (Consent)

8. Plan Commission (Consent)

- 20-0067 PC 2-2020: Annual Review of Community Living Arrangements, recommending to approve the associated licenses for Community Living Arrangements for 2020.
- 20-0068 PC 1-2020: Koenig: Quit Claim Deed for Viebahn Street, recommending to accept the quit claim deed and instruct the City Clerk to record the deed at the Manitowoc County Register of Deeds Office.
- 20-0069 PC 7-2020: Release of Sanitary Sewer Easement - Bayshore Development - former Elks Club Golf Course, recommending to approve the release of easement as presented.

I. COMMITTEE REPORTS

1. Committee of the Whole

- 20-0091 Discussion on City of Manitowoc moving to a city manager or city administrator position

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

Aye: 7 - Brey, Sitkiewitz, Czekala, Williams, McMeans, Lotz and Hansen

Nay: 1 - Kummer

- 20-0092 Discussion on term limits for elected officials in the City of Manitowoc

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

Aye: 7 - Brey, Sitkiewitz, Czekala, Williams, McMeans, Lotz and Hansen

Nay: 1 - Kummer

- 20-0172 Demolition permit request from City Centre LLC for Property located at parcel 819-403-020

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

Aye: 7 - Brey, Sitkiewitz, Czekala, Williams, McMeans, Lotz and Hansen

Abstain: 1 - Kummer

- 20-0186 Report of Special Events committee Recommending approval for the following event subject to Council action: Acoustic Fest on 7/18/2020 (Waiver of rules prohibiting alcohol in the park; no parking on a portion of the east side of S. 12th St.).

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, Lotz and Hansen

20-0190 Agreement with Amanda Brusky for Vendor Management Services for 2020 Fourth on the Shore Event

Moved by Sitkiewitz, seconded by McMeans, that this Agreement be entered into. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

2. Finance Committee

20-0101 Affidavit of canceled tax certificates from Manitowoc County

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

20-0104 Engagement letter from CLA for audit services

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, Lotz and Hansen

20-0106 Resolution to extend TID #10 for Housing Programs

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, Lotz and Hansen

20-0107 Resolution to extend TID #12 for Housing Programs

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, Lotz and Hansen

20-0110 Structure of 2020 permanent financing

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

20-0123 "Other Special Charge" appeal for parcel 330-008-152

Moved by Brey, seconded by McMeans, to reverse the Special Charges of \$50.00 and \$169.44 and refer to the City Attorney's office for review and return a finding back to the Finance Committee. Further, not to deem taxpayer delinquent on 2019 taxes pending outcome The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

- 20-0124** Resolution to backfill Security Guard position at Rahr West Art Museum
- 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, Lotz and Hansen
- 20-0126** Claim of unlawful personal property tax from Schmitz Amusements
- Moved by Brey, seconded by McMeans, that this Claim be denied. The motion carried by the following vote:
- Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen
- 20-0173** Resolution Terminating TIF District #9 and Authorizing Treasurer to Distribute Excess Increment to Overlaying Taxing Districts
- Moved by McMeans, seconded by Brey, that this Resolution be adopted. The motion carried by the following vote:
- Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

3. Personnel Committee

- 20-0108** Request to Temporarily Staff Position at Zoo Due to Employee Medical Leave
- Moved by Czekala, seconded by Sitkiewitz, that this Request be approved with the position not to exceed 1,200 hours. The motion carried by the following vote:
- Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen
- 20-0171** Resolution to approve one-half day holiday pay for New Years Eve when it falls Monday through Friday for non-library, non-represented employees
- Moved by Czekala, seconded by Sitkiewitz, that this Resolution be adopted. The motion carried by the following vote:
- Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen
- 20-0189** Resolution to approve the Seasonal Hiring Policy for 2020
- Moved by Czekala, seconded by Sitkiewitz, that this Resolution be adopted. The motion carried by the following vote:
- Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

4. Public Infrastructure Committee

- 20-0111** LNRP Schuette Park Restoration Proposal
- Moved by Kummer, seconded by Brey, that this Proposal be approved. The motion carried by the following vote:
- Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

20-0151 Resolution to fill vacant Bridgetender position

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

5. Public Safety Committee**20-0140** Ordinance to amend section 10.390 of the Manitowoc Municipal Code regulating parking.

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

20-0141 Ordinance to amend section 6.070 of the Manitowoc Municipal Code regulating fireworks.

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

20-0146 LifeQuest EMS hardship request, call 182A-18-3633.

Moved by Lotz, seconded by Hansen, to deny the request and set up a payment plan. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

20-0142 Ordinance to amend bond schedule for simple truancy and contributing to truancy violations.

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

20-0147 LifeQuest EMS hardship request, call 182A-18-3169.

Moved by Lotz, seconded by Hansen, to deny the request and set up a payment plan. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

20-0149 LifeQuest EMS dispute, call 182A-18-1842.

Moved by Lotz, seconded by Hansen, to deny the request and setup a payment plan. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

20-0187 Resolution to restructure Inspection Division and fill Lead Inspector position

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

20-0188 Resolution to backfill Police Department Office Manager position

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

6. Plan Commission

20-0063 PC 4-2020: Michael Plate. d.b.a. Plate Enterprises: 1107 Franklin Street, Conditional Use Permit - for the establishment of a Recycling Facility pursuant to MMC 15.310(3)d.

Moved by Brey, seconded by Sitkiewitz, to approve the request for a Conditional Use Permit pursuant to the attached map, conditions, and petitioner's submittal packet, including property owner as a party to the CUP per City Attorney recommendation. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

20-0064 PC 5-2020: Knutson: 2020 Dufek Drive, Conditional Use Permit for the establishment of an Open Sales Lot pursuant to MMC 15.270(3)g.

Moved by Brey, seconded by Sitkiewitz, to approve the request for a Conditional Use Permit pursuant to the attached map, conditions and petitioner's submittal packet with a termination date of 01/01/2022. The motion carried by the following vote:

Aye: 6 - Brey, Sitkiewitz, Czekala, McMeans, Lotz and Hansen

Nay: 2 - Kummer and Williams

20-0152 Ordinance to amend Chapter 15 of the Municipal Code regulating Bed and Breakfasts, Residential Dwellings and Short-Term Rentals

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

20-0191 Ordinance to amend Section 15.450 of the Municipal Code regulating signs

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

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

J. OTHER BUSINESS

K. ADJOURN

Moved by Sitkiewitz, seconded by Williams, that this meeting be adjourned at 7:03 p.m. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Kummer, Czekala, Williams, McMeans, Lotz and Hansen

Deborah Neuser
City Clerk