

15-202



# City of Manitowoc

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

## Meeting Minutes Common Council

# CONSENT

Monday, January 19, 2015

7:00 PM

Council Chambers

### A. CALL TO ORDER

Mayor Justin M. Nickels called the meeting to order at 7:06 p.m.

### B. ROLL CALL

**Alders Present:** 10 - Mike Howe, Jim Brey, Patrick Brandel, 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 January 19, 2015 Common Council agenda.

### E. 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.

### F. STANDING COMMITTEE REPORTS

### G. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

**15-120** Mayor's Veto of Resolution 2015-003 to approve internal equity move from Step 1 to Step 3, Grade K, for Jeri Lynn Christensen, Police Department Office Manager.

**Moved by McMeans, seconded by Sitkiewitz, that Mayor's Veto be placed on file. The motion carried by the following vote:**

**Aye:** 7 - Howe, Brandel, Schema, Sitkiewitz, Sladky, Soeldner and McMeans

**Nay:** 3 - Brey, Hennessey and Able

**15-105** Re-Appointment of Attorney John W. Stangel to Community Development Authority for 4 year term expiring 6/1/2018.

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

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

- 15-106** Appointment of Alderperson Allan Schema to Crime Prevention Committee in place of Alderperson Keith Shaw for term ending 4/20/2015.  
**Moved by McMeans, seconded by Hennessey, that this Appointment be confirmed. The motion carried by the following vote:**  
**Aye:** 10 - Howe, Brey, Brandel, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 15-126** Appointment of Alderperson Patrick Brandel to Board of Public Works in place of Alderperson Keith Shaw, for unexpired term ending April 20, 2015.  
**Moved by McMeans, seconded by Hennessey, that this Appointment be confirmed. The motion carried by the following vote:**  
**Aye:** 10 - Howe, Brey, Brandel, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

## H. 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.

- 15-124** Presentation by Bradley Viegut, Managing Director, Baird of 2015 Capital Projects financing.  
**This Presentation was discussed**
- 15-107** Discussion on future Common Council meeting dates.  
*Mayor outlined his plans to restructure the Council Agenda. Discussion followed.*  
**Moved by McMeans, seconded by Hennessey, to suspend the current Council Rules and adopt the proposed Council Rules for February. The motion carried by the following vote:**  
**Aye:** 10 - Howe, Brey, Brandel, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

Call back to order.

## I. CONSENT AGENDA

1. Removal of Consent Agenda Items: None.

### Approval of the Consent Agenda

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

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

## 2. Miscellaneous

- 15-088** General City Claims in the amount of \$12,126,162.83 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.
- 15-100** Minutes of Common Council meeting of January 5, 2015, recommending approval and place on file.
- 15-101** Communication from The Salvation Army acknowledging receipt of donation from Poor Fund, recommending placing on file.

## 3. Committee of the Whole

## 4. Finance Committee

## 5. Licensing, Permits and Inspections Committee

## 6. Parks and Recreation Committee

- 15-115** Report of Board of Public Works of January 14, 2015 for Cameras at Silver Creek Park, for 3rd and Final Payment to Camera Corner Connecting Point in the amount of \$5364.85, recommending payment.

## 7. Personnel Committee

## 8. Public Infrastructure Committee

- 13-214** Request from SMI as representatives of Manitowoc Cinema LLC for approval of a conditional use permit and site plan for a commercial development in an area located south of the south end of So. 44th Street, east of I-43, north of Viebahn St. and west of a lowland area in the vicinity, recommending placing on file.
- 15-104** Supplemental Task Order #10 - 2014 Quarterly Potable Well Sampling and annual site groundwater/surface water monitoring; Supplemental Task Order #20 - Western Source Area, Expanded down-gradient investigation; Change Order No. 1 to Western Source Area, all amending Consulting Agreement 09-657 with AECOM Technical Services, Inc. for former Newton Gravel Pit project, recommending acceptance and place on file.
- 15-111** Report of Board of Public Works of January 14, 2015 for Replacement of Large "V" LED Animated Sign, WO-14-14, for 3rd and Final Payment to Sign Me Up of Wisconsin in the amount of \$100.00, recommending payment.

- 15-112 Report of Board of Public Works of January 14, 2015 for Replacement of Small "V" LED Animated Sign, WO-14-21, for 3rd and Final Payment to Sign Me Up of Wisconsin in the amount of \$100.00, recommending payment.
- 15-113 Report of Board of Public Works of January 14, 2015 for Manage Wetlands and Prairies at So. 30th St. Pond, for 4th and Final Payment to McMahon Associates, Inc. in the amount of \$405.00, recommending payment.
- 15-114 Report of Board of Public Works of January 14, 2015 for Native Landscaping for Dewey Street Pond, for 7th and Final Payment to McMahon Associates, Inc. in the amount of \$482.71, recommending payment.
- 15-116 Report of Board of Public Works of January 14, 2015 for Miscellaneous Membrane Repairs due to hail damage, for 1st and Final Payment to Crafts Inc. in the amount of \$16,940.00, recommending payment.
- 15-117 Progress Invoice from Wisconsin Dept. of Transportation in the amount of \$2,269.96 for Sidewalk Additions, Project No. 4991-03-00, recommending payment.
- 15-118 Progress Invoice from Wisconsin Department of Transportation in the amount of \$10,976.98 for Waldo Blvd. 8th Street to Maritime Drive, Project No. 4570-12-00, recommending payment.
- 15-119 Progress Invoice from Wisconsin Department of Transportation in the amount of \$9,239.19 for Waldo Blvd. CTH R - 8th St., Project No. 1500-37-00, recommending payment

## 9. Public Safety Committee

### J. 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

- 15-102 Resolution providing for the sale of approximately \$2,500,000 General Obligation Promissory Notes.
- Moved by Sitkiewitz, seconded by McMeans, that this Resolution be adopted. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Brandel, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 15-121 Communication from City Clerk Jennifer Hudon to refund special assessments on parcels 000-248-010 and 000-248-050.
- Moved by Sitkiewitz, seconded by McMeans, that this Communication be approved and issue refund. The motion carried by the following vote:**

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

### 3. Licensing, Permits and Inspections Committee

**15-093** Easement from City to Manitowoc Public Utilities for watermain utilizing 20' strip of land that runs from Mirro Dr. to Woodland Dr.

**Moved by Brey, seconded by Howe, that this Easement be approved. The motion carried by the following vote:**

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

### 4. Parks and Recreation Committee

**15-029** Request from George Kapitz, Broken Spoke Bike Studio, to groom snow trails at Silver Creek Park for the use of fat bikes.

**Moved by Sladky, seconded by Schema, that this Communication be granted with the exception of using City owned snow machine; Requestor will provide their own machine. The motion carried by the following vote:**

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

**15-041** Request from Tree Commission to establish a non-lapsing fund from proceeds of firewood sales which would be used in the city's forestry operations.

**Moved by Sladky, seconded by Schema, that this Action Item be granted. The motion carried by the following vote:**

**Aye:** 7 - Howe, Brey, Brandel, Schema, Sladky, Able and McMeans

**Nay:** 3 - Sitkiewitz, Hennessey and Soeldner

**15-068** Request for Waiver of Fee from Manitowoc Youth Baseball, Girl's Softball and Commissioner Gregg Luebke for use of Citizens Park Field House for teaching clinics in February, March and April, 2015.

**Moved by Sladky, seconded by Schema, that this Request be granted under condition they will not have Park Staff on site. The motion carried by the following vote:**

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

### 5. Personnel Committee

**15-123** Resolution to hire replacement Wastewater Treatment Facility operator due to a resignation.

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

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

**6. Public Infrastructure Committee**

**15-122** Ordinance to adjust rates for sewer service charges effective January 1, 2015.

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

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

**Moved by Soeldner, seconded by Brey, that this Ordinance be suspend the rules. The motion carried by the following vote:**

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

**7. Public Safety Committee**

**8. Licenses**

#8 Secondhand Article Dealer license; #61A Transfer of "Class B" Retail Intoxicating & Fermented Malt Beverage license for granting. Moved by Brey, second by Hennessey, and unanimously carried to grant the various licenses. Ayes, 10. Nays, none.

**Moved by Brey, seconded by Howe, that this be granted. The motion carried by the following vote:**

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

**K. ADJOURN**

**Moved by McMeans, seconded by Hennessey, that this meeting be adjourned at 8:25 p.m. The motion carried by the following vote:**

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

**Jennifer Hudon  
City Clerk**