



City of Manitowoc

14-679

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

Meeting Minutes Common Council

Monday, April 7, 2014

7:00 PM

Council Chambers

A. CALL TO ORDER

In the absence of Mayor Justin M. Nickels, the meeting was called to order at 7:00 p.m. by Acting Mayor Jill Hennessey, who abstained from voting for the entire meeting.

B. ROLL CALL

Alders Present: 7 - Jim Brey, Allan Schema, Christopher Able, Jason Sladky, Scott McMeans, Eric Sitkiewitz and Tyler Martell

Alders Absent: 3 - Dave Soeldner, Mike Howe and Jill Hennessey

C. PLEDGE OF ALLEGIANCE

D. INVOCATION

City Clerk announced that the various documents have been referred to the appropriate committees as shown on the April 7, 2014 Common Council agenda.

E. PRESENTATIONS

14-477 Presentation by Rebecca Petersen, MCLS, and Terry Ehle, Lester Public Library, of Reach Out and Read Program.

F. PUBLIC HEARINGS

Acting Mayor declared the meeting open for a public hearing for the purpose of hearing any and all interested parties in the matter of proposed change in zone from "B-3" General Business District, to "C-1" Commercial District, located on the north side of Waldo Blvd., and west of Memorial Drive.

City Clerk reported that the notice of the hearing was published in the Herald-Times-Reporter on Marcy 24 & 31, 2014. (Proof of publication is on file in the City Clerk's office).

City Planner David Less gave an overview of the zone change. No interested parties appeared.

Acting Mayor declared the public hearing closed. (A recording of the entire hearing is on file in the City Clerk's office).

G. PUBLIC INPUT

Acting 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.

H. STANDING COMMITTEE REPORTS**I. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR**

14-520 Appointment of Adam Becker to Sustainable Manitowoc Committee, in place of P. Sturtz, for a 3 year term expiring 2/15/16.

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

14-563 Appointment of Michael Pearson to Sustainable Manitowoc Committee in place of K. Eskew for a 3 year term expiring 2/15/17.

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

J. RECESS

Prior to going into recess, Acting 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.

1. Removal of Consent Agenda Items - None.

Approval of the Consent Agenda

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

2. Miscellaneous

14-486 Minutes of Common Council of Monday, March 17, 2014, recommending approval and place on file.

- 14-502** Minutes of Cemetery Commission of 1/24/13; Community Development Authority of 2/12/14; Crime Prevention of 2/6/14; Great Lakes Utilities Board of 12/17/13; GLU Power Supply Project of 10/15/13; GLU Lakeswind Project of 8/28/13, 10/15/13 & 12/17/13; Harbor Commission of 11/14/13; Plan Commission of 1/15/14; Police & Fire Commission of 2/11/14; Public Utilities Commission of 1/27/14 & 2/10/14; Wastewater Treatment Facility of 1/14/14, recommending placing on file.

3. Committee of the Whole

- 14-459** Structure of attorney and human resources office.
- 14-607** General City Claims in the amount of \$963,251.95 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

- 14-482** Communication from Moody's Investors Service informng that the City has been assigned a rating of A1 as of February 25, 2014, recommending placing on file.
- 14-485** Communication from Interim City Attorney Kathleen McDaniel attaching filed copy of Stipulation and Order for Dismissal with Leave to Reinstate relative to UnitedOne Credit Union v. Rick L. Salta et al Case No. 13 CV 175, recommending acceptance and place on file.
- 14-528** Memorandum from City Assessor Sarah Hoppe advising to personal property palpable error relating to parcel number 000-918-126 and requesting that a double assessment was made and recommending to rescind the taxes of \$126.61.
- 14-561** Report of City Planner David Less relative to evidencing payment in full of previously issued Industrial Revenue Bond for Jagemann Plating Company, recommending acceptance of report and adoption of recommendations.

5. Licensing, Permits and Inspections Committee

- 14-466** Progress Invoice from Wisconsin Department of Transportation in the amount of \$12,295.43 for Waldo Blvd. 8th Street to Maritime Drive, Project No. 4570-12-00, recommending payment.
- 14-467** Progress Invoice from Wisconsin Department of Transportation in the amount of \$18,132.25 for Waldo Blvd. CTH R to 8th Street, Project No. 1500-37-00, recommending payment.

6. Parks and Recreation Committee

- 14-491** Request for special use trail permit for the use of Mariner's Trail on September 7, 2014 for Prevent Suicide WI Manitowoc County, recommending granting request per City policy.

7. Personnel Committee

8. Public Infrastructure Committee

- 14-492** Report of the Board of Public Works of March 25, 2014, recommending 3rd and final payment to Strand Associates, Inc. in the amount of \$2,109.75 for Horseshoe Drive and Lawton Terrace Pumping Station Evaluations, recommending payment.
- 14-494** Report of the Board of Public Works of March 26, 2014 regarding bids received for 2014 Remove and Replace Existing Sidewalks & New Sidewalks, Project WS-14-3, recommending awarding to low bidder, Seiler Bros. Construction, Inc. in the amount of \$124,713.50.
- 14-539** Communication from American Legion Auxiliary requesting permission to sell red handmade Veteran Memorial Poppies throughout the City of Manitowoc from May 16 to May 17, 2014, recommending granting request.
- 14-547** Special Events Request from Brennan Seehafer Productions to hold Red Carpet Event on July 24, 2014 for Ultimate Tribute production at Capitol Civic Centre and partial closure of South 8th Street beginning on July 23, 2014, recommending request subject to City policy.
- 14-590** Amended Special Events Request relative to Lakeshore Humane Society Run for Shelter 5k on May 3, 2014, attaching new route, recommending approval subject to City policy.

9. Public Safety Committee

- 14-282** Communication from Mrs. Ann Landt regarding safety concerns on Wisconsin Ave and her request for traffic signs, recommending acceptance and placing on file.
- 14-508** Ambulance Service Agreement with Eastern Wisconsin Stock Car, Inc. for term of May 2, 2014 through August 30, 2014 for races at Manitowoc County Expo, recommending entering into the agreement.
- 14-600** Ambulance Service Agreement with Holy Family Memorial Medical Center to provide service on June 22, 2014 for Holy Family Memorial Maritime Marathon, recommending entering into agreement.

10. Approval of the following licenses.(Subject to department endorsements and payment of license fees).

License #291, 314, 333 - 345 for 2013-15 Two Year Operator's license; #1 - 2 for 2014-16 Two Year Operator's license; #1 for Stock Car Races/Racing Exhibitions; #14 (Beer) and #8 (Wine) for Class "B" Temporary license; #1 six mo. Class "B" Temporary license; #9 Secondhand Article Dealer license.

L. 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

14-552 Resolution adopting the Carlson Dettmann Consulting Compensation Analysis and Wage Scale recommendations.

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

2. Finance Committee

14-075 Proposal from Sherrie Richards and Janet Zunker for Farmers' Market to be operated and administered in 2015 and beyond by the Friends of the Manitowoc Farmers' Market, or some other non-for-profit whose mission will be to sustain and grow a self-sufficient Market.

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

3. Licensing, Permits and Inspections Committee

14-070 Agreement for management of Farmers' Market with Mainly Manitowoc of the day-to-day operations of the Market for the term ending January 31, 2016.

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

14-405 Ordinance amending the amended zone map of the City of Manitowoc for property located north of E. Waldo Blvd. and east of the Little Manitowoc River from "B-3" General Business District to "C-1" Commercial District, was referred to Licensing, Permits and Inspections Committee.

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

- 14-465** Communication from Tim Frey, owner of TLC Homes, Inc. requesting an exception to the 2500' rule for CBRF's for property on Paul Rd.

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

- 14-483** Communication from SMI as representatives of the Manitowoc Lakebreeze Apartments, LLC and WLC, LLC requesting a change to the Official Map eliminating two streets that run to the east off of Johnston Drive to accomodate an apartment project.

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

- 14-484** Communication from SMI as representatives of the Manitowoc Lakebreeze Apartments LLC and WLC, LLC requesting a vacation of a portion of two Official Map streets that run to the east off of Johnston Drive .

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

- 14-560** Request from Eastern Wisconsin Stock Cars for an extension of beer sales to 12:00 a.m. for their 2014 Friday night race seasons.

Moved by Brey, seconded by Sladky, that this Request be approved according to City policy. The motion carried by the following vote:

Aye: 6 - Brey, Schema, Sladky, McMeans, Sitkiewitz and Martell

Nay: 1 - Able

- 14-564** Petition of the Manitowoc Lakebreeze Apartments LLC and WLC, LLC requesting a vacation of a portion of two Official Map streets that run to the east off of Johnston Drive.

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

4. Parks and Recreation Committee

- 14-481** Request from Amvets Post 99 for waiver of fees for use of Wenger Bandwagon on May 26, 2014.

Moved by Sladky, seconded by Schema, that this Request be granted per City policy with 2013 arrangements. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

- 14-490** Special Events Request from Fox's Piggly Wiggly - Manitowoc to hold 8th Annual Pig to Pig Walk on Saturday, September 13, 2014 from Manitowoc to Two Rivers and also utilizing Mariner's Trail. (copy to Public Infrastructure Committee).
- Moved by Sladky, seconded by Schema, that this Special Events Request be granted per City policy with 2013 arrangement. The motion carried by the following vote:**
- Aye:** 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell
- 14-521** Request from O'Connor's Concessions to do concession business in Manitowoc for 2014 season.
- Moved by Sladky, seconded by Schema, that this Request be granted per City policy. The motion carried by the following vote:**
- Aye:** 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell
- 14-557** Vendor Agreement with H P Enterprises (Tim F. Becker) on April 19, 2014, for bounce house and games at Citizen Park.
- Moved by Sladky, seconded by Schema, that this Agreement be granted per City policy. The motion carried by the following vote:**
- Aye:** 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell
- 14-601** Special Events Request from Child Abuse Prevention Task Force of Manitowoc County to hold Kids Superhero 5k walk along Mariner's Trail on April 26, 2014.
- Moved by Sladky, seconded by Schema, that this Special Events Request be granted per City policy. The motion carried by the following vote:**
- Aye:** 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

5. Personnel Committee

- 14-553** Resolution promoting Interim City Attorney Kathleen McDaniel to City Attorney.
- Moved by Able, seconded by Sitkiewitz, that this Resolution be adopted. The motion carried by the following vote:**
- Aye:** 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell
- 14-554** Resolution to approve the filling of the vacant Human Resources Generalist position with a Human Resources Director.
- Moved by Able, seconded by Sitkiewitz, that this Resolution be adopted. The motion carried by the following vote:**
- Aye:** 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

14-555 Resolution to authorize the filling of the vacant Associate Planner position with an Associate Planner/Project Expeditor.

Moved by McMeans, seconded by Sladky, that this Resolution be amended to retitle the position to Associate Planner/Community Development Expediter. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

6. Public Infrastructure Committee

14-464 Agreement with Town of Manitowoc Rapids to compensate the town for the use of its roads by vehicles which transport biosolids as a byproduct of its Wastewater Treatment Facility to farms in the town, for the period January 1, 2013 to Decemer 31, 2017.

Moved by Brey, seconded by Sladky, to enter into this Agreement. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

14-470 Contract with Klein Asphalt Maintenance, Inc. to crackfill, sealcoat and re-paint lines at Lincoln Park Fieldhouse Parking Lot.

Moved by Brey, seconded by Sladky, to enter into this Contract. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

14-471 Communication from Building & Grounds Team Leader Jim Muenzenmeyer requesting replacement of concrete steps at Jay Street employee entrance to Police Department with two quotes attached.

Moved by Brey, seconded by Sladky, that this Communication be accepted and accept bid from Seiler Bros. in the amount of \$2,460.00. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

14-551 Proposal for photogrammetric services from Surdex Corporation.

Moved by Brey, seconded by Sladky, to enter into this Proposal with Surdex Corporation for the total amount of \$91,344.00. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

7. Public Safety Committee

14-618 Memo from Director of Public Infrastructure Dan Koski relative to failure of Red Jacket Electronic Leak Detection for the fuel system at DPW with recommendation to accept proposal of Walt's Petroleum Service, Inc. who was the low quoter.

Moved by Brey, seconded by Sladky, that this Memorandum be accepted and accept quote of \$4,997.78 plus .1 risk management software of \$1,440.00 for a total of \$6,437.78 from Walt's Petroleum Service, Inc. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

14-509 Request from Eastern Wisconsin Stock Cars for an extension of the noise ordinance from 10 p.m. to 10:45 p.m. with a grace period of 15 minutes with all excessive noise to cease no later than 11 p.m. for the 2014 race season at the Manitowoc County Expo.

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

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

14-519 Professional Service Agreement with Tarlton Inspections, Inc. for storage tank review and inspection for the period July 1, 2014 through June 30, 2016.

Moved by Sitkiewitz, seconded by Martell, to enter into this Agreement per City policy. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Able, Sladky, McMeans, Sitkiewitz and Martell

M. ADJOURN

Common Council adjourned at 7:45 p.m.

**Jennifer Hudon
City Clerk**