



City of Manitowoc

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

Meeting Minutes

Common Council

Monday, July 16, 2018

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

Alderspersons Present: 10 - Jim Brey, Mike Howe, Scott McMeans, Eric Sitkiewitz, Lee H. Kummer, Steven Czekala, Jeremiah Novak, Todd Lotz, Rhienna Gabriel and Mike Williams

C. PLEDGE OF ALLEGIANCE & INVOCATION

Invocation by Pastor Jeremy Vance of Faith Church

D. PRESENTATIONS

E. PUBLIC HEARINGS

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

[18-0721](#)

Mayor makes the following appointments: **Plan Commission:** Greg Jagemann (in place of P. Dorner) for unexpired term ending 5-1-19; **Rahr-West Art Museum Board:** Phil Hoff, Carie Lynn Estralla, Amy Fricke-Weigel, Dolly Stokes all re-appointments for a three-year term ending 6-1-21, Alderman Jeremiah Novak in place of Mike Williams for term ending 4-15-19, HaLeigh Zipperer (in place of J. Miller) and Amy Gehrig (in place of M. Bollinger) for a three-year term ending 6-21-19; **Library Board:** Chris Able (in place of B. Vollendorf) and re-appointment of Fred Hazelwood for a three-year term ending 6-1-21; **Committee on Aging:** re-appointment of Mary Schultz for a three-year term ending 6-1-21; **Municipal Tree Commission:** Glenn Pfeffer, Nic Levendusky, Todd Holschbach, and Al Schema all re-appointments for a two-year term ending 6-1-20; Citizens Advisory Committee: re-appointment of Janet Breuer for a three-year term ending 6-1-21, Ngu Tita, Benjamin Stalvey, Ralph Kraemer all for a three-year term ending 6-1-21; **Zoological Board:** re-appointment of Al Hrudka, Doug Koch, and Al Schema for a one-year term ending 6-1-19; **Zoning Board of Appeals:** re-appointment of Don Orth, Paul Steinbrecher, and Joe Mrotek for a one-year term ending 6-1-19; **Capitol Civic Centre Board:** Eric Sitkiewitz as ad-hoc member; **TIF Joint Review Board:** Kevin Crawford as Public Member Alternate for indefinite term; **Crime Prevention Committee:** Anne Jansen, Stefan Peterik, and Heather Buchko for indefinite term.

**Moved by McMeans, seconded by Brey, that these Appointments be confirmed.
The motion carried by the following vote:**

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

H. CONSENT AGENDA

1. Removal of Consent Agenda Items

None

2. Miscellaneous

None

Approval of the Consent Agenda

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

[18-0701](#) Minutes of June 18, 2018 Council meeting, recommending approval and place on file.

Attachments: [18-0701](#)

[18-0700](#) Communication from State of Wisconsin DNR relative to Reissuance of General WPDES Permit No. WI-0046566-07-0, recommending acceptance and place on file.

Attachments: [18-0700](#)

[18-0702](#) State/Municipal Agreement for Local Roads Improvement Program New Biennium Project Request from Wisconsin Department of Transportation, recommending acceptance and place on file.

Attachments: [18-0702](#)

[18-0709](#) Communication from Wisconsin Historical Society that the *Arctic* Shipwreck (Tug) located 1.5 miles NE of the Manitowoc Breakwater Light, in Lake Michigan, Manitowoc, Manitowoc County has been placed on the State Register of Historic Places and National Register of Historic Places, recommending acceptance and place on file.

Attachments: [18-0709](#)

[18-0714](#) Communication from State of Wisconsin DNR relative to Water Main Extension Approval - Water main replacement on North Water Street, recommending placing on file.

Attachments: [18-0714](#)

[18-0729](#) Healthiest Manitowoc County Festival Toolkit, recommending placing on file.

Attachments: [18-0729](#)

3. Committee of the Whole (Consent)

[18-0708](#)

Report of Special Events Committee relative to approval of the following events: date change for Next Gen Disc Golf Tournament from 6/30/18 to 8/18/18; waiver of fees for Governor Walker Event at Energybank on 7/9/18, Residential Block Party - 800 blk Indian Bluff Dr on 8/4/18; Residential Block Party - 4300 to 4400 blk Country Ln on 8/18/18; Running-A-Fair on 8/21/18; Walk to end Alzheimer's on 9/15/18, MPPA Police Chase on 10/13/18; Ugly Sweater Run on 11/10/18; waiver of fees: SEP Farewell Dinner on 8/7/18; Group Connections: Water Play on 7/19/18; waiver of fees: 10th Annual Street Party - Use of Bandwagon on 7/28/18; stake permit: Brutal Wear Open Tennis Tournament on 8/10-8/12/18; Group Connections: Sensory Play on 8/21/18; Walk to Defeat ALS on 8/25/18; recommending acceptance of report and place on file.

Attachments: [18-0708](#)[Next Gen Disc Golf](#)[Energybank](#)[Block Party Indian Bluff Dr](#)[Block Party Country Lane](#)[Running-A-Fair](#)[Walk to End Alzheimer's](#)[MPPA Police Chase](#)[Ugly Sweater Run](#)[SEP Farewell Dinner](#)[Group Connections - Water Play](#)[10th Annual Street Party](#)[Brutal Wear Stake Permit](#)[Group Connections - Sensory Play](#)[Walk to Defeat ALS](#)

4. Finance Committee (Consent)

[18-0242](#)

Programs to Improve Housing Stock within the City of Manitowoc, recommending to place on file.

Attachments: [Rental Rehab Program Overview](#)[Owner Occupied Rehab Program Overview](#)[Sold on Oshkosh Overview](#)[Curb Appeal Program Overview FINAL](#)[18-0673](#)

Minutes of the June 12, 2018 Finance Committee meeting, recommending approval and place on file.

Attachments: [MeetingMinutes13-Jun-2018-11-19-07](#)

[18-0676](#) Order for Dismissal with Prejudice for Manitowoc Asset Improvement, LLC v. City of Manitowoc, et al. 18-CV-00035, recommending to place on file.

Attachments: [20180628 Order For Dismissal with Prejudice](#)

[18-0678](#) Letter of interest from Red Line Plastics, LLC and Dowco Powersports, LLC of intent to purchase land. Recommending to refer to the Industrial Development Corporation.

Attachments: [18-0678](#)

[18-0707](#) General City Claims in the amount of \$2,718,303.25 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: [18-0707](#)

[6-22-18](#)

[6-29-18](#)

[7-6-18](#)

[7-13-18](#)

[18-0728](#) 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: [18-0728](#)

5. Personnel Committee (Consent)

[18-0660](#) Aldermanic Compensation, recommending to place on file.

Attachments: [Alder Salary.pdf](#)

6. Public Infrastructure Committee (Consent)

[18-0407](#) Request for marked crosswalks at the Artist Loft Apartments, recommending placing on file

[18-0580](#) Drainage/Ditch Issue on USH 151, recommending placing on file and sending re-ditch request to CAWG

Attachments: [18-0580 201806041535](#)

[18-0580-1 201806041536](#)

[18-0666](#) Request from Bartow Builders for a reduction to a barricade rental invoice, recommending reducing the invoice to \$600.

Attachments: [18-0666 201806261129](#)

[18-0668](#) Proposals from Seiler Brothers for work on Sidewalk at Maritime Museum, recommending approval and refer to CAWG

Attachments: [18-0668_201806261224](#)

[18-0669](#) Calumet Avenue Construction Project, recommending approval for reconstruction in 2018

Attachments: [Bid Tab WS-18-13](#)
[18-0669_201806271408](#)

[18-0670](#) Replacement Cameras - Upper Henry Schuette Park, recommending approval of replacement of surveillance cameras at the park and playground

Attachments: [18-0670_201806271151](#)

[18-0672](#) Zoo Roadway and Deer Pen Improvements, recommending approval of the zoo roadway and deer pen improvements funded by the Zoo Society

Attachments: [18-0672_201806271211](#)
[2018_06_28_15_37_58](#)

[18-0703](#) Report of Board of Public Works of June 20, 2018, that the interest rate for 10-year installment plan for 2017 special assessments levied in 2018 to be 3.6857%, and 4.1070% for assessments done in 2018, recommending acceptance and place on file.

Attachments: [18-0703](#)

[18-0704](#) Report of Board of Public Works of June 20, 2018 of approval to enter into a contract with Camera Corner, Inc., AGMT-18-09, to furnish labor, equipment and material required to install an Audio System in the Council Chambers at City Hall of a contract sum of \$24,752.64, recommending acceptance and place on file.

Attachments: [18-0704](#)

[18-0705](#) Report of Board of Public Works of 6/20/18 for 1st and Final payment of \$9,960.00 to Mulch Express of Wisconsin for 2018 Furnish & Install Wood Chips to 15 Playgrounds and 2 Islands, recommending payment.

Attachments: [18-0705](#)

[18-0706](#) Report of Board of Public Works of 6/20/18 for 1st and Final payment of \$5,399.20 to Chris Lewis Tree Surgery for 2018 Stump Removal, AGMT-18-08, recommending payment.

Attachments: [18-0706](#)

[18-0712](#) Progress Invoice in the amount of \$4,459.60 from Wisconsin Department of Transportation for Waldo Blvd., project 39545701200, recommending payment.

Attachments: [18-0712](#)

[18-0713](#) Progress Invoice from Wisconsin Department of Transportation in the amount of \$2,955.05 for Waldo Blvd., project 39515003700, recommending payment.

Attachments: [18-0713](#)

[18-0715](#) Report of Board of Public Works of 7/11/18 for 4th and Final payment of \$25,046.21 to Vinton Construction Company for Blue Rail Marina Beach Project, WS-17-14, recommending payment.

Attachments: [18-0715](#)

[18-0716](#) Report of Board of Public Works of 7/11/18 for 2nd and Final payment of \$4,982.38 to Seiler Bros Construction for 2018 Miracles Park Poured-In-Place Playground Safety Surfacing (Phase II), WS-18-12, recommending payment.

Attachments: [18-0716](#)

[18-0717](#) Report of Board of Public Works of 7/11/18 for 1st and Final payment of \$24,990.00 to Lemahieu Tree Service for Maritime Drive Bluff Clearing, AGMT-18-06, recommending payment.

Attachments: [18-0717](#)

[18-0718](#) Report of Board of Public Works of 7/11/18 for 1st and Final payment of \$11,711.00 to Dave's Tree Service, Inc. for 2018 Remove 16 Trees at Various Locations for Parks Dept, AGMT-18-05, recommending payment.

Attachments: [18-0718](#)

[18-0719](#) Report of Board of Public Works of 7/11/18 for 2nd and Final payment of \$5,577.93 to Camera Corner, Inc. for City Hall Analog Camera Replacement, recommending payment.

Attachments: [18-0719](#)

[18-0720](#) Report of Board of Public Works of 7/11/18 for 3rd and Final payment of \$24,793.37 to Brickline, Inc. for 2018 Epoxy Pavement Marking Program, WS-18-9, recommending payment.

Attachments: [18-0720](#)

[18-0722](#) Report of Board of Public Works of 7/11/18, of bids received for Lincoln Park Field House Re-Roofing, Project WB-18-16, recommending awarding to low bidder, Powell Roofing Services, Inc. in the amount of \$77,586.25.

Attachments: [18-0722](#)
[201807161516](#)

[18-0723](#) Report of Board of Public Works of 7/11/18 of denial of request to rescind noxious weed charge for property located at 1106 N. 11th St. Recommending acceptance and place on file.

Attachments: [18-0723](#)

[18-0724](#) Report of Board of Public Works of 7/11/18, of quotes received for two ambulance chasses, body, and equipment, QE-18-2, recommending awarding to low bidder, Jefferson Fire & Safety Inc. in the amount of \$346,012.00.

Attachments: [18-0724](#)
[201807161414](#)

[18-0727](#) Report of Board of Public Works of 7/11/18, of bids received for 2018 Concrete Paving II - Calumet Ave Reconstruction, Project WS-18-13, recommending awarding to low bidder, Vinton Construction Company in the amount of \$884,861.16.

Attachments: [18-0727](#)

7. Public Safety Committee (Consent)

8. Plan Commission (Consent)

[18-0661](#) PC 20-2018: Matte / Marcelle, Request for a Change in Zoning from I-1 Light Industrial to R-4 Single and Two Family located 1912 S. 9th Street. Plan Commission recommends approval and instructs the City Clerk to call for a public hearing before the Common Council.

Attachments: [18-0661 Matte Marcelle rezone S 9th st](#)
[18-0661Report to Council 1912 s 9th street](#)

[18-0663](#) PC 10 - 2016: Hope House; 3501 Custer Street. Annual Review of a Conditional Use Permit for Transitional Housing in a B-3 General Business District. Recommending continuance of the Conditional Use Permit and removal of the annual review condition.

Attachments: [18-0663 Hope House Annual Review 2018](#)
[18-0663 Report to Council Hope House 2018](#)

I. COMMITTEE REPORTS

1. Committee of the Whole

[17-1219](#) An Ordinance to create 16.140 and 16.150(13) of the Manitowoc Municipal Code regulating Residential Rental Contact Registration and Inspection Program.

Attachments: [Residential Inspection Program \(Mayor Version\) \(3\)](#)

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

[18-0657](#) Proposed sampling plan and future remedial efforts on the Newton gravel pit, recommending to approve recommendations by City Attorney and Director of Public Infrastructure.

Attachments: [COW Recommendation 6-27-18 \(2\)](#)

Moved by Sitkiewitz, seconded by Brey, to approve recommendation by City Attorney and Director of Dept of Public Infrastructure. The motion carried by the following vote:

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

2. Finance Committee

[18-0680](#) Unbudgeted request to fund Calumet replacement for I-43 to Rapids Road intersection with signal upgrade up to \$500,000.

Attachments: [20180629094434218](#)
[Calumet at Rapids add funds](#)
[Email from Engineer Pricing and Rebid](#)

Moved by Brey, seconded by Lotz, to approve the request up to \$500,000. The motion carried by the following vote:

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

[18-0710](#) Request from Terra Nate, Agent for The Linebacker Sports Bar at 527 N 10th Street, to extend liquor license premise to parking lot and to request a waiver of the noise ordinance until 11:30 pm for live music on August 18, 2018.

Attachments: [18-0710](#)

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

[18-0711](#) Request from Don Murray, Agent, TLM Investments, Inc. to extend his tavern license TAV-1828 on August 18th to include a fenced-in area of his parking lot for annual charity bike/car wash, for premise located at 1421 S. 39th Street.

Attachments: [18-0711](#)

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

[18-0725](#) Ordinance to amend Section 1.030(6) of the Municipal Code changing the location of the voting place for the Sixth Aldermanic District to Lincoln Park, 1215 N. 8th St., Cabin 1.

Attachments: [18-0725](#)

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

3. Personnel Committee

[18-0544](#) How Personnel Standing Committee intends to address District 10 concerns brought forward by their elected representative, Alderperson Gabriel.

Attachments: [Resolution 18-0460.pdf](#)
[res 18-0532.pdf](#)

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

[18-0562](#) Workers Compensation Claim Settlement with Police Employee.

Moved by Sitkiewitz, seconded by Czekala, to approve settlement agreement as outlined by City Attorney and Human Resources. The motion carried by the following vote:

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

4. Public Infrastructure Committee

5. Public Safety Committee

[18-0471](#) Discussion on 2-hour parking.

Attachments: [Parking Map 2 and 10](#)
[Request for 2 hour parking from Revolutions](#)
[from Nics File](#)
[Rich parking study maps partial](#)
[2018_07_16_16_19_46.pdf](#)

Moved by Howe, seconded by Czekala, recommending to adopt the changes to the parking study. This Communication was adopted as amended by the following vote:

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

[18-0726](#) Ordinance to amend Section 10.490 of the Municipal Code regulating Two-Hour Parking.

Attachments: [18-0726](#)

Moved by Howe, seconded by Czekala, recommending adopting this Ordinance. The motion carried by the following vote:

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

[18-0686](#) Manitowoc Sex Offender Residency Board Appeal for Jeremy Kilo Starr.

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

[18-0687](#) Citizen request for more signage to be placed at South 22nd Street and Franklin Street to indicate South 22nd Street is a one-way street.

Attachments: [S 22ns St. and Franklin St. 2](#)
[S 22nd St. and Franklin St 1](#)

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

[18-0689](#) An Ordinance to amend Section 14.260 of the Manitowoc Municipal Code regulating Damage to Property.

Attachments: [Ord to Prohibit Tampering of Security Cameras](#)

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

[18-0690](#) An Ordinance to amend Section 11.220 of the Manitowoc Municipal Code regulating Animal Licenses.

Attachments: [Ord revising 11.220\(5\) regulating honeybees \(2\)](#)

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

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

[18-0696](#) LifeQuest ambulance billing hardship request, call # 182A-18-0626.

Moved by Howe, seconded by Czekala, that this Request be denied and a recommendation to work with staff on a payment plan. The motion carried by the following vote:

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

6. Plan Commission

J. OTHER BUSINESS

K. ADJOURN

Moved by McMeans, seconded by Brey, that this meeting be adjourned at 6:58 PM. The motion carried by the following vote:

Aye: 10 - Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz, Gabriel and Williams

**Deborah Neuser
City Clerk**