



City of Manitowoc

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

Meeting Minutes

Common Council

Monday, October 16, 2017

6:30 PM

Council Chambers

A. CALL TO ORDER

Mayor Nickels called the meeting to order at 7:15 p.m.

B. ROLL CALL

Alderspersons Present: 10 - Dave Soeldner, Jim Brey, Mike Howe, Scott McMeans, Eric Sitkiewitz, Lee H. Kummer, Steven Czekala, Jeremiah Novak, Todd Lotz and Rhienna Gabriel

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

[17-1054](#) Presentation by Mayor Nickels of the 2018 Budget for the City of Manitowoc.

[17-1061](#) Proclamation declaring October 2017 as Crime Prevention Month.

Attachments: [17-1061](#)

E. PUBLIC HEARINGS

[17-1003](#) Mayor declared the meeting open for a public hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from "R-4" Single and Two Family District to "I-2" Heavy Industrial District for properties located along the east side of the 800 hundred block of South 18th Street and south side of the 1700 hundred block of Clark Street. City Clerk reported that the notice was published in the Herald-Times-Reporter on 10/2/17 and 10/9/17. (Proof of publication is on file in the City Clerk's office). Community Development Director Nic Sparacio spoke to this issue. 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).

Attachments: [17-1003](#)

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

[17-1001](#) Mayor to disband Farmers Market Ad hoc Committee.

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

H. CONSENT AGENDA

1. Removal of Consent Agenda Items

None

Approval of the Consent Agenda

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

2. Miscellaneous

[17-0999](#) Minutes of September 18, 2017 Council meeting, recommending approval and place on file.

Attachments: [17-0999](#)

[17-1064](#) Public Notice on an Air Pollution Control Permit Application Review for Wisconsin Aluminum Foundry, 838 South 16th Street, recommending placing on file.

Attachments: [17-1064](#)

3. Committee of the Whole (Consent)

[17-1044](#) Report of Special Events Committee relative to approval of the following events: Winter Farmers Market on the 2nd & 4th Saturdays November 11, 2017 through April 28, 2018; One in Community, One in Communion Unity Mass on September 23-24, 2017; Roncalli annual Cross Country Invite on 9/8/2018; Izaak Walton League Appreciation Dinner on 11/9/2017; MPPA Children's Christmas Party on 12/17/2017; REVISED End Domestic Violence Awareness Month Vigil on 10/19/2017 (denied); MPSD Jr. High Cross Country Invitational on 10/10/2017; Holiday Lights 2K Walk/Run on 12/30/2017; Miracles Special Olympics Tournament on 6/16/2018 (Rain date 6/17/2018); recommending acceptance of report and place on file.

Attachments: [17-1044 - Report](#)
[Winter Farmers Market](#)
[One in Community Mass](#)
[Roncalli Cross Country Invite](#)
[Izaak Walton Appreciation Dinner](#)
[MPPA Children's Christmas Party](#)
[In Courage](#)
[MPSD Jr. High Cross Country](#)
[Manitowoc Miracles](#)

4. Finance Committee (Consent)

[17-1000](#) General City Claims in the amount of \$4,952,893.86 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: [17-1000](#)
[10-13-17](#)
[10-6-17](#)
[9-29-17](#)
[9-22-17](#)

[17-1047](#) 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: [17-1047](#)

5. Personnel Committee (Consent)

6. Public Infrastructure Committee (Consent)

[17-0574](#) Request from 1311 Spring LLC, Peter and Alex Allie, for a Sidewalk Privilege Agreement for right-of-way encroachment of a berm on Spring Street, recommending placing on file.

Attachments: [17-0574](#) [201706011107](#)

[17-0675](#) Changes to the Zoological Board By-Laws, Public Infrastructure Committee recommending approval of request subject approval by the City Attorney.

Attachments: [17-0675](#) [201706291347](#)
[17-0675](#)

[17-0789](#) Rollaire Lease Agreement request for a 4 week lease forgiveness for Floor Refinishing Project, recommending instructing the City Attorney to draft a lease amendment to allow the tenant to forego up to four (4) weeks of rent during floor refinishing.

Attachments: [17-0789](#)

[17-0979](#) DPI Re-Organization due to Retirement October, 2017, recommending approval.

Attachments: [Department of Public Infrastructure Org Chart Proposed 092517.pdf](#)
[Operations Division Manager JD 09.2017](#)
[Streets Team Leader JD 9.2017](#)
[Transit Division Manager JD 09.2017](#)
[Buildings and Grounds Division Manager JD 09.2017](#)

[17-1013](#) Stormwater Management Facility Maintenance Agreement for St Vincent Hospital of the Hospital Sisters of the Third Order of St Francis at 4810 Expo Drive, Parcel #826-403-115, recommended approval of agreement

Attachments: [17-1013](#) [201710041514](#)

[17-1016](#) Report of Board of Public Works of 10/04/2017 for 4th and Final payment of \$22,424.06 to Michels Corporation for Manitowoc Marina E Dock Replacement, WB-16-12, recommending payment.

Attachments: [17-1016](#)

[17-1017](#) Report of Board of Public Works of 10/04/2017 for 2nd and Final payment of \$2,630.00 to Miller & Associates - Sauk Prairie Inc. for Playground Equipment at Silver Creek Park, recommending payment.

Attachments: [17-1017](#)

[17-1018](#) Report of Board of Public Works of 10/04/2017 for 1st and Final payment of \$115,254.41 to Scott Construction, Inc. for 2017 Seal Coating Program, WS-17-6, recommending payment.

Attachments: [17-1018](#)

[17-1019](#) Report of Board of Public Works of 10/04/2017 for 1st and Final payment of \$23,707.60 to Vinton Construction Co. for 2017 Mini Storm Sewer Connection, 17-08, recommending payment.

Attachments: [17-1019](#)

[17-1023](#) Report of Board of Public Works of October 4, 2017, relative to request from Cha Yang to rescind snow removal charge for property located at 1511 S. 10th St., Parcel No. 122-000-100. Recommending denying the request.

Attachments: [17-1023](#)

[17-1024](#) Request to rescind the weed cutting violation at the vacant lot on Stoney Brook Drive that was gifted to Manitowoc Lutheran High School, Committee recommended to deny the request.

Attachments: [17-1024](#) [201710061421](#)

[17-1025](#) Request to rescind weed cutting invoice for 2220 Stoney Brook Court, Committee recommended granting the request.

Attachments: [17-1025](#) [201710061440](#)

[17-1026](#) Request made by the Special Events Committee for a Vendor Agreement for a food truck in City right-of-way, recommending approval without a Vendor Agreement to be submitted

Attachments: [17-1026](#) [201710061445](#)

[17-1027](#) Request for Zoo Parking Street Signs, recommending approval to redirect the traffic to Reed Avenue parking lot.

Attachments: [17-1027](#) [201710061449](#)

[17-1028](#) Public Works Petition from James Check, to cause permanent paving, sidewalks, storm and sanitary sewers and other public utilities to be installed on Homestead Road as described therein and shown on the attached map, recommending acceptance of petition with copy to be sent to Director of Public Works, recommending approval and placing on file.

Attachments: [17-1028](#) [201710061456](#)

[17-1029](#) Public Works Petition from James Check, to cause permanent paving, sidewalks, storm and sanitary sewers and other public utilities to be installed on Nicysa Lane as described therein and shown on the attached map, recommending acceptance of petition with copy to be sent to Director of Public Works, recommending accepting and placing on file.

Attachments: [17-1029 201710061458](#)

[17-1041](#) Request for Henry Schuette Park Kiosk sign from Donation Tube Funds, recommending approval

Attachments: [Schuette park message board kiosk](#)

[17-1048](#) Report of Board of Public Works of October 4, 2017, of bids received for Re-Decking for Manitowoc Marina A, B, C, and D Docks, Project WB-17-11, recommending awarding to low bidder, A.C.E. Building Services in the amount of \$163,111 for A, B and D Dock. City plans to self perform the work on C Dock at a later date.

Attachments: [17-1048](#)

[WB-17-11 Tabulation](#)

7. Public Safety Committee (Consent)

[17-0940](#) Request from Manitowoc Church of Christ for No Parking - Loading Zone in front of 1109 North 17th Street. Recommending to approve loading zone for width of property.

Attachments: [Church of Christ parking request](#)

[17-1020](#) Request for "No Parking" signs to be placed on the west side of North 8th Street from Eck Industries driveway for 100 feet to the south. Recommending to approve the request.

Attachments: [Eck Industries No Parking](#)

[N 8th St Eck Industries 1](#)

[N 8th St Eck Industries 2](#)

[17-1021](#) Discussion regarding the bond schedule amount for Ordinance 14.020(12) Attacking or Biting Dog, Cat or Other Creature. Recommending ordinance increasing fine to \$212.

Attachments: [Draft Ordinance 14.020\(12\)](#)

[JUDGE OLSON'S RECOMMENDATION](#)

[Ordinance 14.020](#)

[REIMER EMAIL - CURRENT FINE AMOUNT](#)

8. Plan Commission (Consent)

I. COMMITTEE REPORTS

1. Committee of the Whole

[17-0801](#) Manitowoc Marina, LLC Lease extension request.

Attachments: [Marina Lease Extension](#)

[Marina Map-Exhibit A](#)

[2017 Rate Sheet-Exhibit B](#)

[Marina Lease - Edited](#)

[Marina Lease Agreement \(Revised by TMS w-Exhibit\) - Unsigned \(00541815\)](#)

Moved by McMeans, seconded by Brey, that this Request be granted. After some discussion, the motion carried by the following vote:

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

Nay: 3 - Soeldner, Kummer and Gabriel

[17-1046](#) Report of Special Events Committee Recommending approval for the following events subject to Council action: Metro Jam on 6/15/2018-6/16/2018 (Waiver of rules prohibiting alcohol in the park; closure of S. 12th Street between Washington & Marshall Sts.); Lights in Lincoln Park 11/24/2017-12/23/2017 (Approval of advertising signs in City right-of-ways); Lakeshore Holiday Parade on 11/22/2017 (Closure of Washington Sts. & N. 8th Sts. for parade); WI Maritime Museum Christmas Tree Ship Day (No parking allowed in lot west of the Maritime Museum for the day).

Attachments: [17-1046 - Report](#)

[Metro Jam](#)

[Lights in Lincoln Park](#)

[Holiday Parade](#)

[Christmas Tree Ship Day](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

2. Finance Committee

[17-0975](#) Resolution to hold Primary Election on February 20, 2018 if there are three or more candidates who file nomination papers for a City office at the April 3, 2018 Spring Election.

Attachments: [17-0975.pdf](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-0988](#) Resolution to allow filling of vacant Arts Instructor position for Rahr West Art Museum.

Attachments: [Art Instructor Job Description](#)
[17-0988](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-0990](#) Development Agreement Between the City and Briess Industries Inc for Tax Incremental Financing Assistance, recommend approval.

Attachments: [17-0990](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-0991](#) Memorandum of Understanding Between the City and the Community Development Authority for the Blighted Housing Restoration Program, recommend approval.

Attachments: [17-0991_MOU-Neighborhood Blight Elimination_09-20-17_FINAL](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-0992](#) Resolution of the Common Council Authorizing Staff to Procure an Environmental Consultant, Apply for EPA Site Assessment Grant Funds, and Administer Grants if Awarded, recommend to adopt the resolution.

Attachments: [17-0992](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-1014](#) Resolution Awarding the Sale of \$775,000 General Obligation Promissory Notes.

Attachments: [17-1014](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-1022](#) Scope of Engagement relative to Proposed Issuance of \$775,000 City of Manitowoc General Obligation Promissory Notes.

Attachments: [17-1022](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-1030](#) Request for Silver Creek Disc Park Upgrades from Donation Tube Funds and Room Tax Funds.

Attachments: [17-1030](#) [201710061518](#)

[17-1030](#)

Moved by Brey, seconded by McMeans, that this Request be amended as follows: Change \$8,516.00 to \$10,145.00 from the Parkland Dedication Fund; Change \$1,500.00 to \$1,681.00 from the Silver Creek Donation Tube; Change \$1,151 to \$1,132 from the Room Tax Reserve Fund.

The motion carried by the following vote:

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

3. Personnel Committee

[17-0987](#) Teamsters No. 662 2017-2019 Bargaining Agreement

Attachments: [Transit Agreement Final Agreement for Ratification 9.2017](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-1042](#) Resolution to approve Participation Agreement with Anthem Blue Cross Blue Shield - Well Priority Plan Health and Dental insurance and National Vision Administrators (NVA) Vision Insurance for 2018.

Attachments: [17-1042](#)
[Health Plan Recommendations](#)
[Analysis of Health Insurance Rates](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

Abstain: 1 - McMeans

4. Public Infrastructure Committee

[17-0969](#) Lease Agreement with the Zoological Society for Lights in Lincoln Park Cabin 1.

Attachments: [17-0969](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-0981](#) Resolution to Backfill WWTF Electrician Position Prior to Current Employee Retirement

Attachments: [WWTF Electrician JD 2016.pdf](#)
[17-0981](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-1034](#) Resolution Authorizing Emergency Repairs to Broadway Street Bridge.

Attachments: [17-1034](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-1049](#) Contract (AGMT 17-13) with A.C.E. Building Service for the office remodel work at the Manitowoc Senior Center.

Attachments: [17-1049](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-1053](#) Amendment No. 1 to Lease Agreement between City of Manitowoc and Lemberger Enterprises LLC allowing Lessees to forego \$1,000 (one month) of rent due to floor refinishing in 2017.

Attachments: [17-1053](#)

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

Aye: 9 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Czekala, Novak, Lotz and Gabriel

Abstain: 1 - Kummer

[17-1055](#) Resolution to Approve the Reorganization of Department of Public Infrastructure.

Attachments: [17-1055](#)
[DPI Re-Org](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

5. Public Safety Committee

[17-0998](#) Request for second batch of judgements to be authorized for expungement by TiPSS software program.

- Attachments:** [Alder Able-PSC Ltr 11 17 15](#)
[Alder Howe Ltr 09 26 17](#)
[Citation Report Totals](#)
[Council Document 15-907](#)
[TIPSS Proposal](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-1002](#) Pedestrian Sign Installation and Maintenance Agreement between the City of Manitowoc and Holiday House of Manitowoc County.

- Attachments:** [17-1002](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-1043](#) Ordinance to amend Section 10.390 of the Manitowoc Municipal Code regulating Parking on North 17th Street.

- Attachments:** [17-1043](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-1052](#) Ordinance to amend the Bond Schedule for violations of Section 14.020 of the Manitowoc Municipal Code regulating Attacking or Biting Dog, Cat, or Other Creatures.

- Attachments:** [17-1052](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

6. Plan Commission

[17-0948](#) Ordinance amending Section 15.050 of the amended zone map of the City to provide that the property East of S. 18th St. and South of Clark St. be changed from "R-4" Single and Two Family District to "I-2" Heavy Industrial District.

Attachments: [17-0948](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-1060](#) Tax Incremental Financing District #11 Proposed Boundary Amendment to Subtract Territory Subject to Development Agreement and Adoption of Related Resolution.

Attachments: [17-1060 Report to Council TID 11](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

[17-1063](#) Updates to Project Plan, Boundary Creation, and Common Council Resolution for Tax Incremental Financing District #19.

Attachments: [17-1063 Report to Council TID 19](#)

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

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

J. OTHER BUSINESS

[17-1004](#) Call for Public Hearing on General City budget to be held at 6:35p.m. on Monday, November 20, 2017.

Moved by McMeans, seconded by Brey, that this Action Item be accepted. The motion carried by the following vote:

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

K. ADJOURN

Moved by McMeans, seconded by Brey, that this meeting be adjourned at 8:40 p.m. The motion carried by the following vote:

Aye: 10 - Soeldner, Brey, Howe, McMeans, Sitkiewitz, Kummer, Czekala, Novak, Lotz and Gabriel

Deborah Neuser
City Clerk