



City of Manitowoc

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

Meeting Minutes

Common Council

Monday, November 18, 2019

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

Alderspersons Present: 9 - Jim Brey, Eric Sitkiewitz, Lee H. Kummer, Steven Czekala, Scott McMeans, Mike Howe, Jeremiah Novak, Todd Lotz and Courtney Pelot

Alderspersons Absent: 1 - Mike Williams

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

[19-1233](#)

City Clerk administers Oath of Office followed by badge pinning for Police Officer Austin Schleis and Police Officer Matt Klein

E. PUBLIC HEARINGS

[19-1207](#)

6:30 PM - Public Hearing 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 for the purpose of hearing any citizen or taxpayer on the proposed budget for the upcoming year.

City Clerk reported that the notice of the hearing was published in the Herald Times Reporter on 11/3/19. (Proof of publication is on file in the City Clerk's office).

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

Mary Jo Stangel
Carole Witt Starck
Mary Tegen
Jill Iverson

No other interested parties appeared.

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

None

Approval of the Consent Agenda

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

2. Miscellaneous

[19-1220](#) Minutes of October 21, 2019 Common Council meeting, recommending approval and place on file.

Attachments: [10-21-19 CC Minutes](#)

[19-1221](#) Communication form WI DNR of Public Notice of an Air Pollution Control Permit Application Review for GKN Sinter Metals-Manitowoc, located at 5710 Vits Dr., recommending acceptance and place on file.

Attachments: [DNR Notice - GKN Sinter](#)

[19-1244](#) Communication form WI DNR of Public Notice of an Air Pollution Control Permit Application Review for Briess Industries Inc, located at 605 Washington St., recommending acceptance and place on file.

Attachments: [WI DNR Communication - Briess](#)

3. Committee of the Whole (Consent)

[19-1234](#) Report of Special Events Committee relative to approval of the following events: Waiver of Fees: Lean on the Lakeshore on 1/5-4/10/20; Tunes & Tators on 4/18/20; Evergleams on 8th & Trolley to the Trees on 11/16/19-1/5/20; Price is Right on 2/29/2020; Ascend Services 5K Run, Walk & Roll on 10/10/20; recommending acceptance of report and place on file.

Attachments: [Special Event Report](#)

[Lean on the Lakeshore](#)

[Tunes & Tators](#)

[Evergleams on 8th](#)

[Price is Right](#)

[Ascend 5K](#)

4. Finance Committee (Consent)

[19-1191](#) Request from Don Murray for refund of 2019-2020 Liquor License and Adult Entertainment License for TLM Investments, Inc. d/b/a Top Hat Lounge; recommend to deny the request.

Attachments: [Don Murray Request](#)

[19-1196](#) Certification of 2019 Levy from Lakeshore Technical College; recommend to accept and place on file.

Attachments: [LTC 2019 Tax Levy](#)

[19-1200](#) Procedures for Operating an Anonymous Financial Complaint; recommend to adopt the procedures.

Attachments: [anonymous complaint draft for approval KMM edits](#)

[19-1203](#) Final Audit - Tax Incremental District 14; recommend to accept and place on file.

Attachments: [Signed Final Report and Financial Statements - City of Manitowoc TID 14](#)
[TID 14 Final PE 110](#)

[19-1204](#) Final Audit - Tax Incremental District 15; recommend to accept and place on file.

Attachments: [TID 15 Final PE 110](#)

[19-1222](#) General City Claims in the amount of \$2,784,842.92 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: [November Claims](#)
[11-1-19](#)
[11-8-19](#)
[11-15-19](#)
[10-25-19](#)

[19-1243](#) 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: [November License Report](#)

5. Personnel Committee (Consent)

6. Public Infrastructure Committee (Consent)

[19-1061](#) Donated Flag pole at Westfield Park, recommending approve the City to replace the flag pole to be put at Red Arrow Park not to exceed \$1500.

Attachments: [19-1061 Donated Flag pole at Westfield Park](#)

[19-1170](#) Bus Passenger Behavior Policy, recommending to approve the policy changes.

Attachments: [11.6.19 Behavior Policy Memo](#)
[MMT Passenger Behavior Policy](#)

- [19-1171](#) Request for Furnace and Lighting at Manitowoc Marina, recommending approval
Attachments: [Request for funds for furnace replacement and light fixture replacement](#)
- [19-1206](#) Volunteer Snow Trail Grooming Policy, recommending approving policy
Attachments: [DPI staff rec. volunteer grooming policy](#)
[Flyover Silver Creek-Fat Bike Trails](#)
[Snowdog-26-grooming-sled-28Medium29-e1516038568258](#)
[Volunteer trail grooming policy](#)
- [19-1208](#) Report of Board of Public Works of 11/06/2019 for 1st and Final payment of \$29,355.00 to Fortress Fence for Dog Park Fence at Halvorsen Park - Rebid, WO-19-12R, recommending payment.
Attachments: [WO-19-12R Final Payment](#)
- [19-1217](#) Report of Board of Public Works of 11/6/19 for 1st and Final payment of \$24,300.00 to Lunda Construction Co. for Maintenance Work on Broadway Street Bridge, AGMT-19-18, recommending payment.
Attachments: [AGMT-19-18 Final Payment](#)
- [19-1218](#) Progress Invoice from WI Department of Transportation in the amount of \$274,127.50 for Waldo Blvd, Project 39515003775, recommending payment.
Attachments: [WI DOT Progress Invoice](#)
- [19-1219](#) Progress Invoice from WI Department of Transportation in the amount of \$50,918.78 for Waldo Blvd, Project 39545701271, recommending payment.
Attachments: [19-1219 DOT Progress Invoice](#)
- [19-1223](#) Report of Board of Public Works of 10/23/19 of approval to enter into AGMT-19-21 with A.C.E. Building Service for sign base and planter in Washington Park for a contract price of \$15,306.00, recommending acceptance and place on file.
Attachments: [AGMT-19-21](#)

[19-1224](#) Report of Board of Public Works of 10/23/19, of bids received for City Hall Lintel Replacement, Project WB-19-18, recommending awarding to low bidder, Hamann Construction in the amount of \$49,494.00.

Attachments: [WB-19-18 Bids](#)

[19-1226](#) Report of Board of Public Works of 10/23/19 of denial of appeal for noxious weed violation for property at parcels 000-355-020 & 000-046-020, recommending acceptance and place on file.

Attachments: [Noxious Weed Appeal](#)

[19-1230](#) Report of Board of Public Works of 11/6/19 of denial of T. Schaus request for alternate communication from the City, recommending acceptance and place on file.

Attachments: [T. Schaus Alternate Communication Request](#)

[19-1231](#) Report of Board of Public Works of 11/6/19 of denial of appeal for forestry assessment at 1235 S. 31st St., recommending acceptance and place on file.

Attachments: [Forestry Assessment - 1235 S 31st](#)

7. Public Safety Committee (Consent)

8. Plan Commission (Consent)

I. COMMITTEE REPORTS

1. Committee of the Whole

[19-1150](#) Hecker/Viebahn property purchase with Manitowoc County

Moved by Sitkiewitz, seconded by McMeans, to authorize the City Attorney and Mayor to complete the transaction. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

2. Finance Committee

[19-1178](#) General City budget of proposed 2019 levy for 2020, in the amount of \$16,566,778 with \$493,107 in proposed tax incremental financing.

Attachments: [Budget Report 19-1178](#)
[Final Equated 2019 Statement of Assessment](#)
[2020 CAWG FUNDED AND UNFUNDED ITEMS](#)
[2019 Tax Levy RATE Worksheet](#)
[2019 Tax Levy by FUND FINAL SOA](#)
[Known Budgetary Impacts](#)
[DPI Recommended fees 2020](#)
[Res to Create Revolving Loan Fund from CDBG closeout](#)
[Silver Creek Wedding Package Projection](#)
[Res to Create Revolving Loan Fund from CDBG closeout](#)

Moved by Sitkiewitz, seconded by Brey, to amend the budget to specifically allocate \$100,000 for a bike and pedestrian trail from Manitou Park to Spring Street and \$65,000 for Schuette Park trail upgrades including an upper to lower switchback for a total of \$165,000 in the parks and trails line specifically allocated for these two projects.

Aldersperson Kummer requested an amendment to the motion to include an additional \$40,000 for turning a portion of Lakeshore Blvd. into trail. Aldersperson Sitkiewitz did not accept this request.

The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

Moved by Kummer, seconded by Howe, to eliminate \$600,000 in the downtown improvement fund and put it towards a two story parking ramp on Franklin Street. The motion failed by the following vote:

Aye: 1 - Kummer

Nay: 8 - Brey, Sitkiewitz, Czekala, McMeans, Howe, Novak, Lotz and Pelot

Moved by Kummer to remove \$415,000 from borrowing that is budgeted for a 3rd and 4th vehicle for DPW. The motion failed for lack of a second.

Moved by Kummer, seconded by Howe to eliminate \$300,000 from the borrowing designated to repave one block of S. 13th St. between Franklin and Washington Sts. Council discussed paving with concrete vs. asphalt. The motion failed by the following vote:

Aye: 1 - Kummer

Nay: 8 - Brey, Sitkiewitz, Czekala, McMeans, Howe, Novak, Lotz and Pelot

Aldersperson Kummer questioned the \$400,000 in budget for the concrete paving of S. 29th Street. Council and City staff discussed exploring asphaltic paving option instead.

Moved by Kummer, seconded by Sitkiewitz, to remove \$100,000 from the pay plan funding to reduce the size of the balance to roughly \$100,000. The motion failed by the following vote:

Aye: 2 - Kummer and Howe

Nay: 7 - Brey, Sitkiewitz, Czekala, McMeans, Novak, Lotz and Pelot

Moved by Kummer, seconded by Novak, to reduce the facade grant funding from \$200,000 to \$100,000. The motion failed by the following vote:

Aye: 1 - Kummer

Nay: 8 - Brey, Sitkiewitz, Czekala, McMeans, Howe, Novak, Lotz and Pelot

Moved by Kummer, seconded by Pelot, to eliminate \$30,000 for Silver Creek Park upgrades for the wedding package upgrade. The motion failed by the following vote:

Aye: 1 - Kummer

Nay: 8 - Brey, Sitkiewitz, Czekala, McMeans, Howe, Novak, Lotz and Pelot

Moved by Brey, seconded by McMeans, to adopt the budget as amended. The motion carried by the following vote:

Aye: 8 - Brey, Sitkiewitz, Czekala, McMeans, Howe, Novak, Lotz and Pelot

Nay: 1 - Kummer

[19-1192](#) Resolution to hold Primary Election on February 18, 2020 if there are three or more candidates who file nomination papers for a City office at the April 7, 2020 Spring Election.

Attachments: [Res - Spring 2020 Primary](#)

[Res - Spring Primary 2020 signed](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1193](#) Ordinance amending Municipal Code 12.170 regulating opening of fire hydrants.

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1194](#) Resolution establishing election official's wages for 2020.

Attachments: [Res - 2020 Election Wages](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1195](#) Close-out Certificate from State of WI Department of Administration for DNR Project #4679-10

Attachments: [Close-out certificate DOA](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1197](#) Ordinance to amend Section 11.060 of the Municipal Code regulating Taxicab Vehicle License and Taxicab Driver's Licenses

Attachments: [Taxicab Licenses](#)
[Sample License](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1198](#) Request to increase annual parking lease rate from \$300 per year to \$350 per year

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1232](#) 2019 Poor Fund Report and Recommended Distribution

Attachments: [2019 Poor Fund Report](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1242](#) Communication regarding Apportionment of State and County 2019 Property Taxes and Charges.

Attachments: [2019 State & County Apportionment Form](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

3. Personnel Committee

[19-1186](#) Resolution to approve offering a \$500 sign-on bonus to newly hired part-time Transit Drivers for 2020 with a pro-rated payback if the new hire did not retain continued employment with the City of up to one year from the date of hire

Attachments: [Res - Transit Sign on bonus](#)
[\\$500 Sign on Bonus.pdf](#)
[Res - Transit Sign on Bonus - Signed](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1237](#) Resolution to approve the revised job description and reclassification of Associate Planner-Business and Housing Development to a Planner-Business and Housing Development in Community Development.

Attachments: [Res - Planner-Business & Housing Dev](#)
[JD - Planner-Business & Housing Dev](#)
[Res - Planner - signed](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1238](#) Resolution to approve the revised job description for a full-time Administrative Assistant position for Fire Rescue Department Life Safety and Neighborhood Services Division

Attachments: [Res - Admin Assistant Life Safety](#)
[JD - Admin Assistant Life Safety](#)
[Res - Admin Assistant Life Safety Signed](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1239](#) Resolution to approve the revised job description and fill a new full-time Administrative Assistant position in the Community Development Department

Attachments: [Res - Admin Assistant CDD - signed](#)
[Res - Admin Assistant CDD](#)
[JD - Admin Assistant Community Dev](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1240](#) Resolution to add an additional Community Service Worker II at the Police Department

Attachments: [Res - CSW II - signed](#)

[Res - CSW II](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1241](#) Resolution to backfill vacant positions up to the budgeted amounts through 2020 for Transit Drivers, Police Officers, Firefighters and DPI Laborers

Attachments: [Res - Backfill vacant positions 2020](#)

[Res - backfill vacancies - signed](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

4. Public Infrastructure Committee

[19-1235](#) Resolution to backfill the part-time Administrative Support Specialist in the Senior Center/Recreation Division

Attachments: [Res - backfill PT Admin Senior Center-Rec Div](#)

[Signed resolution](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1251](#) Ordinance to amend Section 10.410 of the Municipal Code regulating winter parking ban and snow emergency changes.

Attachments: [Ord - Winter parking ban](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1253](#) Agreement for Professional Services with SMI, Inc. for Watermain Extension for CTH CR, Thunder Ridge, S. 26th, Elm.

Attachments: [SMI Agreement](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1254](#) Contract with Bay-Lake Regional Planning Commission for Bike and Pedestrian Master Plan and Action Plan.

Attachments: [Bay Lake Contract](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1255](#) Resolution to approve the hiring of Katelin Dorow as Recreation Team Leader who is related to a City supervisor and thus requires a roll call vote confirming her appointment to the position

Attachments: [Res - Hire Katelin Dorow](#)
[Res - Hire Katelin Dorow signed](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

5. Public Safety Committee

[19-1216](#) Sex Offender Residency Board Appeal for Chad Olm

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1236](#) Ordinance to amend Section 10.170 of the Municipal Code regulating Through Intersections

Attachments: [Ord - Through Intersections](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

[19-1252](#) Demolition permit request from Wisconsin Public Service for Former Wisconsin Fuel and Light Building at 402 N. 10th St.

Attachments: [WPS Raze Request - 402 N. 10th](#)

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

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

6. Plan Commission

J. OTHER BUSINESS

Council President Sitkiewitz provided a reminder of the upcoming Committee of the Whole working session on November 25th at 6 p.m. in Council Chambers

K. ADJOURN

Moved by Sitkiewitz, seconded by McMeans, that this meeting be adjourned at 8:33 p.m. The motion carried by the following vote:

Aye: 9 - Brey, Sitkiewitz, Kummer, Czekala, McMeans, Howe, Novak, Lotz and Pelot

**Deborah Neuser
City Clerk**