



City of Manitowoc

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

Meeting Minutes

Committee of the Whole

Monday, June 17, 2019

5:00 PM

Council Chambers/1st Floor Hearing Room - East

1. Call to Order

2. Roll Call

Present: 9 - Howe, Sitkiewitz, Nickels, Kummer, Czekala, Novak, Lotz, Brey and Jacobs

Absent: 2 - McMeans and Williams

3. Public Comment

Council President Eric Sitkiewitz 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.

4. Discussion and Action Items

[19-0676](#) Strand Adventures Development Agreement

Attachments: [Report to COW-Council 6-14-19](#)

[Ehlers independent review](#)

[Strand TIF Summary 5-20-2019](#)

[City of Manitowoc 01](#)

[City of Manitowoc 01 SIGNED](#)

[Dev Agreement Strand](#)

Community Development Director April Kroner reported on the outside contractor's recommendation of the requested TIF assistance. Ehlers recommended the same amount and structure of assistance as the City originally did, the \$70,000 in assistance with the pay-as-you-go model. City Attorney Kathleen McDaniel provided an overview of the outside legal opinion of the agreement.

Committee and developers discussed request for up-front payment. City Attorney Kathleen McDaniel explained that due to the unique circumstances of this agreement with the potential for conflict of interest, state statutes have a maximum amount of \$15,000 per year that could be given.

Moved by Sitkiewitz, seconded by Brey, to enter into the Development Agreement with \$70,000 in pay-as-you-go TIF assistance and referred to Council. The motion carried by the following vote:

Aye: 6 - Sitkiewitz, Czekala, Novak, Lotz, Brey and Jacobs

Nay: 2 - Nickels and Kummer

Abstain: 1 - Howe

Notice is hereby given that the above governmental body may adjourn into a closed session during the meeting as authorized by Section 19.85(1)(e) of the Wisconsin Statutes, which authorizes the governmental body to convene in closed session for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

The specific subject matter that may be considered in closed session is:

19-0632 Bay Pointe Developers II, LLC Development Agreement

19-0633 Lakeside Foods Development Agreement

Notice is hereby given that the above governmental body may adjourn into a closed session during the meeting as authorized by Section 19.85(1)(g) of the Wisconsin Statutes, which authorizes the governmental body to convene in closed session for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

The specific subject matter that may be considered in closed session is:

19-0634 Update on Newton Gravel Pit

5. Closed Session

Moved by Brey, seconded by Novak, that to convene in closed session. The motion carried by the following vote:

Aye: 9 - Howe, Sitkiewitz, Nickels, Kummer, Czekala, Novak, Lotz, Brey and Jacobs

19-0632

Bay Pointe Developers II, LLC Development Agreement

Committee of the Whole deliberated in closed session. (redacted -- Closed Session).

Aldersperson Lee Kummer recused himself from this portion of the closed session meeting

Present: 9 - McMeans, Howe, Sitkiewitz, Nickels, Czekala, Novak, Lotz, Brey and Jacobs

Absent: 2 - Kummer and Williams

19-0633

Lakeside Foods Development Agreement

Committee of the Whole deliberated in closed session. (redacted -- Closed Session).

Present: 10 - McMeans, Howe, Sitkiewitz, Nickels, Kummer, Czekala, Novak, Lotz, Brey and Jacobs

Absent: 1 - Williams

[19-0634](#) Update on Newton Gravel Pit

Committee of the Whole deliberated in closed session. (redacted -- Closed Session).

6. Reconvene in Open Session

Moved by Novak, seconded by Lotz, to reconvene in open session. The motion carried by the following vote:

Aye: 10 - McMeans, Howe, Sitkiewitz, Nickels, Kummer, Czekala, Novak, Lotz, Brey and Jacobs

[19-0632](#) Bay Pointe Developers II, LLC Development Agreement

Moved by Nickels, seconded by Jacobs, that this Development Agreement be approved and entered into and referred to council. The motion carried by the following vote:

Aye: 8 - Howe, Sitkiewitz, Nickels, Czekala, Novak, Lotz, Brey and Jacobs

Abstain: 2 - McMeans and Kummer

[19-0633](#) Lakeside Foods Development Agreement

Moved by Brey, seconded by McMeans, that this Development Agreement be approved and entered into and referred to council. The motion carried by the following vote:

Aye: 10 - McMeans, Howe, Sitkiewitz, Nickels, Kummer, Czekala, Novak, Lotz, Brey and Jacobs

7. Adjournment

Moved by Brey that this meeting be adjourned at 6:15 pm. The motion carried by the following vote:

Aye: 10 - McMeans, Howe, Sitkiewitz, Nickels, Kummer, Czekala, Novak, Lotz, Brey and Jacobs