



City of Manitowoc

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

Meeting Minutes

Common Council

Monday, September 17, 2018

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

Alderspersons Present: 8 - Jim Brey, Scott McMeans, Eric Sitkiewitz, Steven Czekala, Jeremiah Novak, Todd Lotz, Rhienna Gabriel and Mike Williams

Alderspersons Absent: 2 - Mike Howe and Lee H. Kummer

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

[18-0906](#) Proclamation declaring October 2018 as Crime Prevention Month

Attachments: [Crime Prevention Month 2018](#)

[18-0907](#) Commendation to Firefighter/Paramedic Scott Valleskey and Firefighter/Paramedic Tyler Kiel

Attachments: [COMMEND Valleskey & Kiel](#)

E. PUBLIC HEARINGS

[18-0905](#) 6:35 PM - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from "R-6" Multiple Family to "I-1" Light Industrial for property generally located east of S. 35th Street, west of S. 30th Street, south of Yorkshire Lane and north of Dewey Street.

Attachments: [18-0905](#)

Mayor declared the meeting open for a public hearing for the purpose of hearing any and all interested parties in the matter of proposed change in zone from "R-6" Multiple Family to "I-1" Light Industrial for property generally located east of S. 35th Street, west of S. 30th Street, south of Yorkshire Lane and north of Dewey Street.

City Clerk reported that the notice of the hearing was published in the Herald-Times-Reporter on September 3 and 10, 2018. (Proof of publication is on file in the City Clerk's office).

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

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

2. Miscellaneous

[18-0904](#)

Minutes of August 20, 2018 Common Council meeting, recommending approval and place on file.

Attachments: [8-20-18 Common Council Minutes](#)

3. Committee of the Whole (Consent)

[18-0945](#) Report of Special Events Committee relative to approval of the following events: Ride to Remember on 9/8/18; Waiver of Fees - Serve September on 9/9/18; Stake Permit - Calvary Chapel of Manitowoc Event on 10/5-10/7/18; Rubick 5K Run/Walk on 10/6/18; Waiver of Fees - Art Slam on 9/8/18, 9/15-16/18; Waiver of Fees - Shop with a Cop on 12/5/18; Waiver of Fees - Magical Trolley Ride to the North Pole on 12/7-12/8/18; Miracles Special Olympic tournament on 6/15/19 (rain date of 6/16/19); recommending acceptance of report and place on file.

Attachments: [18-0945](#)
[Ride to Remember](#)
[Waiver of Fees - Faith Church](#)
[Stake Permit - Calvary Chapel](#)
[Rubick Run](#)
[WAIVER OF FEES - Art Slam](#)
[Shop with a Cop](#)
[Magical Trolley Ride](#)
[Special Olympics](#)

4. Finance Committee (Consent)

[18-0884](#) Unbudgeted CAWG Request - Replacement Cameras - Aquatic Center \$36,100.00, recommend to approve the request up to \$36,100.

Attachments: [Unbudgeted Request - Finance Committee - Pool Cameras - 2018](#)

[18-0893](#) Minutes of the August 7, 2018 Finance Committee meeting, recommend approval.

Attachments: [MeetingMinutes 07-Aug-2018](#)

[18-0894](#) Report from Ryan Wilson, City Assessor on Personal Property closed Account, Parcel 000-918-104, GE Capital Commercial Inc., recommend to rescind the taxes due in the amount of \$836.96 and the Assessed value of \$41,500.

Attachments: [18-0894](#)

[18-0895](#) Minutes of the Manitowoc Public Utilities Commission meetings of June 25, 2018 and July 30, 2018, recommending acceptance and place on file.

Attachments: [MPU Commission Minutes 7-30-18](#)
[MPU Commission Minutes 6-25-18](#)

[18-0896](#) Staff report of donations received, recommend to accept and place on file.

Attachments: [18-0896](#)

[18-0900](#) West Foundation Grant in the amount of \$5,000 to restore 1935 Mack Fire Truck in cooperation with the Manitowoc IAFF Local 368 (Owner of Fire Truck), recommend to approve request and accept grant.

Attachments: [20180831091503678](#)

[18-0902](#) Request for blanket approval to accept cash donations for K-9 and Eternal Flame funds, recommend to approve the request.

Attachments: [Donation Policy](#)

[18-0908](#) General City Claims in the amount of \$2,000,000.87 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: [18-0908](#)

[8-24-18](#)

[8-31-18](#)

[9-5-18](#)

[9-7-18](#)

[9-14-18](#)

[18-0947](#) 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: [September Licensing](#)

5. Personnel Committee (Consent)

[18-0882](#) Workers Compensation Claim Settlement with Former Employee, recommending to authorize the City Attorney and Human Resources to enter into an approved settlement agreement

Attachments: [Workers' Compensation Medicare Set Aside Arrangements Explanation](#)

6. Public Infrastructure Committee (Consent)

[18-0924](#) Progress invoice from WI Department of Transportation in the amount of \$7,104.61 for Waldo Blvd. CTH R to 8th St., project #39515003700, recommending payment.

Attachments: [18-0924](#)

[18-0925](#) Progress invoice from WI Department of Transportation in the amount of \$1,484.69 for Waldo Blvd., 8th St. to Maritime Dr., project #39545701200, recommending payment

Attachments: [18-0925](#)

[18-0926](#) Progress invoice from WI Department of Transportation in the amount of \$1,619.73 for Waldo Blvd., 8th St. to Maritime Dr., project #39545701200, recommending payment.

Attachments: [18-0926](#)

[18-0927](#) Report of Board of Public Works of 9/5/18 for 4th and Final payment of \$7,374.88 to Kip Gulseth Construction Company, Inc. for 2018 Lawton Terrace Sanitary Sewer, WU-18-2, recommending payment.

Attachments: [18-0927](#)

[18-0928](#) Report of Board of Public Works of 9/5/18 for 1st and Final payment of \$95,930.64 to Scott Construction, Inc. for 2018 Seal Coating Program, WS-18-6, recommending payment.

Attachments: [18-0928](#)

[18-0929](#) Report of Board of Public Works of 9/5/18 for 1st and Final payment of \$5,820.00 to Seiler Bros Construction for Storm Sewer and Regrade back yards along 4100 Block of Ray Street, 18-12, recommending payment.

Attachments: [18-0929](#)

[18-0930](#) Report of Board of Public Works of 9/5/18, of bids received for Sidewalk Replacement at Maritime Museum, Project WS-18-17, recommending awarding to low bidder, Seiler Bros. Construction Inc in the amount of \$58,236.90.

Attachments: [WS-18-17](#)
[WS-18-17 Bid Tab](#)

[18-0931](#) Report of Board of Public Works of 9/5/18, of bids received for 2018 Televising Miscellaneous Sewers II, Project WU-18-18, recommending awarding to low bidder, Green Bay Pipe & TV, LLC in the amount of \$24,058.78.

Attachments: [WU-18-18](#)
[WU-18-18 Bid Tab](#)

[18-0932](#) Report of Board of Public Works of 9/5/18 of denial of request to reduce noxious weed charge for property located at 706 S. 30th St. Recommending acceptance and place on file.

Attachments: [18-0932](#)

[18-0933](#) Report of Board of Public Works of 9/5/18 of approval to enter into a contract with Kip Gulseth Construction Company Inc. to furnish and relay approximately 100 feet of 15 inch storm sewer pipe for a contract price of \$9,999.14, AGMT-18-13, recommending acceptance and place on file.

Attachments: [AGMT-18-13](#)

[18-0934](#) Report of Board of Public Works of 9/5/18 of approval to enter into a contract with Pheifer Bros. Constr. Co., Inc. to seal Broadway Street bridge deck for a contract price of \$12,500.00, AGMT-18-14, recommending acceptance and place on file.

Attachments: [AGMT-18-14](#)

[18-0941](#) Report of Board of Public Works of September 6, 2018 of approval to enter into a contract with Fortress Fence to furnish and install chain link fence for Red Arrow Park for a contract price of \$14,976.00, AGMT-18-11, recommending acceptance and place on file.

Attachments: [Fortress Fence](#)

7. Public Safety Committee (Consent)

[18-0915](#) Manitowoc Sex Offender Residency Board Appeal for Michael Szente, recommending to deny request.

8. Plan Commission (Consent)

[18-0867](#) PC 29-2018: Popp Enterprises, LLC: Request to Rezone Property from R-6 Multiple Family to I-1 Light Industrial for an area east of S. 35th Street and north of Dewey Street, recommending approval of the rezoning request and for City Clerk to call for a public hearing for the September 17th Council meeting.

Attachments: [18-0867 PC Report Popps Rezone I-1 to R-6](#)
[18-0867 Report to Council Popp Rezone](#)

[18-0869](#) PC 1-2018: Woodland Shadows LLC: Quit Claim Deed for Virginia Drive purposes, recommending approval of the Quit Claim Deed.

Attachments: [18-0869 Virginia Drive Woodland Shadows LLC](#)
[18-0869 report to Council Virginia Drive qc deed](#)

[18-0870](#) PC 30-2018: Review of Tax Foreclosure Properties from Manitowoc County, recommending to place on file.

Attachments: [18-0870 Tax Foreclosure Properties](#)
[18-0870 Report to Council Tax Foreclosure Properties](#)

I. COMMITTEE REPORTS

1. Committee of the Whole

[18-0946](#) Report of Special Events Committee recommending approval of the following events subject to Council action: Pig to Pig Walk on 9/8/18, Waiver of noise ordinance from 7 am to 8 am; Birthday Party at Chewy's on 9/22/2018, Closure of Buffalo St. from N 8th to N 7th, waiver of noise ordinance until 11 pm; HarvestFest on 9/29/18, Closure of Quay St. from S 8th to the Library driveway

Attachments: [18-0946](#)
[Birthday Party at Chewy's](#)
[Pig to Pig Walk](#)
[HarvestFest](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

2. Finance Committee

[18-0890](#) Election by Common Council of Manitowoc Public Utilities Commissioner for a term of five years, pursuant to Municipal Code, as the following term will expire: Mark Seidl, term expires September 30, 2018.

Attachments: [18-0890](#)

A nomination was on the floor to elect Mark Seidl to the MPU Commission. There being no other nominations, it was moved by Brey, seconded by Czekala, to close nominations and cast a unanimous ballot appointing Mark Seidl to the MPU Commission for a five year term ending September 30, 2023. The motion carried by the following vote:

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0891](#) License Nonrenewal and Revocation Procedure (Not Alcohol Licenses)

Attachments: [Non-Alcohol License Revocation and Nonrenewal Procedures](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0892](#) Ordinance to create/amend/repeal Section 11.220 of the Manitowoc Municipal Code regulating Animal Licenses.

Attachments: [18-0892](#)

[Four Aimal Application- new language](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0960](#) Request from Chewy's, TAV-1816, for an extension of premise on September 22, 2018 for their Birthday Party event.

Attachments: [Chewy's](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0968](#) Resolution Declaring the Canadian National Peninsula Blighted and Authorizing the Community Development Authority to Acquire and Assist the Redevelopment of the Property

Attachments: [Resolution 18-0968](#)

[Map for CN Pennisula BlightPropertyResolution_2018](#)

[Blight Determination](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0971](#) Resolution Amending Tax Increment District No. 15 Project Plan

Attachments: [Res - TID 15 Amendment](#)

[TID 15 Project Plan - Amendment 5 - Draft 08132018](#)

[18-0864](#)

Moved by Gabriel, seconded by Williams, that this Resolution be amended such that section C reads: "that TID No. 14 and TID No. 15 be terminated no later than December 31, 2019". The motion carried by the following vote:

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0972](#) Resolution Amending the Project Plan Tax Increment District No. 19 of the City of Manitowoc

Attachments: [Res - TID 19 Amendment](#)

[TID 19 Amendment No 1 - Project Plan - DRAFT for Print 08132018](#)
[\(1\)](#)
[18-0865](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0973](#) Resolution Creating Tax Increment District No. 22 of the City of Manitowoc

Attachments: [Resolution - TID 22](#)

[Map 1 - Proposed TID No 22](#)
[TID 22 Project Plan - DRAFT for Print- 08132018](#)
[18-0866](#)

Moved by Williams, seconded by Gabriel, that this Resolution be amended to remove the Meijer property from proposed TIF District 22. The motion carried by the following vote:

Aye: 5 - Czekala, Novak, Lotz, Gabriel and Williams

Nay: 3 - Brey, McMeans and Sitkiewitz

Moved by Brey, seconded by Lotz, that this Resolution be adopted as amended. The motion failed by the following vote:

Nay: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0976](#) CAWG request to approve up to \$58,237 for replacement of sidewalk along sheetwall near Maritime Museum

Attachments: [18-0976](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

3. Personnel Committee

[18-0937](#) Resolution to hire April Kroner as Community Development Director.

Attachments: [18-0937](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0938](#) Resolution to hire seasonal employees related to elected officials, departments heads, or supervisory personnel.

Attachments: [18-0938](#)

Moved by Sitkiewitz, seconded by Czekala, that this Resolution be adopted. The motion carried by the following roll call vote:

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0969](#) Resolution adopting a Relocation Policy for Exempt New Hire positions

Attachments: [18-0969](#)

[Revised City of Manitowoc Relocation Package Policy](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0970](#) Resolution Adopting Health, Dental, and Vision Plan for 2019

Attachments: [Resolution 18-0970](#)

[Health Plan Recommendations 2019](#)

[City of Manitowoc 2019 Medical Options](#)

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

Aye: 7 - Brey, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

Abstain: 1 - McMeans

4. Public Infrastructure Committee

[18-0935](#) Stormwater Management Facility Maintenance Agreement with Kerry Inc., a Delaware corporation for property located at 4343 Expo Dr., Parcel #835-101-011.

Attachments: [Stormwater Agreement - 4343 Expo Dr](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0936](#) Stormwater Management Facility Maintenance Agreement with Aurora Medical Group, Inc. for property located at 3509 Dewey St., Parcel #836-301-011.

Attachments: [Stormwater Agreement - 3509 Dewey St](#)

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

Aye: 7 - Brey, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

Abstain: 1 - McMeans

[18-0944](#) Resolution to install and maintain one, non-ornamental, 100 Watt, open-bottom style, high pressure sodium, street light in the alley way between 954 and 948 North 5th St.

Attachments: [Resolution 18-0944](#)
[18-0944](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0948](#) Communication from Jim Muenzenmeyer, Capital Projects/Transit Manager, of WisDOT Transit System Management Performance Review.

Attachments: [18-0948](#)
[Manitowoc MPR Report Final 20180213](#)
[SRF and Bourne Bio for Jim](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0967](#) Resolution Authorizing Community Development to Apply for Grants for a Safe Harbor/Transient Dock

Attachments: [18-0967](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

5. Public Safety Committee

[18-0916](#) An Ordinance to amend Section 14.020 of the Manitowoc Municipal Code regulating Dogs, Cat and Other Animals.

Attachments: [18-0916](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0917](#) An Ordinance to create Section 14.180 of the Manitowoc Municipal Code regulating Aggressive Panhandling.

Attachments: [18-0917](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0919](#) Lifequest billing dispute 18-2129.

Moved by Czekala, seconded by McMeans, to grant the request and rescind invoice in the amount of \$310. The motion carried by the following vote:

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0920](#) Lifequest billing dispute 18-1750.

Moved by Czekala, seconded by McMeans, to rescind the invoice in the amount of \$310. The motion carried by the following vote:

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0940](#) Ordinance to amend Section 10.390 of the Manitowoc Municipal Code regulating parking

Attachments: [18-0940](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0942](#) Ordinance to amend Section 10.730 of the Manitowoc Municipal Code to designate one handicap parking stall on a portion of 11th St. between Washington St. and Marshall St. to accommodate Washington Park patronage.

Attachments: [18-0942](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

[18-0949](#) Ordinance to amend Section 10.490 of the Manitowoc Municipal Code regulating Two Hour Parking.

Attachments: [18-0949](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

6. Plan Commission

[18-0943](#) Ordinance amending the amended zone map changing from "R-6" Multiple Family to "I-1" Light Industrial for property being generally located east of S. 35th St, west of S. 30th St., south of Yorkshire Lane and north of Dewey St.

Attachments: [18-0943](#)

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

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

J. OTHER BUSINESS

K. ADJOURN

Moved by McMeans, seconded by Brey, that this meeting be adjourned at 8:20 p.m. The motion carried by the following vote:

Aye: 8 - Brey, McMeans, Sitkiewitz, Czekala, Novak, Lotz, Gabriel and Williams

Deborah Neuser
City Clerk