

# **City of Manitowoc**

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

# **Meeting Minutes**

# **Common Council**

Monday, September 21, 2020 6:30 PM Council Chambers
Note-Meeting will also be available via Remote Conferencing

#### A. CALL TO ORDER

# **B. ROLL CALL**

Alderpersons Present: 10 - Jim Brey, Eric Sitkiewitz, Steven Czekala, Scott McMeans, Jeremiah Novak,

Courtney Hansen, Bill Schlei, Brett Vanderkin, John Brunner and Aaron Bailey

## C. PLEDGE OF ALLEGIANCE & INVOCATION

## D. PRESENTATIONS

20-0923 Presentation of Eagles Club Police Officer and Firefighter of the Year

20-0925 City Clerk administers Oath of Office followed by badge pinning for Police Officer Tyler Hill, Firefighter/Paramedic Christian Rodriguez, and Firefighter/Paramedic Mark Lyman

20-0926 Proclamation declaring September 2020 as Suicide Prevention Month

Attachments: Suicide Prevention Month Proclamation 2020

20-0927 Proclamation declaring September 2020 Alcohol and Drug Addiction Recovery Month

Attachments: Alcohol and Drug Addiction Recovery Month

20-0928 Proclamation declaring October 2020 as Crime Prevention Month

Attachments: Crime Prevention Month 2020

20-0929 Proclamation declaring the week of October 4th - 10th, 2020 as Fire Prevention

Week

**Attachments:** Fire Prevention Week 2020

#### E. PUBLIC HEARINGS

20-0930

6:31 PM - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone of residential properties from I-1 Light Industrial to R-4 Single and Two-Family Residential for properties located in the 3000-3400 block of Menasha 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 September 7 & 14, 2020. (Proof of publication is on file in the City Clerk's Office)

Community Development Director Adam Tegen gave an overview of the proposed changes.

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)

20-0931

6:32 PM - 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 concrete batch plant, stone crushing and bulk storage of product operation for property located off of Albert Drive in an I-2 Heavy Industrial Zoning District pursuant to Manitowoc Municipal Code 15.350(3)z.

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 September 7 & 14, 2020. (Proof of publication is on file in the City Clerk's Office)

Community Development Director Adam Tegen gave an overview of the proposed changes.

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)

20-0932

6:33 PM - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from I-2 Heavy Industrial to B-4 Central Business District for the property located at 606 Quay Street.

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 September 7 & 14, 2020. (Proof of publication is on file in the City Clerk's Office)

Community Development Director Adam Tegen gave an overview of the proposed changes.

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

Brennen Seehafer Thomas Gartner Doug Schwalbe Terry Fox Craig Briess

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

Alderman Novak removed item 20-0894

### 2. Miscellaneous

20-0920 Communication from Dave Paulus relative to the Roneta Lane project,

recommending acceptance and place on file

**Attachments:** Letter from Dave Paulus

20-0921 Minutes of August 17, 2020 Common Council meeting, recommending approval

and place on file

Attachments: CC Min 8-17-2020

20-0970 Minutes of September 14, 2020 Special Common Council meeting,

recommending approval and place on file.

Attachments: CC Special Meeting Minutes 9-14-2020

# 3. Committee of the Whole (Consent)

20-0972 Report of Special Events Committee relative to approval of the following events:

Waiver of Fees: Faith Church Family Picnic on 9/27/20; Shaggy Shuffle on 10/17/20; Manitowoc County Job Fair on 9/30/20; Waiver of Fees: Road Rally on 10/11/20; Food Truck Fiesta on 10/8/20; recommending acceptance of

report and place on file.

<u>Attachments:</u> Special Event Committee Events Acted On 8-13-20 to 9-16-20

Manitowoc County Job Fair

Shaggy Shuffle
Faith Church
Food Truck Fiesta

Road Rally

### 4. Finance Committee (Consent)

20-0881 Application for "Class B" Intoxicating Liquor & Fermented Malt Beverage

License, TAV-2011A, Da' Brick House LLC, d/b/a The Fat Seagull, 807 Quay

Street, recommend to approve the application.

Attachments: Da' Brick House LLC Application

20-0884 Second Amendment to the Granicus Service Agreement for period 12/1/2020 -

11/30/2021, recommend to approve the request.

Attachments: 2nd Amendment to Granicus Agreement

20-0887 Contingent Agreement with SpyGlass for City Telecommunication Services,

recommend to place on file.

Attachments: City of Manitowoc contingency audit

20-0922 General City Claims in the amount of \$3,617,384.46 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: September Claims

9-2-2020 9-4-2020 9-11-2020 9-18-2020 8-21-2020 8-28-2020

20-0969 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.

<u>Attachments:</u> <u>September Licenses</u>

## 5. Personnel Committee (Consent)

# 6. Public Infrastructure Committee (Consent)

20-0882 CAWG recommendation to fund up to \$3,591.21 for DPW Mechanic's Shop to

replace existing hydraulic hose crimper and dies, recommend to approve the

request.

Attachments: CAWG - hydraulic hose crimper and dies

20-0895 Request for 32 foot driveway at 4249 Springhill Drive, recommending approval

of request

Attachments: 20-0895 Request for Driveway Extension at 4249 Springhill Drive.pdf

20-0916 Report of Board of Public Works of 8/19/2020 for 5th and Final payment of

\$22,469.37 to SC Concrete for S. 8th St. - Washington St. to Manitowoc River - Installation of Trees, Grates & Planters, WS-20-17, recommending payment.

Attachments: WS-20-17 Final Payment

20-0917 Report of Board of Public Works of 8/19/2020 for 2nd and Final payment of

\$9,797.50 to Scott Construction, Inc. for 2020 Seal Coating Program, WS-20-6,

recommending payment.

Attachments: WS-20-6 Final Payment

20-0918 Report of Board of Public Works of 9/9/2020 for 4th and Final payment of

\$5,044.87 to Seiler Bros for 2020 Remove & Replace Existing Sidewalks II,

WS-20-8, recommending payment.

Attachments: WS-20-8 Final Payment

20-0919 Report of Board of Public Works of 9/9/2020 for 4th and Final payment of

\$7,016.25 to Seiler Bros for 2020 Remove & Replace Existing Sidewalks,

WS-20-3, recommending payment.

Attachments: WS-20-3 Final Payment

20-0944 Report of Board of Public Works of the 8/19/2020 meeting that final payments to

contractors who signed an agreement under \$25,000.00 shall be approved by

the Board of Public Works with a report given to the Common Council,

recommending acceptance and place on file.

Attachments: BPW Report - Final Payments for agreements under \$25,000

20-0945 Report of Board of Public Works of final payments to contractors for

Agreements under \$25,000.00, recommending acceptance and place on file.

Attachments: BPW Report - final payments

20-0946 Report of Board of Public Works of snow removal assessment appeal for

property at 808 Memorial Drive; Board approved reduction of second invoice from \$600 to \$300. Recommending acceptance of report and place on file.

<u>Attachments:</u> Snow Appeal - 808 Memorial Drive

20-0947 Report of Board of Public Works of 8/19/2020, of bids received for 2020

Televising Miscellaneous Sewers II, Project WU-20-14, recommending awarding to low bidder, Northern Pipe, Inc. in the amount of \$19,773.72.

Attachments: WU-20-14 Bid

WU-20-14 Bid Tab

20-0949 Report of Board of Public Works of 9/9/2020, zero bids received for

Maintenance of Parks Facilities & Structures; Board directed staff to break projects in increments not to exceed \$25,000.00 per contract. Recommending

acceptance of report and place on file.

Attachments: BPW Report WB-20-19

20-0950 Progress invoices from WI Department of Transportation in the amounts of

\$285.06, \$167,315.37 and \$31,603.60, recommending payment.

Attachments: Progress Invoice - Project ID 39514703700

Progress Invoice - Waldo Blvd Project ID 39515003776

Progress Invoice - Waldo Blvd Project ID 39515003777

20-0952 Report of Board of Public Works of 9/16/2020 for 2nd and Final payment of

\$13,253.35 to Hamann Construction Co. for City Hall Lintel Replacement,

WB-19-18, recommending payment.

Attachments: WB-19-18 Final Payment

20-0955 Report of Board of Public Works of 9/16/2020, of quotes received for 2020

Concrete Crushing, QM-20-6, recommending awarding Vinton Construction Co.

at 14,837 Tons, \$3.37/Ton for \$50,000.69.

Attachments: QM-20-6 Tab

# 7. Public Safety Committee (Consent)

8. Plan Commission (Consent)

#### I. COMMITTEE REPORTS

# 1. Committee of the Whole

20-0961 Settlement agreement with Newell Rubbermaid for past costs at Newton Gravel

Pit

Attachments: Newell Manitowoc Settlement Agreement FINAL Executed

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner

and Bailey

20-0967 Second Extension of Resolution Affirming Mayoral Declaration of Emergency

<u>Attachments:</u> 2nd Extension of Res Affirming Mayoral Declaration of Emergency

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

20-0971

Report of Special Events Committee recommending approval of the following events subject to Council action: Labor Day End of Summer Sendoff! 9/4-9/6/20 (closure of Quay St. from east side of S. 9th to west side of S. 8th St.); Halfway to St. Patrick's Day on 9/19/2020 (Closure of Jay St. from S. 8th to parking lot near S. 9th); REVISED PLAN: Windigo Fest Fundraiser on 10/3/2020 (waiver of rules prohibiting alcohol at Washington Park, waiver of noise ordinance); Lakeshore Holiday Parade on 11/25/2020 (closure of Washington Street & 8th St. for parade)

Attachments: Special Events for Council Approval - 08-13-20 to 9-16-20

Revised Plan - Windigo Fest
Halfway to St. Patrick's Day
Lakeshore Holiday Parade
Labor Day Summer Sendoff

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

**Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0939 Resolution extending the mask requirement in City buildings through November

16, 2020

<u>Attachments:</u> Res - Extend mask requirement

Moved by Sitkiewitz, seconded by Czekala, to remove exception #4 "Facilities rented for private use". The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

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

Aye: 8 - Brey, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

Nay: 2 - Sitkiewitz and Czekala

#### 2. Finance Committee

20-0880 Ordinance to amend Section 11.010 of the Manitowoc Municipal Code

regulating Alcohol Beverages eliminating one year Manitowoc County residency

requirement

Attachments: Ord to Amend 11

Email re residency requirement

Memo - Change to Residency Requirement for Operator License

Applicants.pdf

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0885 Consideration of regional collaboration with Progress Lakeshore and City of

Two Rivers on a regional application for EPA Site Assessment Grant

Opportunity

Attachments: EPA Grant Overview for Finance

Moved by Brey, seconded by McMeans, to approve authorization to apply for the grant. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0886 Consideration of pursuing a Community Development Investment grant through

the state WEDC

Attachments: CDI Grant Overview for Finance

Moved by Brey, seconded by McMeans, to approve authorization to apply for the grant. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0935 One year operator license application #OP1-20014 for James Pickering,

requesting Council approval and waiver of MMC 11.010(4) requiring applicants be Manitowoc County residents continuously for a period of not less than one

year.

Attachments: J. Pickering Application

PD Approval - J. Pickering

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

#### 3. Personnel Committee

20-0862 Resolution to Approve Updated GIS Coordinator Job Description

Attachments: Res to revise job description for GIS Coordinator

Planner-GIS Duties Memo.pdf

GIS Coordinator with tracked changes 8.2020.pdf GIS Coordinator Job Description Final 9.2020.pdf

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

20-0863 Resolution to Approve Telework Policy

Attachments: Res to approve a Telework Policy for City Employees final

Memo PC.Council Telework Policy.pdf

<u>Draft Telework Policy 8.2020.pdf</u> Final Telework Policy 8.2020.pdf

Work From Home Guidelines and Procedures 8.2020 approved.pdf

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0872 Resolution to Hire Seasonal Employees Related to Elected Officials,

Department Heads, or Supervisory Personnel

Attachments: Res to Hire Seasonal Madeline Blaser

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0942 Resolution to approve USI (f/k/a ABRC) recommended Health Care Plan for

2021

Attachments: Res authorize health dental ins participation agmt w Robin

HealthPartners 2021

USI recommendations for 2021.pdf

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

**Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

#### 4. Public Infrastructure Committee

20-0888 Red Arrow Monument Design Plan Update

Attachments: 20-0888 Red Arrow Monument Designs.pdf

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

20-0894 Vinton Construction Company Potential Acquisition of Albert Drive Property /

Radandt Drive Access, recommending approval and drafting by City Attorney.

Attachments: 20-0894 Radant Drive Access - Vinton Const Co.pdf

20-0894 RADANDT ACCESS DRAWINGS MAPS 202008281223.pdf

Temporary Access Easement Agreement for Radandt Drive

PARCEL MAP -

Moved by Novak, seconded by Hansen, to approve the CUP and direct City staff to negotiate with Vinton on terms, and authorize Mayor and Clerk to sign. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0896 Resolution for Stormwater Planning Grant

Attachments: Resolution for DNR - Urban Nonpoint Source Stormwater Planning

Grant (2020)

Strand Task Order No. 20-1

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailev

20-0934 McMahon's Engineering Services and Design Contract for the reconstruction of

Custer St. from S. 29th to S. 39th Sts. and S. 30th St. from Division to Dewey

Sts. as part of the CDBG Close Program.

Attachments: 00 - 2020.09.14 Custer Stree S 30th Street Proposal Agreement

Moved by Novak, seconded by Hansen, that this Agreement be approved. The motion carried by the following vote:

**Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

20-0957 Resolution to proclaim October 10, 2020 as World Migratory Bird Day in the City

of Manitowoc

Attachments: Res - World Migratory Bird Day

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

20-0968 Exercise of Options for Rural Disabled, Elderly Program & ADA Paratransit

Services

Attachments: EXERCISE OF OPTIONS SRT 2020 (9.16.20)

Federal Clauses SRT2020

Moved by Novak, seconded by Hansen, that this Agreement be approved. The motion carried by the following vote:

motion carried by the following vote.

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner

and Bailey

## 5. Public Safety Committee

20-0914 An Ordinance to amend Section 10.010 of the MMC regulating Provisions of

State Law Adopted by Reference (Traffic Regulations).

Attachments: 10.010 Ord to reduce speed limit on Plank Road

Plank Rd speed limit reduction

Moved by McMeans, seconded by Czekala, that this Ordinance be adopted. The  $\,$ 

motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner

and Bailey

20-0915 An Ordinance to amend Section 10.390 of the MMC regulating Parking

Prohibited.

Attachments: Ord to Amend 10.390 re parking at Manila

no parking on Manila St at S 10th St.

Moved by McMeans, seconded by Czekala, that this Ordinance be adopted. The

motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner

and Bailey

20-0953 Ordinance to amend section 10.390 of the Manitowoc Municipal Code regulating

parking prohibited on S. 16th Street

Attachments: Ord to Amend 10 (003)

Parking Request - S. 16th St.

Moved by McMeans, seconded by Czekala, that this Ordinance be adopted. The

motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner

and Bailey

20-0954 Ordinance to amend Section 10.170 of the Manitowoc Municipal Code

regulating the intersection of N. 23rd St. and La Follette Ave.

Attachments: Ord to Amend 10 1 (002)

Stop Sign Request - La Follette & N. 23rd

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

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

#### 6. Plan Commission

20-0876 PC 26-2020: Vinton Construction Company; Request for a Conditional Use

Permit in an I-2 Heavy Industrial Zoning District Pursuant to Section 15.350(3)z for Property off of Albert Drive for the establishment of a concrete batch plant, stone crushing and bulk storage of product operation.

Attachments: 20-0876 Council Report Vinton CUP.pdf

20-0876 PC Report Vinton CUP.pdf

Moved by Brey, seconded by Sitkiewitz, to approve the Conditional Use Permit.

The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner

and Bailey

**20-0956** Resolution to vacate a portion of Johnston Drive

Attachments: Johnston Drive Street Vacation

Moved by Brey, seconded by Sitkiewitz, that this Resolution be referred to the Plan Commission with Clerk to call for a public hearing on November 16, 2020.

The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner

and Bailey

20-0958 Ordinance to Rezone property located in the 3000 - 3400 block of

Menasha Ave. from I-1 Light Industrial to R-4 Single and Two-Family

Residential pursuant to MMC 15.530(2)c

Attachments: Council Report Menasha Ave rezone

Ordinance PC 27-2020 Menasha Ave Rezone I-1 to R-4

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

20-0959 Ordinance to rezone property located at 606 Quay St. from I-2 Heavy

Industrial to B-4 Central Business District

Attachments: PC Report to Council - 606 Quay St

Ordinance PC 28-2020 Seehafer Wharf Rezone I-2 to B-4 (002)

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

**Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

# J. OTHER BUSINESS

# K. ADJOURN

Moved by Sitkiewitz, seconded by McMeans, that this meeting be adjourned at 8:38 p.m. The motion carried by the following vote:

**Aye:** 10 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Hansen, Schlei, Vanderkin, Brunner and Bailey

Deborah Neuser City Clerk