

14-2132



City of Manitowoc

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

Meeting Minutes Common Council

CONSENT

Monday, October 6, 2014

7:00 PM

Council Chambers

A. CALL TO ORDER

Mayor Justin M. Nickels called the meeting to order at 7:00 p.m.

B. ROLL CALL

Alderspersons Present: 10 - Mike Howe, Jim Brey, Keith W. Shaw, Allan Schema, Eric Sitkiewitz, Jason Sladky, Jill Hennessey, Christopher Able, Dave Soeldner and Scott McMeans

C. PLEDGE OF ALLEGIANCE

D. INVOCATION

City Clerk announced that the various documents have been referred to the appropriate committees as shown on the October 6, 2014 Common Council agenda.

E. PRESENTATIONS

14-2002 Presentation to various groups of proceeds from Showtime 2014 Event.

14-1668 Presentation by AECOM: Sheet Wall and River Walk Corridor Study - Final Presentation related to a Coastal Management Grant.

14-2056 Mayor to call for Public Hearing on General City Budget at 7:05 p.m. on Monday, November 17, 2014.

Moved by Sitkiewitz, seconded by Hennessey, that the public hearing on the General City Budget be held at 7:05 p.m. on November 17, 2014, and instructing the Clerk to call for the public hearing. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

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. STANDING COMMITTEE REPORTS

H. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

14-1952 Reappointment to Harbor Commission: Jack Resch, 3 yr. term expiring 6/1/17.

Moved by McMeans, seconded by Hennessey, that this Appointment be confirmed. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-2016 Appointments to Crime Prevention Committee: Jennifer Rotter in place of Wallace for indefinite term; Sandra K. Keil in place of Short for indefinite term; Norma M. Hernandez, Student Lincoln High School, in place of Braun for term ending 8/31/15.

Moved by McMeans, seconded by Hennessey, that this Appointment be confirmed. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1966 ELECTION by Common Council of Manitowoc Public Utilities Commissioner for a term of five (5) years, pursuant to Municipal Code, as the following term will expire: Dan Hornung, term expires September 30, 2019.

Aldersperson Brey, Chair of Licensing, Permits and Inspections Committee, advised the Council that the Licensing Committee went on record at their meeting of September 29, 2014, unanimously recommending the nomination of Dan Hornung to serve as a member of the Manitowoc Public Utilities Commission, for a five-year term from October 1, 2014 through September 30, 2019 (place of Dan Hornung).

It was moved by Aldersperson Brey to nominate Dan Hornung as a member of the Manitowoc Public Utilities Commission. It was moved by Aldersperson Sladky to nominate Brian Rasmussen as a member of the Manitowoc Public Utilities Commission. Moved by McMeans, second by Brey and unanimously carried to close nominations. Upon roll call vote, the following members voted for Hornung: Brey, Shaw, Schema, Sitkiewitz, Hennessey, Able, Soeldner, McMeans. Upon roll call vote, the following members voted for Rasmussen: Howe, Sladky. Mayor declared Dan Hornung elected to serve for a five-year term.

I. RECESS

Prior to going into recess, Mayor publicly announced that during the recess the standing committees of the Common Council, as well as the Committee of the Whole, will meet in the Common Council Chambers to discuss and act upon some of the matters which have been discussed or referred at this Common Council meeting.

Recess.

Call back to order.

J. CONSENT AGENDA

1. Removal of Consent Agenda Items: None.

Approval of the Consent Agenda

Moved by McMeans, seconded by Hennessey, that this be confirmed. The motion carried

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

2. Miscellaneous

- 14-1967** Minutes of Common Council of September 15, 2014, recommending acceptance and place on file.
- 14-1954** Public Notice of Air Pollution Permit Application review of Wisconsin Aluminum Foundry, 838 S. 16th St., recommending placing on file.
- 14-1955** Communication of Public Service Commission to reopen final decision relative to application of City of Manitowoc for authority to adjust electric rates, recommending placing on file.
- 14-2007** Resignation of Annie Short from Crime Prevention Committee, recommending acceptance and place on file.

3. Committee of the Whole

- 14-1947** General City Claims in the amount of \$1,572,326.52 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.

4. Finance Committee

5. Licensing, Permits and Inspections Committee

- 14-1817** Communication from Americollect relative to the purchase of 3 acres of land to the east of their current facility, recommending placing on file.
- 14-2004** Memorandum from Deputy City Clerk requesting elimination of Municipal Code Section 11.220 Soda Water Beverage Licenses after completion of a value streaming event, recommending acceptance of request with City Attorney to draft ordinance.
- 14-2005** Communication from Deputy Chief Brennan requesting to amend Municipal Code Section 125.17 Issuance of Operator's license to allow City Clerk to grant and issue bartender's licenses upon approval of Police Department, recommending acceptance of recommendation with City Attorney to draft ordinance.

6. Parks and Recreation Committee

7. Personnel Committee**8. Public Infrastructure Committee**

14-2039 Report of Board of Public Works of October 1, 2014 of 3rd and final payment to Camera Corner in the amount of \$7,446.93 for Rahr West Surveillance - Rebid, Project WB-14-13R, recommending payment.

14-2040 Report of Board of Public Works of October 1, 2014 of 2nd and final payment to Vinton Construction in the amount of \$6,655.43 for 2014 Seal Coating and Prep Work Various Streets, Project WS-14-6, recommending payment.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

9. Public Safety Committee**K. NON-CONSENT AGENDA ITEMS INCLUDING ITEMS REFERRED AT THIS MEETING AND ITEMS PREVIOUSLY REFERRED WHICH MAY BE CONSIDERED AT THIS COMMON COUNCIL MEETING****1. Committee of the Whole****2. Finance Committee**

14-1956 Communication from Manitowoc Public Utilities approving the redemption of a portion of the Electric System Revenue Bonds, Series 2004A and 2005.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1969 Report of City Planner Paul Braun relative to fully executed Site Assessment Grant with Wisconsin Economic Development Corporation for environmental site investigation work at former Mirro Plant 9.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-2049 Resolution to borrow from the trust funds of the State of Wisconsin the sum of \$409,000.00 for the purpose of financing IT equipment, police vehicles, marina docks, park equipment, fire equipment and environmental remediation.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

3. Licensing, Permits and Inspections Committee

14-1953 Request from Ramirez Auto Repair & Towing LLC for a conditional use permit for a wrecker service to be located in a C-1 Zone at 1545 S. 41st Street.

Moved by Brey, seconded by Howe, that this Request be referred to the Plan Commission. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1957 Report of Manitowoc Industrial Development Corporation relative to proposed land sale in Manitowoc I-43 Industrial Park to Only C Good, LLC d/b/a Americollect.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-2064 Communication from Manitowoc Baptist Church, Inc. requesting a Conditional Use Permit to use educational building at 2411 Wollmer Street for a Day Care for up to 72 children.

Moved by Brey, seconded by Howe, that this Communication be referred to the Plan Commission. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

4. Parks and Recreation Committee

14-1982 Special Events Request from Manitowoc Public School District to hold Manitowoc Jr. High Cross Country Meet on October 2, 2014 in Lincoln Park.

Moved by Sladky, seconded by Schema, that this Special Events Request be granted. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1990 Special Events Request from Manitowoc Public School District to hold Manitowoc Jr. High Cross Country Meet on October 10, 2014 in Silver Creek Park.

Moved by Sladky, seconded by Schema, that this Special Events Request be granted. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

- 14-2041** Report of Board of Public Works of October 1, 2014 of 1st and final payment to Vinton Construction in the amount of \$39,484.00 for Red Arrow Park Beach Nourishment Phase II, Project WO-14-12.

Moved by McMeans, seconded by Hennessey, that this Report be approved and pay \$39,484.00. The motion carried

5. Personnel Committee

- 14-1960** Special Events Request from Aurora Medical Center to hold Monster Dash on November 1, 2014, closing a lane on Woodland Drive.

Moved by Soeldner, seconded by Brey, that this Special Events Request be approved with same arrangement as 2013. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

- 14-2063** Resolution to hire Nicolas Sparacio as Community Development Director.

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

Aye: 8 - Howe, Brey, Shaw, Schema, Sitkiewitz, Hennessey, Soeldner and McMeans

Abstain: 2 - Sladky and Able

6. Public Infrastructure Committee

- 14-1968** Special Events Request from Festival Foods to hold Turkey Trot Run on November 27, 2014, along route described therein.

Moved by Soeldner, seconded by Brey, that this Special Events Request be approved subject to City policy. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

- 14-1999** Report of Board of Public Works of October 1, 2014 of bids received for Wastewater Treatment Facility, Digest No. 4 - Roof Replacement, Project WB-14-23.

Moved by Soeldner, seconded by Brey, that this Report be accepted and award bid to lowest responsive bidder. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

- 14-2000** Report of Board of Public Works of September 24, 2014 of quotes received for two 2015 8' V-Box Spreaders, QE-14-5.

Moved by Soeldner, seconded by Brey, that this Report be accepted and award bid to Olson Trailer. (with pre-treat makes Olson lkw bid). The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-2001 Report of Board of Public Works of September 24, 2014 of quotes received for three 2015 Dump Trucks with Plow and Patrol Wings, QE-14-6.

Moved by Soeldner, seconded by Brey, that this Report be accepted and award to Truck Country with Olson Trailer (Sub) for the amount of \$383,323.00 which includes stainless steel bodies and suspension upgrade. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-2003 Communication from Manitowoc County relative to resolution authorizing jurisdictional transfer of a one mile portion of County Trunk R between Broadway Street and Custer Street to the City of Manitowoc upon completion of major infrastructure improvements in 2018.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-2024 Resolution relative to request from PH Manitowoc LLC and Commercial Horizons to implement a fee in lieu of on-site storm water management practices for land development project.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-2025 Communication from Sigma Group requesting the City to waive the requirement for on-site stormwater management per Municipal Code 28.070(6) for Phase II of the PH Manitowoc LLC development located at 4550 Calumet Avenue.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

7. Public Safety Committee

14-1725 Ordinance amending Section 10.630 Towing of Motor Vehicles of the Municipal Code

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

- 14-1735** Ordinance amending Section 10.610 Parking Penalties of the Municipal Code.
- Moved by Able, seconded by Shaw, that this Ordinance be adopted. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-1742** Revision to bond schedule related to forfeiture amounts for parking violations of Municipal Code Sections 10.410, 10.430, 10.410(2) and 10.390(2).
- Moved by Able, seconded by Shaw, that this Ordinance be adopted. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-1759** Request from Judge Olson to utilize skip tracing company in attempt to pursue collection of unpaid judgments.
- Moved by Able, seconded by Shaw, that this Request be accepted and placed on file. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-1833** Communication from Lt. Matt Wallander of MPD requesting that a "No Parking Between Driveways" sign be placed on the telephone pole in the terrace between the driveways at 619 and 623 N. 4th Street, with photos attached.
- Moved by Able, seconded by Shaw, that this Communication be placed on file. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

8. Licenses

#20 for 2014-15 One Year Operator's license; #263-273 for 2014-16 Two Year Operator's license for granting. Moved by Brey, second by Howe, and unanimously carried to grant the various licenses. Ayes, 10. Nays, none.

- 14-2073** #6 "Class A" Liquor license of Ultra Mart Foods LLC Change of Agent to Lane A. Landon
- Moved by Brey, seconded by Howe, that this License be granted. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

L. ADJOURN

- Moved by McMeans, seconded by Hennessey, that this meeting be adjourned at 8:35 p.m. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

Jennifer Hudon
City Clerk