



City of Manitowoc

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

Meeting Minutes

Common Council

Monday, March 20, 2023

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

Alders Present: 10 - Jim Brey, Eric Sitkiewitz, Steven Czekala, Bill Schlei, Brett Vanderkin, Chad Beeman, Michael Cummings, Tim Boldt, Todd Reckelberg and Darian Kaderabek

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

[23-0227](#) City Clerk administers Oath of Office and Badge Pinning of Police Officers Kyle Roehr and Avery Scopp

[23-0228](#) Proclamation declaring the week of April 9th through April 15th, 2023 as National Public Safety Telecommunicators Week

Attachments: [Telecommunicators Week 2023](#)

[23-0251](#) Presentation of Valor Award to Officer Jason Koenig and K9 Neko

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

[23-0226](#) Mayor makes the following appointments: Re-appointment of Dave Dietrich to Plan Commission, Appointment of Dawson Wheelis to Crime Prevention Committee, Appointments of Christopher Born and Jeremy Anderson to Harbor Commission

Moved by Czekala, seconded by Sitkiewitz, that these Appointments be confirmed. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

H. CONSENT AGENDA

1. Removal of Consent Agenda Items

Items 23-0244, 23-0092, and 23-0093 where removed from the Consent Agenda

Approval of the Consent Agenda

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

2. Miscellaneous

[23-0252](#)

Public Notice of an Air Pollution Control Permit Application Review for NextEra Energy Pont Beach, LLC located at 6610 Nuclear Rd., Two Rivers, WI, recommending acceptance and place on file.

Attachments: [Air Pollution Control Permit - NextEra](#)

[23-0253](#)

Public Notice of an Air Pollution Control Permit Application Review for Eck Industries, Inc. located at 1602 N. 8th St., Manitowoc, WI, recommending acceptance and place on file.

Attachments: [Air Pollution Control Permit - Eck](#)

3. Committee of the Whole (Consent)

[23-0249](#)

Report of Special Events Committee relative to approval of the following events: Sunrise Eater Service on 4/9/23; MPSD Summer Band & Orchestra Concert on 8/10/23; Waiver of Fees: Manitowoc County Fair on 8/21-8/27/23; Moonlight Paddle on 8/31/23; Easter Eggstravaganza on 4/8/23, World Migratory Bird Day on 5/13/23; Farm Fun Day on 7/15/23; Halloween Zoo Boo on 10/28/23; Lights in Lincoln Park on 11/21-12/30/23; Fall Vendor Fair 11/11/23; Night Market 920 on 6/21/23, 7/19/23, 8/9/23; Walk to End Alzheimer's on 9/9/23; Silver Cup XXIII Disc Golf on 7/7-7/9/23, 7/22-7/23/23; Kenny's Klub Softball Tournament on 7/21-7/23/23; HFM Maritime Marathon on 6/11/23; recommending approval.

Attachments: [SEC Acted On - 2023-2-16 to 2023-3-15](#)
[Summer Band and Orchestra Concert](#)
[Moonlight Paddle](#)
[WMBD](#)
[Zoo Boo](#)
[Fall Vendor Fair](#)
[WoF County Fair](#)
[Easter Eggstravaganza](#)
[Farm Fun Day](#)
[Lights in Lincoln Park](#)
[Sunrise Easter Service](#)
[Walk to End Alzheimer's](#)
[Night Market 920](#)
[Silver Cup XXIII](#)
[HFM Marathon](#)
[Kenny's Tournament](#)

4. Finance Committee (Consent)

[23-0188](#) Fund Statement Balances from Lakeshore Community Foundation for the K-9 Preservation Fund and the Eternal Flame and Veterans Memorial Fund, recommending to accept and place on file

Attachments: [Q4 2022 - Eternal Flame and Veterans Memorial Fund](#)
[YTD 2022 - Eternal Flame and Veterans Memorial Fund](#)
[Q4 2022 - City of Manitowoc K-9 Preservation Fund](#)
[YTD 2022 - City of Manitowoc K-9 Preservation Fund](#)
[LCF At A Glance - As of 12-31-2022](#)

[23-0241](#) General City Claims in the amount of \$2,494,635.23 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: [March Claims](#)
[2-24-23](#)
[3-3-23](#)
[3-10-23](#)
[3-17-23](#)

6. Personnel Committee (Consent)

7. Public Infrastructure Committee (Consent)

[23-0169](#) 2022 Annual MS4 Permit, recommending approval

Attachments: [2022 Annual MS4 Report FINAL](#)

[23-0171](#) Proposed construction of South 19th Street - Summit to Flambeau Street and Summit Street South 18th to 150 feet west of South 19th Street, recommending approval for 2024 budget request

Attachments: [23-0171 S. 19th St. - Summit to Flambeau St. - Proposed New Construction](#)
[23-0171 Letter from Popp Enterprises regarding S 19th Extension](#)
[23-0171 Letter sent to Residents on S. 19th and S. 18th Street](#)
[20230227135137452](#)

[23-0174](#) Request for Approval to purchase fireplace for Senior Center Lobby not to Exceed \$700, recommending approval

Attachments: [23-0174 Senior Center fireplace purchase memo 2.23](#)

[23-0175](#) Request for approval to purchase materials for new Nocturnal Sugar Glider Exhibit at Lincoln Park Zoo from Donation Tube, not to exceed \$1k, recommending approval.

Attachments: [23-0175 Sugar Glider Exhibit Build Memo 2.23](#)

[23-0180](#) Enterprise buyout of Lease for Vehicle #5 Promaster Dodge Van, recommending buying out of lease program

Attachments: [Lease Buyout for #5 2-28-23](#)

[23-0254](#) Report of Board of Public Works of 3/8/23 of bids received for River Point Development Phase 2, Project #WS-23-2, recommending awarding base bid to low bidder Vinton Construction Company, in the amount of \$5,093,891.98

Attachments: [WS-23-2](#)

[23-0255](#) Report of Board of Public Works of 3/8/23 of bids received for Remove & Replace Existing Sidewalks - Complaints, Project #WS-23-3, recommending awarding to low bidder, Seiler Bros. Construction Inc., in the amount of \$178,986.50

Attachments: [WS-23-3](#)

[23-0256](#) Report of Board of Public Works of 3/8/23 of bids received for South 21st St. Bridge Deck Repairs & Deck Sealing, Project #WS-23-10, recommending awarding to low bidder Fahrner Asphalt Sealers, LLC, in the amount of \$137,349.85

Attachments: [WS-23-10](#)

[23-0257](#) Report of Board of Public Works of 3/8/23 of bids received for Lincoln Park Zoo

Door Replacements, Project #WB-23-15, recommending awarding to low bidder LaForce Inc., in the amount of \$37,303.15

Attachments: [WB-23-15](#)

[23-0258](#) Report of Board of Public Works of February 22, 2023, of quotes received for Ready Mix Concrete for 2023 Construction Season, Project QM-23-1, recommending awarding to low quote, Carew Concrete in the amount of \$83,285.00

Attachments: [QM-23-1](#)

[23-0259](#) Report of Board of Public Works of final payments to contractors for agreements under \$25,000.00; recommending acceptance and place on file

Attachments: [Report of Final Payments](#)

8. Public Safety Committee (Consent)

[23-0215](#) Traffic concern on Waldo Boulevard in the area of Rapids Road and North 40th Street; recommending to install a radar display board on Waldo Boulevard in the Southbound direction of travel between N. Rapids Road and Fleetwood Drive.

Attachments: [Waldo Blvd traffic concern - Tony Rodriguez](#)

[23-0218](#) Request to change two parking stalls in front of Mikadow Theater on Washington Street to a loading and unloading zone; recommending to work with Chief Reimer and DPW staff to identify the temporary load zone needs and to determine proper signage at owners expense.

Attachments: [Mikadow Theater](#)
[Washington St aerial photo - mikadow Theater](#)

9. Plan Commission (Consent)

I. COMMITTEE REPORTS

[23-0244](#) Minutes of the February 20, 2023 Common Council meeting, recommending approval and place on file

Reconsideration of Resolution 23-0158 adopted at the February 20, 2023 Common Council meeting

**Moved by Brey, seconded by Sitkiewitz, that this resolution be reconsidered.
The motion carried by the following vote:**

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

Reconsideration of Resolution 23-0158 adopted at the February 20, 2023 Common Council meeting

A motion was made by Alderperson Jim Brey, seconded by Alderperson Eric Sitkiewitz, to amend removing Alderperson Czekala from Personnel Committee until the end of Alderperson Czekala's term and change it to the

end of the Council year. The motion carried by the following vote:

Aye: 5 - Brey, Sitkiewitz, Beeman, Cummings and Boldt

Nay: 4 - Schlei, Vanderkin, Reckelberg and Kaderabek

Abstain: 1 - Czekala

1. Committee of the Whole

[23-0187](#) Statement of the Board of Canvassers relative to the February 21, 2023 Spring Primary Election for Alderperson in District 3

Attachments: [Canvass Statement 2-21-23](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

2. Finance Committee

[23-0092](#) Approval of the Quadricycle (Pedal Pub) License and Routes from Manitour Pedalers LLC with Updated Routes, recommending approval

Attachments: [Manitour Pedalers LLC License and Routes](#)

[23-0092 Manitou Pedalers Add'l Routes](#)

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

Aye: 9 - Brey, Sitkiewitz, Czekala, Schlei, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

Nay: 1 - Vanderkin

[23-0093](#) Approval of the Quadricycle (Pedal Pub) License and Routes from Big Hitter Worldwide LLC, recommending approval

Attachments: [Big Hitter Worldwide LLC License and Routes](#)

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

Aye: 9 - Brey, Sitkiewitz, Czekala, Schlei, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

Nay: 1 - Vanderkin

[23-0229](#) Sale of City Property at 4221 Calumet Avenue

Attachments: [4221 Calumet Land Sale](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

[23-0250](#)

Report of Special Events Committee recommending approval for the following events subject to Council Action: Maritime Bay Classic on 6/18/23 (Road Closure of part of N. 8th St., State St., N. 7th St., Chicago St., Buffalo St., York St., & N. 6th St.); Lakeshore Pride on 7/29/23 (Road closure - Franklin S. east of Library Drive-thru to Franklin St. 50 feet east of Library parking lot driveway, as well as S. 7th St. from Franklin to Jay St.); Downtown Farmer's Market on Saturdays 5/6/23 through 10/28/23 (Approval of road closure (Quay St. between S. 8th & 10th St. on 8/5/23)

Attachments: [SEC Council Approval - 2023-2-16 to 2023-3-15](#)

[Lakeshore Pride](#)

[Maritime Bay Classic](#)

[Farmer's Market](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

3. Personnel Committee

[23-0167](#)

Request to Approve Recommended Revisions to Social Media Policy.

Attachments: [Social Media Policy 03.2023 Draft Revisions for Council](#)

[Social Media Policy 03.2023 Clean copy for Council](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

[23-0184](#)

Request to Make Contingent Job Offer to Firefighter Candidates in Process of Obtaining Needed Certification.

Attachments: [Personnel MFRD Request 3.1.23](#)

[Job Description-Firefighter-Paramedic 10057](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

[23-0242](#)

A Charter Ordinance to amend Section 2.070 of the MMC regulating indefinite tenure for appointments of City officers.

Attachments: [REVISION of 2.070 CHARTER ORD CLARIFY INDEFINITE TENURE FOR APPOINTMENTS OF CITY OFFICERS.DOCX \(002\)](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

[23-0243](#) Resolution to hire City Clerk Administrative Support Specialist related to Elected Officials, Department Heads, or Supervisory Personnel

Attachments: [Res to hire Jenny Tegen-City Clerk-Administrative Support Specialist-04-2023](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

4. Public Infrastructure Committee

[23-0172](#) Ordinance to permit the sale of fermented malt beverages in City Parks

Attachments: [Ord to Amend 8.230 Regulations of Parks and Related Facilities](#)

**Moved by Reckelberg, seconded by Kaderabek, that this Ordinance be tabled.
The motion resulted in a tied vote. Mayor Justin Nickels voted no, resulting in the motion failing.**

Aye: 5 - Vanderkin, Beeman, Boldt, Reckelberg and Kaderabek

Nay: 5 - Brey, Sitkiewitz, Czekala, Schlei and Cummings

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

Aye: 7 - Brey, Sitkiewitz, Czekala, Schlei, Beeman, Cummings and Kaderabek

Nay: 3 - Vanderkin, Boldt and Reckelberg

[23-0245](#) Resolution Approving the Three Year Harbor Development Statement of Intentions for 2023-2025

Attachments: [Resolution HAP 2023](#)
[Report to Council 2023](#)
[statement of intentions 2023](#)

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

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

5. Public Safety Committee

[23-0219](#) Automatic Aid Agreement between the City of Manitowoc and the City of Two Rivers.

Attachments: [AutomaticAidAgreement-TRFD.MFRD draft2 - Public Safety Agenda](#)

**Moved by Schlei, seconded by Reckelberg, that this Agreement be approved.
The motion carried by the following vote:**

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

[23-0246](#) Ordinance to amend Section 10.390 of the MMC to remove parking in 900 block of Marshall Street

Attachments: [10.390 ORD TO REMOVE PARKING IN 900 BLOCK OF MARSHALL STREET](#)

Moved by Schlei, seconded by Reckelberg, that this Ordinance be amended. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

[23-0247](#) Ordinance to amend and repeal portions of Section 10.390 of the MMC regulating parking on South 10th Street

Attachments: [10.390 Ord revise parking on E side of S. 10th St.-Franklin to Washington](#)

Moved by Schlei, seconded by Reckelberg, that this Ordinance be amended and repealed as shown. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

6. Plan Commission

[23-0146](#) PC 10-2023: U.S. Army Reserve Center / Silver Creek Park; Request to Extend Lease located at 3125 S. 10th Street. Pursuant to § 62.23(5) Matters Referred to City Plan Commission.

Attachments: [23-0146 PC Report Army Reserve Silver Creek Park Lease](#)
[23-0146 Report to Council Army Reserve](#)

Moved by Brey, seconded by Czekala, that this request to extend the term of Lease with the City Staff negotiating and finalizing all the details of said Lease be approved. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

J. OTHER BUSINESS

[22-1082](#) PC 25-2022: Brian & Laura Stecker, Petition for Detachment of Territory from the City of Manitowoc pursuant to § 66.0227 located at 7121 Dutch Road

Attachments: [22-1082 Report to Council Stecker Detachment](#)
[22-1082 PC Report Stecker Detachment](#)
[Stecker Petition 2-14-23](#)

Moved by Brey, seconded by Czekala, that this Action Item be taken off the table. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

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

Aye: 6 - Brey, Vanderkin, Beeman, Boldt, Reckelberg and Kaderabek

Nay: 4 - Sitkiewitz, Czekala, Schlei and Cummings

K. ADJOURN

Moved by Czekala, seconded by Sitkiewitz, that this meeting be adjourned at 7:46 p.m. The motion carried by the following vote:

Aye: 10 - Brey, Sitkiewitz, Czekala, Schlei, Vanderkin, Beeman, Cummings, Boldt, Reckelberg and Kaderabek

**Mackenzie Reed
City Clerk**