



# City of Manitowoc

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

## Meeting Minutes

### Common Council

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Monday, July 17, 2017

6:30 PM

Council Chambers

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#### A. CALL TO ORDER

#### B. ROLL CALL

**Alderspersons Present:** 8 - Dave Soeldner, Jim Brey, Mike Howe, Eric Sitkiewitz, Lee H. Kummer, Steven Czekala, Jeremiah Novak and Todd Lotz

**Alderspersons Absent:** 2 - Scott McMeans and Rhienna Gabriel

#### C. PLEDGE OF ALLEGIANCE & INVOCATION

#### D. PRESENTATIONS

[17-0740](#)

Clerk administers Oath of Office for Firefighter/Paramedic Matthew Riley followed by Badge Ceremony.

#### 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

#### H. CONSENT AGENDA

##### 1. Removal of Consent Agenda Items - None.

##### Approval of the Consent Agenda

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

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

##### 2. Miscellaneous

- [17-0706](#) Minutes of April 24, 2017, Adjourned Session of Council, recommending approval and place on file.  
**Attachments:** [17-0706.pdf](#)
- [17-0707](#) Minutes of June 19, 2017 Council meeting, recommending approval and place on file.  
**Attachments:** [17-0707.pdf](#)
- [17-0715](#) Notice from Dept. of Natural Resources approving plans and specifications for a groundwater treatment system to serve the former Town of Newton Gravel Pit, recommending placing on file.  
**Attachments:** [17-0715.pdf](#)
- [17-0716](#) Notice from Wis. Dept. of Safety & Professional Services that an inspection is due for cross connection control device at 2655 S. 35th St. , recommending placing on file.  
**Attachments:** [cross connection inspection due.pdf](#)
- [17-0717](#) Notice from County Treasurer that County has acquired parcels 052-490-001-170.00 and 052-000-255-020.00 and they should be listed as tax exempt on the 2018 assessment roll, recommending acceptance and place on file.  
**Attachments:** [17-0717.pdf](#)
- [17-0735](#) Communication from Wisconsin Dept. of Natural Resources relative to water main extension approval for Manitowoc Waterworks, N. 6th Street, recommending placing on file.  
**Attachments:** [17-0735.pdf](#)
- [17-0737](#) Communication from County Treasurer relative to public notice of tax foreclosure action In Rem 2017 which constitutes the commencement of a special proceeding by Manitowoc Co. against each parcel of real estate with delinquent taxes from 2013 to present, recommending placing on file.  
**Attachments:** [2017 07 13 09 38 28.pdf](#)

### 3. Committee of the Whole (Consent)

[17-0739](#) Report of Special Events Committee relative to approval of the following events: Family Fitness Event on 8/12/2017; Walk to Defeat ALS on 8/26/2017; Scenic Shore 150 Bike Tour on 7/22-7/23/2017; Lincoln Ships Baseball Tournament on 7/7-7/9/2017; WAIVER OF FEES - Festival Foods Associate Picnic on 8/8/2017; WAIVER OF FEES - MDA Fill the Boot Drive on 8/10-8/12/2017; Residential Block Party on 8/12/2017; Running-A-Fair 5K run/walk on 8/22/2017; recommending acceptance of report and place on file.

**Attachments:** [REPORT 2](#)  
[COMMUNITY FITNESS EVENT](#)  
[WALK TO DEFEAT ALS](#)  
[SCENIC SHORE BIKE TOUR](#)  
[LINCOLN SHIPS BASEBALL TOURNAMENT](#)  
[FESTIVAL FOODS](#)  
[FILL THE BOOT](#)  
[BLOCK PARTY](#)  
[RUNNG A FAIR](#)

#### 4. Finance Committee (Consent)

[17-0646](#) 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 per Attorney's Opinion.

**Attachments:** [17-0646.pdf](#)  
[atty opinion.pdf](#)

[17-0682](#) Recommended Credit Card Limits for City Employees, recommend to accept.

**Attachments:** [Current CC Holders List July 2017](#)

[17-0683](#) Requests from Property Owners to waive interest on 2016 Property Taxes, recommend to place on file.

**Attachments:** [20170629101556957](#)  
[2016 Department of Revenue Pub Explaining Interest on Property Taxes](#)

[17-0688](#) 2016 Management Letter and Comprehensive Annual Financial Report, presented by Tom Karman, CPA and Shareholder with Schenck SC, recommend to accept and place on file.

[17-0691](#) Annual Review of City Investment Policy (Chapter 5 of Guidebook), recommend to accept and place on file.

**Attachments:** [Guide Book Policy Manual MASTER](#)

[17-0695](#) Development Agreement with Dowco, Inc. for Tax Incremental Financing Assistance and Guaranty Agreement with Dowco, Inc., recommending entering into the agreements.

**Attachments:** [DevelopmentAgreement\\_DOWCO DRAFT 7-12-17.pdf](#)

[17-0703](#) Report of City Clerk of summary of fees collected for leased parking stalls for 2016-17, recommending acceptance and place on file.

**Attachments:** [17-0703.pdf](#)

[17-0710](#) General City Claims in the amount of \$2,283,442.65 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:** [report 17-0710.pdf](#)

[7-14-17.pdf](#)

[7-7-17.pdf](#)

[6-30-17.pdf](#)

[6-23-17.pdf](#)

## 5. Personnel Committee (Consent)

## 6. Public Infrastructure Committee (Consent)

[17-0575](#) Request from Wellness Committee for a donation of a family Aquatic Center pass as a prize for the Wellness Fair, recommending approving the request.

**Attachments:** [17-0575 201706011106](#)

[16-235 Ticket Pass Donation Policy](#)

[17-0632](#) Report of Board of Public Works of June 8, 2017 for Quotes for New 2018 ten cubic yard capacity rear-loading refuse collection body and one 2.8 cubic yard side loading recycle body and truck chassis for the Parks Department, QE-17-4.

**Attachments:** [17-0632.pdf](#)

[17-0632 bid tab.pdf](#)

[17-0669](#) Request for use of donation tube funds for tree removal at Lincoln Park Zoo, by Arbor Tech, in the amount of \$1800, recommending approval of the request.

**Attachments:** [17-0669\\_201706291406](#)

[17-0674](#) Request from Manitowoc Chiefs Youth Football Organization for permission to build an Equipment Building at 2301 Clay Pit Road, recommending approval of structure.

**Attachments:** [17-0674\\_201706291347](#)

[17-0678](#) Stormwater Management Facility Maintenance Agreement for CR Mini Storage, Public Infrastructure Committee, recommending approval.

**Attachments:** [17-0678\\_201706291344](#)

[17-0690](#) Parking at Camp Vits, recommending placing on file.

**Attachments:** [17-0690\\_201706291342](#)

[17-0698](#) Request from the Manitowoc-Two Rivers YMCA for a driveway that exceeds the maximum allowed width of 35 feet, Public Infrastructure Committee recommending approval of the driveway request in excess of 35 feet.

**Attachments:** [17-0698\\_201706301025](#)  
[2017\\_0629\\_YMCA-MWTR-Site Work](#)

[17-0709](#) Report of Board of Public Works of June 21, 2017 for 2nd and Final payment of \$12,014.00 to Schaus Roofing & Mechanical for Cat & Bear Building Lincoln Park Zoo Roof, AGMT-17-04, recommending payment.

**Attachments:** [17-0709.pdf](#)

[17-0712](#) Report of Board of Public Works of June 21, 2017 of bids received for Manitowoc Marina Painting, Project WB-17-23, recommending awarding to low bidder, Lees Color Studio in the amount of \$27,250.00.

**Attachments:** [17-0712.pdf](#)  
[17-0712 bid tab.pdf](#)

[17-0713](#) Report of Board of Public Works of June 21, 2017, of bids received for Televising Misc. Sewers II, Project WU-17-22, recommending awarding to low bidder, Green Bay Pipe & TV, LLC, in the amount of \$22,733.02.

**Attachments:** [17-0713.pdf](#)  
[bid tab 17-0713.pdf](#)

[17-0725](#) Report of Board of Public Works of July 5, 2017 relative to special assessment at 3906 Springhill Drive, recommending reducing special assessment footage to 225' with Paulus' to enter into No Access Agreement for remaining footage not billed.

**Attachments:** [17-0725.pdf](#)

[17-0727](#) Report of Board of Public Works of July 5, 2017, of quotes received for one new 2017 wheel loader with 4-yard bucket and optional plow/wing and grapple bucket for DPW, Project QE-17-6, recommending awarding to low bidder, Aring Equipment Company in the amount of \$248,423.00.

**Attachments:** [17-0727.pdf](#)  
[17-0727 bid tab.pdf](#)

[17-0728](#) Report of Board of Public Works of July 5, 2017 of bids received for one new 2017 self-contained, 2-stage snowblower for DPW, Project QE-17-7, recommending awarding to Bruce Equipment, in the amount of \$139,535.00. (*Clerk's Note: Other bidders did not meet specifications*).

**Attachments:** [17-0728.pdf](#)  
[17-0728 bid tab.pdf](#)

## 7. Public Safety Committee (Consent)

[17-0591](#) Crime Prevention Committee amended bylaws, recommending to amend the bylaws.

**Attachments:** [2017 Crime Prevention Committee Bylaws](#)

## 8. Plan Commission (Consent)

### I. COMMITTEE REPORTS

#### 1. Committee of the Whole

[17-0702](#) Resolution to approve the appointment of Mackenzie Reed-Kadow as Deputy City Clerk who is related to a City supervisor and thus requires a roll call vote confirming her appointment to the position, effective August 2, 2017.

**Attachments:** [17-0702.pdf](#)

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

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

[17-0704](#) Communication from City Clerk with her appointment of Mackenzie Reed-Kadow as Deputy City Clerk.

**Attachments:** [17-0704.pdf](#)

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

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

[17-0738](#) Report of Special Events Committee Recommending approval for the following events subject to Council action: Manitowoc/Two Rivers YMCA Duathlon on 8/26/2017 (waiving noise ordinance & lane closure); Friends of the Manitowoc Family Aquatic Center Jazz at the Pool on 7/15/2017 (waiving alcohol at Aquatic Center); Tom Drill & Cathy DeLain Showtime '17 on August 9-10, 2017 (Temporary Beer Application); Carol Rose Wester Memorial, Inc. Memorial Race on August 12, 2017 (waiving noise ordinance 6:45 - 8:00 a.m. and allow dogs in Red Arrow & Silver Creek Parks, close off parking area); MPPA Police Chase 4 mi run/walk on 10/14/2017 (allowing dogs in parks during event); Manitowoc Public Library Carnival at the Library on 8/4/2017 (Closure of Quay Street from S 6th St. to Western entrance of Briess lot on Quay).

**Attachments:** [Report](#)

[YMCA DUATHALON](#)

[JAZZ AT THE AQUATIC CENTER](#)

[SHOWTIME](#)

[CAROL ROSE WESTER MEMORIAL RACE](#)

[MPPA](#)

[CARNIVAL AT LIBRARY](#)

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

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

## 2. Finance Committee

[17-0680](#) 2017CV000252 Brenda Marie Hawpetoss vs. City of Manitowoc et al

**Attachments:** [2017CV000252 hawpetoss](#)

**Moved by Brey, seconded by Sitkiewitz, that this Summons and Complaint be referred to City Attorney. The motion carried by the following vote:**

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

[17-0681](#) Resolution requesting the State of Wisconsin pass legislation to allow cities the ability to enact a local sales tax (.5%)

**Attachments:** [17-0681.pdf](#)

[Sales Tax Legislative Request](#)

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

**Aye:** 7 - Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

**Nay:** 1 - Soeldner

[17-0734](#) 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.

**Attachments:** [licenses7-17.pdf](#)

**Moved by Brey, seconded by Sitkiewitz, that this Report be accepted and the licenses therein granted. The motion carried by the following vote:**

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

### 3. Personnel Committee

[17-0668](#) Police Department out-of-state travel request - DRE National Conference August 12-14, 2017

**Attachments:** [Out of State Training Request-Officer Place 2017](#)

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

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

### 4. Public Infrastructure Committee

[17-0670](#) Request for free or reduced rates to allow foster families the use of the Aquatic Center and/or Mini Golf on certain days/times that are to be determined.

**Attachments:** [17-0670\\_201706291407](#)

[201707061131](#)

**Moved by Kummer, seconded by Soeldner, that this Request be approved. The motion carried by the following vote:**

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz



[17-0705](#) Report of Board of Public Works of June 20, 2017 setting the 10 year installment plan interest rate at 7.5% for 2016 assessments levied in the year 2017.

**Attachments:** [17-0705.pdf](#)

**Moved by Kummer, seconded by Soeldner, that this Report be accepted. The motion carried by the following vote:**

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

[17-0711](#) Report of Board of Public Works of June 21, 2017, of bids received for Boiler Replacement at Rahr-West Art Museum and Manitowoc Senior Center, Project WB-17-18, recommending awarding to low bidder (after clarification), Schaus Roofing & Mechanical Contractors in the amount of \$132,086.00.

**Attachments:** [17-0711.pdf](#)  
[17-0711 bid tab.pdf](#)  
[Memo Jim M.pdf](#)

**Moved by Kummer, seconded by Soeldner, that this bid be awarded to the low bidder (after clarification), Schaus Roofing & Mechanical Contractors in the amount of \$132,086.00. The motion carried by the following vote:**

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

[17-0714](#) Report of Board of Public Works of June 7 & June 20, 2017 on 2016 special assessments levied in 2017.

**Attachments:** [17-0714.pdf](#)

**Moved by Kummer, seconded by Soeldner, that this Report be accepted with Clerk to send out invoices. The motion carried by the following vote:**

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

[17-0730](#) Park and Recreation Ticket & Pass Donation Policy.

**Attachments:** [17-0730.pdf](#)

**Moved by Kummer, seconded by Soeldner, that this Policy be accepted. The motion carried by the following vote:**

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

[17-0731](#) Ordinance to amend Section 3.170 of the Municipal Code regulating the Zoological Board.

**Attachments:** [17-0731.pdf](#)

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

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

[17-0732](#) Ordinance to revise Section 8.230(3) of the Municipal Code regulating cabin rental times in City parks.

**Attachments:** [17-0732.pdf](#)

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

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

[17-0736](#) Contract with Mulch Express of Wisconsin for furnishing and installing certified wood chips for 15 City Playgrounds and 2 islands at S. 26th and Calumet Avenue at a cost of \$18,218.50.

**Attachments:** [17-0736.pdf](#)

**Moved by Kummer, seconded by Soeldner, that this Agreement be entered into. The motion carried by the following vote:**

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

## 5. Public Safety Committee

[17-0606](#) Lifequest hardship request. Call # 182A-16-4277, 182A-16-4179, 182A-16-4043, and 182A-16-0429, recommending denial of request but allow payment plan on balance with the City.

**Moved by Howe, seconded by Soeldner, that this Hardship Request be denied with recommendation to set up payment plan on balance with the City. The recommendatoin was approved by the following vote:**

**Nay:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

## 6. Plan Commission

NONE

**Alderspersons Present:** 9 - Dave Soeldner, Jim Brey, Mike Howe, Eric Sitkiewitz, Lee H. Kummer, Steven Czekala, Jeremiah Novak, Todd Lotz and Rhienna Gabriel

**Alderspersons Absent:** 1 - Scott McMeans

## J. OTHER BUSINESS

[17-0708](#) Communication from Mayor Justin M. Nickels submitting his veto of Resolution 17-0633 to approve hiring of an additional Operator at the Wastewater Treatment Facility.

**Attachments:** [17-0708.pdf](#)  
[res 17-0633.pdf](#)

**This Veto was tabled until later in the meeting when Alderperson Gabriel is present.**

**Moved by Brey, seconded by Novak, to override the Mayor's Veto. (Need 7 votes to override). The motion failed to override and the Veto was sustained by the following vote:**

**Aye:** 5 - Brey, Howe, Kummer, Novak and Gabriel

**Nay:** 4 - Soeldner, Sitkiewitz, Czekala and Lotz

## **K. ADJOURN**

**Moved by Brey, seconded by Sitkiewitz, that this meeting be adjourned at 7:00 p.m. The motion carried by the following vote:**

**Aye:** 8 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak and Lotz

**Deborah Neuser  
City Clerk**