



City of Manitowoc

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

Meeting Minutes

Common Council

16-0856
CONSENT

Monday, August 15, 2016

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

Alderspersons Present: 9 - Dave Soeldner, Jim Brey, Mike Howe, Jason Sladky, Scott McMeans, Christopher Able, Eric Sitkiewitz, Lee H. Kummer and Steven Czekala

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

16-0763 Fire Rescue Department Badge Ceremony - Lieutenant Jacob Johnsrud.

16-0749 Progress Lakeshore Update.

E. PUBLIC HEARINGS: None

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

16-0742 Mayor's appointment of Alderperson Lee Kummer to Public Safety Committee and Alderperson Christopher Able to Personnel Committee, both in place of Jill Hennessey.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0766 Appoint Sheryl Paszkiewitz to Transit Commission in place of Linda Schultz for an indefinite term.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

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: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

2. Miscellaneous

- 16-0739 Minutes of Common Council of July 18 and July 21, 2016.
- 16-0767 Communication from Wisconsin Historical Society that Mirro Aluminum Company Plant #3, 2402 Franklin St., has been entered in the National Register of Historic Places.
- 16-0776 Public Notice of air pollution control permit application review of Federal Mogul Piston Ring at 2318 Waldo Blvd.
- 16-0777 Public Service Commission of Wisconsin notice of hearing for authority to adjust electric rates.

3. Committee of the Whole (Consent)

- 16-0619 Vacant District 7 Alderperson Position, recommending D. 7 Alderperson position remain vacant for the remainder of the term and hold the normal 2017 election to fill that position.
- 16-0716 Request from Mayor Nickels to remove Common Council Rule #8 - "Any written request from a Common Council member to a chair of a standing committee shall be taken up by that committee at their next regularly scheduled meeting" from the Common Council Rules, recommending placing on file.
- 16-0717 Notification procedures for Special Common Council meetings, recommending placing on file.
- 16-0718 Downtown Study Plan, recommending the Community Development Director to draft a plan for an RFP and go out for an RFP for a downtown master plan.
- 16-0779 Report of Special Events Committee recommending approval of the following events subject to Council action: Lakeshore Rising Stars Red Carpet Event on 8/20/16 (S. 8th St. lane closure), recommending approval.

16-0780 Report of Special Events Committee relative to approval of the following events: Showtime on 8/10 & 8/11/16; Faith Church VBS Picnic on 8/11/16 (event cancelled); Walk to End Alzheimers on 9/24/16; Flyover Silver Creek Cyclocross Race on 10/1/16; Stake Permit Schenck Company picnic on 7/31/16; Residential Block Party, 1400 Block Kuhl St. on 8/2/16; Stake Permit Brutal Wear Open Tennis Tournament on 8/12 - 8/14/16; Running A Fair on 8/23/16; Waiver of Fees NFL Punt, Pass, Kick event on 9/18/16; Rubick Run/Walk on 10/1/16; recommending acceptance of report and place on file.

4. Finance Committee (Consent)

16-0617 Report of City Clerk of summary of fees collected for leased parking stalls for 2015-16, recommending to accept and place on file.

16-0737 General City Claims in the amount of \$5,397,977.64 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.

16-0768 Report of City Plan Commission with Quit Claim Deed from Willow Spruce Irrevocable Trust attached recommending approval for the dedication of N. 8th Street Right-of-Way.

5. Personnel Committee (Consent)

6. Public Infrastructure Committee (Consent)

16-0642 Farm Animal Loan Agreements between City of Manitowoc and Manitowoc County Farm Bureau members Roger Sinkula, Brent Sinkula, Lee Engelbrecht, Joshua Amhoelter, Bill Neumann and Scott Anhalt for the loan of animals to the Big Red Barn at the Zoo.

16-0732 Salvation Army Request for Basketball Hoop Donation was approved for Consent Agenda.

16-0733 Zoo Camera Upgrades from Donation Tubes was approved for Consent Agenda

16-0734 Red Arrow Park Proposed Trees, Concrete Slab and Sign for Memorial was approved for Consent Agenda

16-0738 Report of Board of Public Works of August 2, 2016 for Welcome Sign on Waldo Blvd. for 1st and Final Payment to Greg Klein in the amount of \$8,400.00, recommending payment.

16-0743 Report of Board of Public Works of August 2, 2016 for Installation of Mini-Sewer No. 16th St. for 1st and Final Payment to Kip Gulseth Construction Co. in the amount of \$10,621.57, recommending payment.

- 16-0744 Report of Board of Public Works of August 2, 2016 for Televising Miscellaneous Sewers I, WU-16-5, for 2nd and Final Payment to Green Bay Pipe & TV in the amount of \$7,725.00, recommending payment.
- 16-0745 Report of Board of Public Works of August 2, 2016 for 2016 Tree and Stump Removal for 2016 Sidewalk Program for 2nd and Final Payment to Dave's Tree Service in the amount of \$699.74, recommending payment.
- 16-0746 Report of Board of Public Works of August 2, 2016 for Sewer Service Area Plan Update for 14th and Final Payment to Bay-Lake Regional Planning Commission in the amount of \$635.86, recommending payment.
- 16-0750 Report of Board of Public Works of August 3, 2016, of quotes received for ferric chloride for Wastewater Treatment Facility, recommending awarding to low quoter, Kemira Companies in the amount of \$421 per dry ton.
- 16-0752 Termination of Communication Tower Agreement dated February 10, 2011, recommending acceptance and place on file.
- 16-0754 Presentation by Yemi Giwa of Mobilitie to discuss proposed poles for telecommunications. The Committee made a recommendation to instruct the staff to pursue legal, engineering, licensing and zoning considerations for Consent Agenda.
- 16-0772 Amendment No. 1 to Agreement for Professional services with Ayres Associates, Inc. dated December 16, 2015, to increase the total compensation for services from \$35,000 to \$45,000 with Board of Public Works recommending approval.

7. Public Safety Committee (Consent)

- 16-0651 Discussion and possible action about the number of trucks/semi's traveling on Division Street between South 30th Street and Calumet Avenue, recommending to accept plan and add required signs.
- 16-0693 June Police report. Recommending approval.
- 16-0694 June Fire report. Recommending approval.

I. STANDING COMMITTEE REPORTS

1. Committee of the Whole

- 16-0764 Resolution urging State Legislature to revise Wis. Stat. Section 62.11(2) to allow electronic notice of Special Common Council meetings.
- Moved by Brey, seconded by Sitkiewitz, that this Resolution be adopted, as amended to include a copy being sent to the League of Wisconsin Municipalities. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

2. Finance Committee**16-0723**

Request by the Community Development Department to release a Request for Proposals for assessor services including Statutory Assessor services, annual maintenance services, and assessment software, recommending approval.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkewitz, Kummer and Czekala

16-0741

Ordinance to amend various portions of sections 3, 10, 13, 14, 15, 17 28 and 30 of the Municipal Code.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkewitz, Kummer and Czekala

16-0769

Report of City Plan Commission relative to Manitowoc County tax foreclosure properties recommending possible acquisition of parcels 000-265-020 and 000-265-021.

Moved by McMeans, seconded by Sitkewitz, that this Report be accepted and recommendations adopted. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkewitz, Kummer and Czekala

16-0770

Report of City Plan Commission relative to Official Map amendment in the area of Homestead Road and North Union Road, recommending approval with Clerk to call for Public Hearing.

Moved by McMeans, seconded by Sitkewitz, that this Report be accepted with Clerk to call for public hearing. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkewitz, Kummer and Czekala

16-0775

Report of City Plan Commission recommending approval of Conditional Use Permit and General Development Plan for Manitowoc County Expo Grounds/Meijer Planned Unit Development.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkewitz, Kummer and Czekala

16-0778 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

Moved by McMeans, seconded by Sitkiewitz, that these Licenses be granted. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

3. Personnel Committee

16-0695 WPPA Side Letter Agreement - Temporary Detective Status.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0781 Resolution to renew Service Fee Agreement with Associated Financial Group for 2017.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0782 Resolution establishing the City's Health Plan for 2017.

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

Aye: 8 - Soeldner, Brey, Howe, Sladky, Able, Sitkiewitz, Kummer and Czekala

Abstain: 1 - McMeans

16-0785 Resolution to appoint Jessica Lillibridge as Human Resources Director, effective 8/16/16, and as a result fill the vacant Human Resources Generalist position.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

4. Public Infrastructure Committee

16-0735 Resolution supporting a Grant to redeck A, B, C and D Docks

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0736 Report of the Board of Public Works of 2015 Special Assessments for concrete paving.

Moved by Soeldner, seconded by Howe, that this Report be accepted with Clerk to send invoices to property owners. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0747 Report of the Board of Public Works of July 27, 2016 setting the interest rate for 10 year installment plans for 2015 assessments levied in 2016.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0753 Ordinance amending Section 3.070 of the Manitowoc Municipal Code establishing the members of the Board of Public Works

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0756 WWTF Upgrade Revised Task Order - Strand Associates. Amendment No. 2 to Task Order 15-01.

Moved by Soeldner, seconded by Howe, to accept updated task order from Strand Associates to increase original task order amount not to exceed \$26,500. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0773 Agreement with Maloney Associates LLC to provide design services for alterations to Silver Creek Park Fieldhouse in the amount of \$4,800.00.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0774 Memorandum of Understanding with Keith Properties LLC relative to repair of two areas on Franklin Street at S. 21st St. and S. 26th St. intersections due to damage as a result of oversized loads.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0784 Resolution renaming Dewey Street Park to Miracles Park and directing City Attorney to revise Municipal Code accordingly.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0786 Ordinance to amend Section 8.170 of the Municipal Code to reflect the name change from Dewey Street Park to Miracles Park.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

5. Public Safety Committee

16-0512 Request from a sex offender to relocate from the city of Green Bay to the city of Manitowoc.

Moved by Able, seconded by Sladky, that this Request be denied. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

At this time it was moved by Brey, second by Sladky, and unanimously carried to re-open public input to allow members of the public to speak on ordinance 16-0674. In accordance with policy, the public input portion of the meeting is not made a part of the official record.

16-0674 Ordinance amending Section 10.290 of the Municipal Code establishing N. 9th Street as a one-way street between Waldo Blvd. and School Street.

Moved by Able, seconded by Sladky, that this Ordinance be taken off the table. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

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

Aye: 4 - Howe, Sladky, Able and Czekala

Nay: 5 - Soeldner, Brey, McMeans, Sitkiewitz and Kummer

16-0679 Request to start up a PayPal account for Police Department fundraisers.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0691 Ambulance Service Agreements: Manitowoc County Fair, Roncalli Football and Lincoln Football.

Moved by Able, seconded by Sladky, that this Contract be approved. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0692 LifeQuest medical emergency billing dispute file# 489198

Moved by Able, seconded by Sladky, that this Request be denied and communicate options to pay over time. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

16-0708 Ordinance creating section 10.580 of the Manitowoc Municipal Code creating a parking time limit exemption permit

Moved by McMeans, seconded by Soeldner, that this Ordinance be amended as follows: Section 1, Section 10.580 (1)(c) shall read \$180 annual fee for two permits. Friendly amendment: \$90 per permit up to four permits. The motion failed by the following vote:

Aye: 2 - McMeans and Czekala

Nay: 7 - Soeldner, Brey, Howe, Sladky, Able, Sitkiewitz and Kummer

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

Aye: 6 - Soeldner, Sladky, McMeans, Able, Kummer and Czekala

Nay: 3 - Brey, Howe and Sitkiewitz

J. OTHER BUSINESS

K. ADJOURN

Meeting was adjourned at 8:04 p.m.

**Jennifer Hudon
City Clerk**