



City of Manitowoc

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

Meeting Minutes

Common Council

Monday, November 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

[23-0982](#)

Presentation of Valor Award to Officer Andre St. Pierre

[23-0980](#)

City Clerk administers Oath of Office for Police Officer Bethany Johnson followed by Badge Pinning Ceremony

[23-0981](#)

City Clerk administers Oath of Office for Police Officer Andre St. Pierre followed by Badge Pinning Ceremony

[23-0979](#)

City Clerk administers Oath of Office for Assistant Chief of Fire Rescue Benjamin Kraynek followed by Badge Pinning Ceremony

E. PUBLIC HEARINGS

[23-1017](#)

Previously submitted public input

[23-0985](#)

Public Hearing to be held at 6:30 p.m. for the purpose of hearing any citizen or taxpayer on the proposed budget for the upcoming year

Mayor declared the meeting open for a public hearing on this matter.

City Clerk reported that the notice of public hearing was published on November 5, 2023 (Proof of publication is on file in the City Clerk's Office).

No parties appeared to speak on this matter.

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

[23-0986](#)

Public Hearing to be held at 6:31 p.m. for the purpose of hearing any and all

interested parties in the matter of a proposed change in zone from P-1 Conservancy to R-5 Low Density Multiple Family for property located at Bay Shore Drive and E. Park View Lane

Mayor declared the meeting open for a public hearing on this matter.

City Clerk reported that the notice of public hearing was published in the Herald Times Reporter on November 6 & 13, 2023 (Proof of publication is on file in the City Clerk's Office).

No parties appeared to speak on this matter.

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

[23-0987](#)

Public Hearing to be held at 6:32 p.m. for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit located at 1111 Marshall Street for the Operation of a Transitional Housing Use

Mayor declared the meeting open for a public hearing on this matter.

City Clerk reported that the notice of public hearing was published in the Herald Times Reporter on November 6 & 13, 2023 (Proof of publication is on file in the City Clerk's Office).

Jonathan DeBauch, of 1114 S 11th Street, spoke in favor of this matter.

Jonathan Neeb, of 532 N 10th Street, spoke in favor of this matter.

Terry Bosch, of 3008 Barkwood Court, spoke in favor of this matter.

Cody Richards, of 948 N 5th Street, spoke in favor of this matter.

Christma Rusch, of 115 N 10th Street, spoke in favor of this matter.

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

[23-0905](#)

PC 23-2023: Lotus Recovery Homes: Request for a Conditional Use Permit for Transitional Housing at 1111 Marshall Street

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

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

[23-0988](#)

Public Hearing to be held at 6:33 p.m. for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit located at

404/406/408 N. Lake Street for the Operation of a Transitional Housing Use

Mayor declared the meeting open for a public hearing on this matter.

City Clerk reported that the notice of public hearing was published in the Herald Times Reporter on November 6 & 13, 2023 (Proof of publication is on file in the City Clerk's Office).

David Wilhelm, of 415 Chicago Street, spoke in opposition on this matter.

Sarah Becker, of 404 N Lake Street, spoke in favor of this matter.

Brianne Neeb, of 532 N 10th Street, spoke in favor of this matter.

Jonathan Neeb, of 532 N 10th Street, spoke in favor of this matter.

Kyle King, of 1111 Marshall Street, spoke in favor of this matter.

Chris Seefeldt, of 411 Saint Clair Street, spoke in favor of this matter.

Terry Bosch, of 3008 Barkwood Court, spoke in favor of this matter.

Jeff Patterson, of 414 Chicago Street, spoke in opposition on this matter.

Karen Patterson, of 414 Chicago Street, spoke in opposition on this matter.

Don Wallace, of 426 Lake Street, spoke in opposition on this matter.

Steve Ryan, of 412 North 5th Street, spoke in opposition on this matter.

Rita Metzger, of 513 Chicago Street, spoke in opposition on this matter.

Jennifer Ledvian, of 1015 South 24th Street, spoke in opposition on this matter.

Jodi DuPont, of 1215 Dueno Street, spoke in opposition on this matter.

Sandra Murzyn, of 1001 East Crescent Drive, spoke in opposition on this matter.

Thomas Johnson, of 1821 North Rapids Road, spoke in opposition on this matter.

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

[23-0906](#) PC 24-2023: Lotus Recovery Homes: Request for a Conditional Use Permit for Transitional Housing at 404, 406 & 408 N Lake Street

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

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

Nay: 1 - Cummings

[23-0989](#) Public Hearing to be held at 6:34 p.m. for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit located at 826 S. 19th Street for the Operation of a Transitional Housing Use

Mayor declared the meeting open for a public hearing on this matter.

City Clerk reported that the notice of public hearing was published in the Herald Times Reporter on November 6 & 13, 2023 (Proof of publication is on file in the City Clerk's Office).

No parties appeared to speak on this matter.

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

[23-0977](#) Mayor makes the following appointments: Al Chizek to Committee on Aging, in place of R. VonDrachek, term ending 6/1/2024; Emily Longmeyer-Wolf to Crime Prevention, in place of C. Engelbrecht, term ending 6/1/2025

Moved by Sitkiewitz, seconded by Czekala, that these Appointments be approved. 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 23-0934 was 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

- [23-0978](#) Resignation from Ron VonDrachek from Committee on Aging, effective immediately; recommending acceptance and place on file
- [23-0983](#) Minutes of October 16, 2023 Common Council meeting; recommending approval and place on file
- [23-0984](#) Minutes of the October 24, 2023 Common Council meeting; recommending approval and place on file
- [23-0991](#) Resignation from Brittany Boyer from Crime Prevention Committee, effective immediately; recommending acceptance and place on file

3. Committee of the Whole (Consent)

- [23-1009](#) Report of Special Events Committee relative to approval of the following events: Manitowoc 10k on 9/21/2024; Shelltrack on 12/16/2023; Wingz Winter Revenge on 4/27/2024; recommending approval

4. Finance Committee (Consent)

- [23-0841](#) L23-00143 - PHAJIT Claim for vehicle damage >\$5,000 due to fallen tree during storm on 8/3/2023; recommending to deny the claim
- [23-0946](#) 3rd Quarter 2023 Investment Report; recommending to accept and place on file
- [23-0947](#) 3rd Quarter 2023 Budget Exceptions Report; recommending to accept and place on file
- [23-0948](#) 3rd Quarter 2023 CAWG Requests Report - Revised; recommending to accept and place on file
- [23-0949](#) 3rd Quarter 2023 Internal Controls to Prevent and Detect Fraud Report; recommending to accept and place on file
- [23-0956](#) L23-00115 Shaw Claim for damages >\$5,000 due to storm on August 3, 2023; recommending to deny the claim
- [23-0957](#) L23-00168 Lakeshore Mall LLC/Lakeside Improvement LLC Claim >\$5,000; recommending to refer to the City Attorney's Office to authorize the City Attorney to investigate and deny the claim at his discretion
- [23-0958](#) 3rd Quarter 2023 Claims Report from City Attorney's Office; recommending to accept and place on file

- [23-0959](#) Tax Levy Certification from Manitowoc Public School District for Fiscal Year 2023-2024; recommending to accept and place on file
- [23-0960](#) Tax Levy Certification from Lakeshore Technical College for Fiscal Year 2023-2024; recommending to accept and place on file
- [23-0962](#) Fiscal Impact Process Discussion; recommending to place on file
- [23-0992](#) General City Claims in the amount of \$2,759,015.58 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
- [23-1008](#) Report of Finance Committee to grant the various licenses subject to approvals, inspections, insurance, payment of license fees and meeting State Statute requirement, as detailed therein

5. Personnel Committee (Consent)

6. Public Infrastructure Committee (Consent)

- [23-0932](#) Facility Use Agreement with the Manitowoc County ADRC Senior Nutrition Program, recommending to enter into agreement
- [23-0935](#) Proposed Jurisdictional Transfer of Several County Truck Highways, recommending placing on file
- [23-0936](#) Zoo Donation Tube Funds request for annual landscaping contract 2023; recommending to approve the request
- [23-0939](#) Request for Michele Michels to Escort a Senior Center out of State Trip; recommending approval
- [23-0995](#) Report of Board of Public Works of 11/15/2023 for 3rd & final payment of \$142,438.14 to Visu Sewer, for 2023 Re-Lining Sewer Project, WU-23-7; recommending payment
- [23-0996](#) Report of Board of Public Works of 11/15/2023 for 6th & final payment of \$5,650.96 to Seiler Bros Construction, Inc, for 2023 Remove & Replace Sidewalks, WS-23-3; recommending payment
- [23-0997](#) Report of Board of Public Works of 11/15/2023 for 5th & final payment of \$6,068.15 to Philippi Quality Construction, Inc, for Lincoln Park Zoo Renovations, WB-23-17; recommending payment
- [23-0998](#) Report of Board of Public Works of 11/15/2023 for 1st & final payment of \$19,899.00 to Lakeland Landscaping, Inc, for Tree Planting for Reed Avenue Reconstruction Project, AGMT 23-03; recommending payment
- [23-0999](#) Report of Board of Public Works of 11/15/2023 for 1st & final payment of \$37,303.15 to LaForce Inc., for Lincoln Park Zoo Door Replacements,

WB-23-15; recommending payment

[23-1000](#) Report of Board of Public Works of 11/15/2023 for 11th & final payment of \$57,371.33 to Kruczek Construction, for Watermain Extension South of Viebhan Street, WU-22-10; recommending payment

[23-1001](#) Report of Board of Public Works of 11/15/2023 for 3rd & final payment of \$4,099.15 to Highway Landscapers Inc, for 2023 Downtown Manitowoc Streetscape Planting, WS-23-18; recommending payment

[23-1002](#) Report of Board of Public Works of 11/15/2023 for 1st & final payment of \$36,754.10 to Green Bay Pipe & TV, for 2023 Televising Miscellaneous Sewers II, WU-23-25; recommending payment

[23-1003](#) Various Progress Invoices form the Wisconsin Department of Transportation; recommending payment

[23-1011](#) Report of Board of Public Works of 10/25/2023, of approval for a Sidewalk Privilege Agreement for the structure and retaining wall that are in the 4323 Conroe Street right-of-way and for City Attorney to draft an SPA, recommending acceptance of report and place on file

[23-1012](#) Report of Board of Public Works of 10/25/2023 of approval to repeal the noxious weed assessment for property located at 708 Northwood Ct., recommending to rescind the assessment

[23-1014](#) Report of Board of Public Works of 10/25/2023 of request rescind forestry nuisance abatement for property at parcel 823-403-190, recommending to rescind the assessment

7. Public Safety Committee (Consent)

[23-0860](#) Pedestrian traffic concern on South 10th Street at the intersections of Division Street and Columbus Street; recommending to install pedestrian signs at South 10th and Division and refer request for rapid flashing beacons to CAWG/Finance

8. Plan Commission (Consent)

[23-0908](#) PC 18-2021: Annual Review Connection Church; Request for a Conditional Use Permit for the establishment of a Church and Gym/Community Center located at 1455 North Rapids Road; recommending accept the report and place on file

[23-0909](#) PC 21-2023: Swetlik: Request to Purchase City Owned Property. Parcel # 000-196-040. East 55' of Lot 4, Block 196 of the Original Plat; staff recommends proceeding with the sale of the approximate 0.06 acre parcel with the Attorney's Office instructed to proceed with all facets of the sale and Swetliks paying for any of the following costs: drafting of legal

descriptions, easement preparation, survey costs, recording costs and closing costs

[23-0920](#)

PC 18-2022: Annual Review Manitowoc Cooperative Ministry, First Presbyterian Church; Conditional Use Permit for establishment of a Transitional Housing, Warming Shelter; 502 N. 8th Street; recommending accept report and place on file

I. COMMITTEE REPORTS

1. Committee of the Whole

[23-1010](#)

Report of Special Event Committee for the following events subject to Council Action: Fat Seagull Street Party on 6/29/2024-6/30/2024, 7/27/2024-7/28/2024 and 9/14/2024-9/15/2024 (Road closure of Quay Street from S 9th to S 8th from 6 a.m. Friday to 8 a.m. Monday for each event); Metro Jam on 6/14/2024 (Waiver of Alcohol in Washington Park)

Moved by Sitkiewitz, seconded by Czekala, 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

2. Finance Committee

[23-0928](#)

General City budget of proposed 2023 levy for 2024, in the amount of \$19,177,069 with \$1,024,657 in proposed tax incremental financing

Moved by Brey, seconded by Reckelberg, that the Budget be adopted as amended by the Finance Committee. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Czekala, Schlei, Beeman, Cummings, Boldt and Kaderabek

Nay: 2 - Vanderkin and Reckelberg

[23-0950](#)

Amendment to Municipal Service Agreement between City of Manitowoc and Progress Lakeshore

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

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

Abstain: 1 - Sitkiewitz

[23-0951](#)

Lease between City of Manitowoc and Century 21 Aspire Group LLC for Department of Tourism office space at 824 S. 8th St., Manitowoc, WI

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

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

Nay: 1 - Vanderkin

[23-1004](#) Resolution to Replace the "Department of Tourism Fee Schedule" with the "Special Event Application Fee Schedule" and Adopt Fees, Applications, and Invoicing for 2024

Moved by Brey, seconded by Reckelberg, 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

[23-1015](#) Tax Levy Certification from Manitowoc County for Fiscal Year 2024

Moved by Brey, seconded by Reckelberg, 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

3. Personnel Committee

[23-0930](#) Request to Make Contingent Job Offer to Firefighter Candidates in Process of Obtaining Needed Certification

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

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

[23-1006](#) Resolution to Revise Employee Policy Manual to Accommodate New Battalion Chief Positions and Updated Personal Appearance Language

Moved by Schlei, 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

[23-1007](#) Resolution to Deviate from Employee Policy Manual Article 14: Performance Management and Compensation, in 2024

Moved by Schlei, 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

[23-0934](#) Request for Temp Access Easement Agreement over Unimproved Right of Way on S 12th Street - S of Viebahn Street; recommending sending to City Attorney to draft agreement

Moved by Czekala, seconded by Boldt, that this be sent to the City Attorney to draft Agreement. The motion carried by the following vote:

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

[23-0993](#) Task Order 23-01 & Amendment No. 4 to the April 11, 2013, Agreement for Technical Services with Strand Associates for BRIC Grant Subapplication Preparation

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

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

[23-0994](#) Sidewalk Privilege Agreement with EastPoint Rentals for property located at 220 N 7th St

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

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

[23-0937](#) Request for Reed Avenue Zoo Entrance Landscape Project in Spring 2024

Moved by Czekala, seconded by Boldt, 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

[23-1013](#) Sidewalk Privilege Agreement with Peaceful Valley Real Estate, LLC for Right of Way Encroachment for 4323 Conroe St and 315 N 44th St

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

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

5. Public Safety Committee

6. Plan Commission

[23-0907](#) PC 25-2023: The Haven of Manitowoc County: Request for a Conditional Use Permit for Transitional Housing at 826 S. 19th Street

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

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

[23-0990](#) Ordinance amending the amended zone map of the City of Manitowoc entitled: "Zoning Ordinance of the Municipal Code of the City of Manitowoc."

Moved by Brey, seconded by Sitkiewitz, 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

J. OTHER BUSINESS

K. ADJOURN

A motion was made by Sitkiewitz, seconded by Czekala, that this meeting be adjourned at 9:03 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**