



# City of Manitowoc

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

## Meeting Minutes

### Common Council

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Monday, January 23, 2017

6:30 PM

Council Chambers

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#### A. CALL TO ORDER

Mayor Justin M. Nickels called the meeting to order at 6:50 p.m.

#### B. ROLL CALL

**Alders Present:** 8 - Dave Soeldner, Jim Brey, Mike Howe, Jason Sladky, Scott McMeans, Christopher Able, Lee H. Kummer and Steven Czekala

**Alders Absent:** 1 - Eric Sitkiewitz

#### C. PLEDGE OF ALLEGIANCE & INVOCATION

#### D. PRESENTATIONS

17-0039 City Clerk administers Oath of Office to Police Officer Kim Albright and to Firefighter Joshua Feider, followed by a Badge ceremony.

#### E. PUBLIC HEARINGS

#### 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

Mayor presented Proclamation to Big Brothers Big Sisters naming January, 2017 as "Mentoring Month".

17-0020 Appointment to Zoological Board: Martin Gregory (NEWGLSF) in place of W. Utterstedt for unexpired term ending 6/1/18.

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

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

17-0021 Appointment to Municipal Tree Commission: AI Schema in place of M. Penckofer for two year term ending 6/1/18.

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

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

17-0057 Mayor to disband Room Tax Allocation Board.

Moved by Brey, seconded by McMeans, to approve disbanding the Room Tax Allocation Board. The motion carried by the following vote:

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

## H. CONSENT AGENDA

### 1. Removal of Consent Agenda Items

#### Approval of the Consent Agenda

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

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

### 2. Miscellaneous

17-0001 Minutes of December 19, 2016 Common Council, recommending acceptance and place on file.

17-0026 Thank yous from St. Vincent de Paul and Catholic Charities for donations from Schuette, Wernicke, Wilda, Rank Christmas Fund, recommending placing on file.

### 3. Committee of the Whole (Consent)

17-0036 Report of Special Events Committee recommending approval of the following event subject to Council action: Run for Shelter 5K on 5/6/17 (waiver of rules prohibiting dogs in Lincoln Park; no parking in S parking lane along Magnolia Ave from N 6th to N 18th, recommending approvals.

17-0037 Report of Special Events Committee relative to approval of the following events: Manitowoc Fish and Game waiver of fees; Shelltrack Bike Race on 1/21/17; High Wheel Weekend on 6/17/17; recommending acceptance of report and place on file.

### 4. Finance Committee (Consent)

- 16-1179 Communication from Chue Yang withdrawing his "Class B" Retail Intoxicating Liquor and Fermented Malt Beverage license application TAV-1630A of Thai Chi Lounge LLC, Chue Yang, Agent, 1103 S. 10th St., recommend accepting and place on file.
- 17-0003 Command Central Election Hardware Maintenance Agreement, recommend approval and enter into the agreement.
- 17-0007 Rescind Special Assessment on parcel 220-006-170 Tax Deed Property Sold by County for Loss, recommend rescinding.
- 17-0027 General City Claims in the amount of \$13,415,049.89 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.

#### 5. Personnel Committee (Consent)

#### 6. Public Infrastructure Committee (Consent)

- 17-0023 Report of Board of Public Works of January 11, 2017, of bids received for 2017 Televising Miscellaneous Sewers I, Project WU-17-5, recommending awarding to low bidder, Green Bay Pipe & TV LLC in the amount of \$45,784.45.

#### 7. Public Safety Committee (Consent)

- 16-1051 Request sent to Fire Chief Todd Blaser from a concerned citizen regarding the warning siren testing every week, recommending placing on file.
- 16-1056 Request to install school crossing signs near Jackson School due to safety concerns. One at North 18th Street and the other at Menasha Avenue, recommending placing on file.
- 16-1131 November Police Report, recommending approval.
- 16-1132 November Fire & Rescue Report, recommending approval.
- 16-1181 Citizen request to have crosswalks at the intersection of Menasha Avenue and Kellner Street, recommending approval of request and include in 2017 street epoxy marking.
- 16-1185 Request for a stop or yield sign at the intersection of Whitetail Court and River Bluff Drive, recommending placing on file.
- 16-1186 Request for a stop or a yield sign at the intersections of South 9th Street and South 11th Street, recommending denial of request and place on file.

#### I. STANDING COMMITTEE REPORTS

## 1. Committee of the Whole

17-0028 Resolution establishing compensation for Finance Director.

Moved by Able, seconded by Sladky, that this Action Item be placed on file. The motion carried by the following vote:

Aye: 5 - Soeldner, Howe, Sladky, Able and Czekala

Nay: 3 - Brey, McMeans and Kummer

17-0029 Settlement Agreement of Menard's tax assessment cases (15CV200, 16CV279 and 16CV362).

Moved by Brey, seconded by McMeans, that this Action Item be entered into. The motion carried by the following vote:

Aye: 7 - Soeldner, Brey, Howe, Sladky, McMeans, Kummer and Czekala

Nay: 1 - Able

## 2. Finance Committee

17-0006 Parcel 000-139-000 rescind taxes in the amount of \$10,065.86 Holy Family Memorial Medical Center.

Moved by Able, seconded by Kummer, that this Action Item be approved to rescind taxes in amount of \$10,065.86. The motion carried by the following vote:

Aye: 7 - Soeldner, Brey, Howe, Sladky, Able, Kummer and Czekala

Abstain: 1 - McMeans

17-0049 Agreement for maintenance assessment services with Accurate Appraisal LLC for the period beginning February 1, 2017 through December 31, 2018.

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

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

16-1191 Request to authorize agreement for EPA revolving loan fund sub-grant at Manitou Manor as approved by the Brownfields Advisory Committee.

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

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

- 17-0005** Advance from Manitowoc Public Utilities for Citywide Phone System.  
**Moved by McMeans, seconded by Able, that this Action Item be approved and enter into the agreement. The motion carried by the following vote:**  
**Aye:** 8 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Kummer and Czekala
- 17-0008** Resolution Setting Pay for Election Board Officials for Calendar Year 2017.  
**Moved by McMeans, seconded by Able, that this Resolution be adopted. The motion carried by the following vote:**  
**Aye:** 8 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Kummer and Czekala
- 17-0024** Termination of Temporary Access Easement Agreement with Jared Smith.  
**Moved by McMeans, seconded by Able, that this Agreement be accepted and placed on file. The motion carried by the following vote:**  
**Aye:** 8 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Kummer and Czekala
- 17-0058** Report of Finance Committee relative to "Class B" Retail Intoxicating Liquor and Fermented Malt Beverage license application of TAV-1630B, Imperial Lounge Manitowoc LLC, Cher Her, Agent, 1103 S. 10th St.  
**Moved by McMeans, seconded by Able, that the Imperial Lounge Manitowoc LLC license be denied. The motion carried by the following vote:**  
**Aye:** 8 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Kummer and Czekala
- 17-0025** Warranty Deed from Steven C. & Clara J. Mikkelsen for public alley purposes at 1010 Lincoln Blvd.  
**Moved by McMeans, seconded by Able, that this Deed be accepted and placed on file. The motion carried by the following vote:**  
**Aye:** 8 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Kummer and Czekala
- 17-0030** 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 Able, that the licenses in this Report be granted. The motion carried by the following vote:**  
**Aye:** 8 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Kummer and Czekala

### 3. Personnel Committee

**17-0034** Resolution revising the Employee Policy Manual to include the Interim Pay Policy.

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

**Aye:** 7 - Soeldner, Brey, Howe, Sladky, McMeans, Kummer and Czekala

**Nay:** 1 - Able

**17-0045** Resolution to approve revised job descriptions for Wastewater Superintendent and Chemist and reclassification of the Chemist position from Grade G to Grade H of the Compensation Plan, and posting of vacant Superintendent position.

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

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

#### **4. Public Infrastructure Committee**

**17-0033** Resolution to approve the hiring of sworn Police Officers up to the 2017 budgeted amount.

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

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

**16-1168** Agreement between City of Manitowoc and Assist to Transport for paratransit services for 2017 thru 2019.

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

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

**17-0035** Ordinance to adjust rates for sewer service charges effective January 1, 2017.

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

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

**17-0038** Proposal to produce and install a new monument sign with animated display at Manitowoc Senior Center at a cost of \$28,085.00.

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

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

**17-0048** Paratransit Service Agreement between County of Manitowoc and City of Manitowoc to provide special transportation services for elderly and disabled residents of rural areas in Manitowoc County.

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

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

**17-0050** Contract 17-02 with Asplundh to cut and remove approximately 13 trees and stumps at various locations within the area of the 2017 Sidewalk Remove and Replace Program at a cost of \$11,813.00.

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

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

**17-0051** Contract 17-01 with Asplundh to cut and remove approximately 16 trees at various locations around the City at a cost of \$12,106.00.

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

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

## **5. Public Safety Committee**

**16-1180** Sex Offender Residence Appeal for Terry R. Futamata with recommendation from Police Chief Nick Reimer to deny request and place on file.

**Moved by Able, seconded by Sladky, that this Request be denied and placed on file. The motion carried by the following vote:**

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

17-0022 Ordinance to amend Section 16.070 of the Municipal Code regulating razing of buildings.

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

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

17-0046 Pedestrian Sign Installation and Maintenance Agreement between City of Manitowoc and Wisconsin Aluminum Foundry Company, Inc.

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

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

**J. OTHER BUSINESS**

**K. ADJOURN**

**Moved by Brey, seconded by McMeans, that this meeting is adjourned at 7:27 p.m. to 5:30 p.m. on February 13, 2017. The motion carried by the following vote:**

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

**Jennifer Hudon  
City Clerk**