



City of Manitowoc

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

Meeting Minutes Common Council

Monday, March 17, 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

Alders Present: 9 - Dave Soeldner, Jim Brey, Mike Howe, Christopher Able, Jason Sladky, Scott McMeans, Eric Sitkiewitz, Tyler Martell and Jill Hennessey

Alders Absent: 1 - Allan Schema

C. PLEDGE OF ALLEGIANCE

D. INVOCATION

City Clerk announced that the various documents have been referred to the appropriate committees as shown on the March 17, 2014 Common Council agenda.

E. PRESENTATIONS

14-449 Swearing In Ceremony for Fire Chief Todd M. Blaser.

F. PUBLIC HEARINGS

G. 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.

H. STANDING COMMITTEE REPORTS

I. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

14-300 Appointment of Michaeleen Gerken Golay to the Brownfields Advisory Committee in place of N. Bishop for an indefinite term.

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

Aye: 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

During the recess of the Common Council the Mayor will discuss all matters concerning the operation of the City of Manitowoc. Prior to going into recess, the Mayor publicly announces that during the recess the standing committees of the Common Council, as well as the Committee of the Whole, will meet in the Council Chambers to discuss and act upon some of the matters which have been discussed or referred at this Common Council Meeting.

J. RECESS

During recess, Personnel Committee held a discussion relative to Resolution 14-084. Moved by Hennessey, second by Sitkiewitz to place interim pay policy for Interim Fire Chief Gregg Kadow on file. Ayes, 4. Nays, none.

K. CONSENT AGENDA

1. Removal of Consent Agenda Items
2. Miscellaneous

3. Committee of the Whole

Approval of the Consent Agenda

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

Aye: 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

- 14-350 General City Claims in the amount of \$1,420,506.07 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

- 14-190 Account balance of customer #45460 (invoice number 17443), recommending write-off of the account.

5. Licensing, Permits and Inspections Committee

- 14-062 Quit Claim Deed from David W. Maltby for .18 acres of land for S. 26th Street purposes.

~~Moved by Hennessey, seconded by Sladky, that this Deed be approved. The motion carried by the following vote:~~

- 14-208 Request from Red Arrow Products Company LLC for Change in Zone from B-3 General Business District to C-1 Commercial District for property at 200 E. Waldo Blvd., recommending placing on file.

- 14-317** Home Occupation Accessory Building Application of Michael Miller, Manitowoc Small Engine, 954 S. 29th Street for a detached garage, recommending referral to Plan Commission.
- 14-322** Public Works Petition from Daniel E. and Dorothy Holsen for permanent paving, sidewalks, storm and sanitary sewers and other public utilities to be installed on property abutting on Goodwin Road, as described therein, and shown on the attached map (Parcel No. 001-011-002 & 001-011-003), recommending acceptance of petition with copy to be sent to Director of Public Infrastructure.
- 14-323** Quit Claim Deed from Daniel E. and Dorothy Holsen, for .49 acres of land for Goodwin Road purposes, recommending referral to Plan Commission.
- 14-324** Surrender of License #3 for "Class A" Retail Intoxicating Liquor and Fermented Malt Beverage License of Red Bird, Inc., Sue Rank, Agent, 1807 N. Rapids Road, recommending acceptance of the license and place on file.
- 14-398** Report of City Plan Commission authorizing the issuance of a Special Permit for a fixed animated billboard for Peltier/Autowerks Vehicle Maintenance Center, 1037 S. 26th Street, recommending acceptance of report and place on file.
- 14-400** Report of City Plan Commission of their review of Quit Claim Deed from David Maltby for S. 26th St. purposes, recommending acceptance of report and place on file.

6. Parks and Recreation Committee

7. Personnel Committee

- 14-320** Communication from Jeri Johnson, Human Resources Generalist, submitting her two week notice stating last day of employment as Friday, March 14, 2014, recommending acceptance and place on file.

8. Public Infrastructure Committee

- 14-399** Report of City Plan Commission supporting Three-Year Harbor Assistance Program Statement of Intentions (2014-2016), recommending acceptance of report and place on file.

9. Public Safety Committee

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

- 14-407** Two Year Operator's License #328 of Heather M. Laurin, 1124 Wisconsin Ave.
- 14-410** Two Year Operator's License #329 of James Kaufmann, 1305A S. 14th St.

- 14-411 Two Year Operator's License #330 of Amanda Baldwin, 1306 Fairmont Lane.
- 14-408 "Class B" Intoxicating Liquor & Fermented Malt Beverage License #14A of Pizza Lodge, LLC, Rebecca Schwarz, Agent, 2204 Washington St.
- 14-409 Secondhand Jewelry License #8 of Kay Jewelers #2827, Donald Ross, Applicant, 4550 Calumet Ave.

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

2. Finance Committee

- 14-377 Capital Project Request (unbudgeted) from Director of Public Infrastructure Dan Koski to upgrade aerials.
- Moved by McMeans, seconded by Able, that this Request be approved and forward to CAWG for action. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-403 Report of Community Development Authority relative to Wisconsin Division of Housing; Community Development Block Grant Non-Regional Housing application with CDA recommending to Council that it remain in the Northeastern Housing Region, as detailed therein.
- Moved by McMeans, seconded by Able, that this Report be accepted and placed on file. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

3. Licensing, Permits and Inspections Committee

- 14-170 Communication from Backus Electric, Inc. conveying their opinion that the City should have a full time electrical inspector every day.
- Moved by Brey, seconded by Hennessey, that this Communication be placed on file. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-301 Communication from Angela M. Seefeldt requesting reconsideration of denial of Two Year Operator's license #326 and stating that she has paid her fines and parking tickets.
- Moved by Brey, seconded by Hennessey, that this Communication be approved. The motion carried by the following vote:**
- Aye:** 8 - Soeldner, Brey, Howe, Able, McMeans, Sitkiewitz, Martell and Hennessey
- Nay:** 1 - Sladky

- 14-327** Communication from Darian R. Kaderabek asking for reconsideration of his application no. 320 for 2013-15 Two Year Operator's license which was denied on March 3, 2014.
- Moved by Brey, seconded by Hennessey, that this Communication be approved. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-401** Report of City Plan Commission relative to request from Red Arrow Products Company to rezone property at 200 E. Waldo Blvd., recommending that Council instruct the Clerk to call for a public hearing on April 7th and adopt a rezoning ordinance upon completion of the public hearing.
- Moved by Brey, seconded by Hennessey, that this Report be accepted and placed on file with Clerk to call for public hearing. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-402** Report of City Plan Commission recommending that Council approve entering into a Termination of Municipal Utility Easement granted from Dennis and Kay Wergin in 1999, for the reasons set forth in the report.
- Moved by Brey, seconded by Hennessey, that this Report be accepted and recommendations adopted. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

4. Parks and Recreation Committee

- 14-321** Special Events Request from Roger Lodel to hold Manitowoc Safety Patrol Picnic at Silver Creek Park on May 21, 2014, with waiver of fees request attached.
- Moved by Sladky, seconded by Martell, that this Special Events Request be granted and waiver of fees. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

5. Personnel Committee

- 14-083** Resolution to set hourly rate of \$40.38 for Interim City Attorney Kathleen McDaniel.
- Moved by Brey, seconded by Sladky, that this Resolution be amended to approve the resolution that Kathleen McDaniel have a wage increase of 10% as Interim City Attorney retroactive from January 8, 2014. The amendment carried as amended by the following vote:**
- Aye:** 8 - Soeldner, Brey, Howe, Able, McMeans, Sitkiewitz, Martell and Hennessey
- Nay:** 1 - Sladky

Moved by Brey, seconded by Sladky, that the motion be amended to make the pay increase retroactive to 30 days after resignation of City Attorney (February 3, 2014) . The motion carried by the following vote:

Aye: 6 - Soeldner, Howe, Able, McMeans, Sitkiewitz and Hennessey

Nay: 3 - Brey, Sladky and Martell

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

Aye: 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

14-084

Resolution to set hourly rate of \$39.47 for Interim Fire Chief Gregg Kadow.

Moved by Brey, seconded by Sladky, that the recommendation of the Personnel Committee be placed on file and move that Gregg Kadow have a wage increase of 10% (of current wage) as Interim Fire Chief retroactive from November 18, 2013 to March 11, 2014 when the new Chief was appointed. The motion carried by the following vote:

Aye: 8 - Soeldner, Brey, Howe, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

Nay: 1 - Able

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

Aye: 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

14-387

Agreements with Serve You relative to request for benefit changes to implement split fee specialty program for drug coverage and copay change to specialty tier, 20% Max \$150.00.

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

Aye: 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

14-397

Agreement with BMO Retirement Services for Section 125 Health FSA 5500 Welfare Return.

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

Aye: 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

14-428

Resolution setting salary for Fire Chief Todd Blaser recently appointed by Police and Fire Commission on March 11, 2014.

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

Aye: 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

6. Public Infrastructure Committee

- 13-639** Policy of Maritime Metro Transit Passenger Behavior. (Tabled: 12/2/13)
- Moved by Soeldner, seconded by Brey, that this Policy be removed from the table and placed on file. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-078** Special Events Request from Holy Family Memorial to utilize sidewalks and streets along their marathon route as well as Mariner's Trail on June 22, 2014 as well as closure of east lanes of Lakeside Blvd.
- Moved by Soeldner, seconded by Brey, that this Special Events Request be approved subject to same financial arrangement as 2013. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-081** Revised Policy of Maritime Metro Transit Passenger Behavior
- Moved by Soeldner, seconded by Brey, that this Policy be adopted. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-129** Special Events Request from Amvets Post 99 to use Conroe Street for the 2014 Gravity Hill Derby on June 14, 2014.
- Moved by Soeldner, seconded by Brey, that this Special Events Request be approved according to City policy. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-134** Special Events Request from Lakeshore Humane Society for 1st Annual Run for Shelter 5k on May 3, 2014, utilizing streets, sidewalks and Lincoln Park, with route attached. (Copy to Parks and Recreation Committee).
- Moved by Soeldner, seconded by Brey, that this Special Events Request be approved according to City policy with Fire Department to charge ambulance standby rate if City fire protection is requested. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-266** Letter from Priscilla Schroeder requesting refund of half of the disinterment fees.
- Moved by Soeldner, seconded by Brey, that this Action Item be accepted and reimbursement of \$500.00. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

- 14-316** Request from David J. Naidl to erect three crosses on the hillside located at Evergreen Cemetery facing North 18th Street from April 13 thru April 22, 2014.
- Moved by Soeldner, seconded by Brey, that this Request be approved. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-318** Memorandum from Dan Koski, Director of Public Infrastructure, recommending accepting low quote of A.C.E. Building Service for Marina dock repairs (contract attached).
- Moved by Soeldner, seconded by Brey, that this Memorandum (w/Contract attached) be accepted and award contract to A.C.E. Building Service in the amount of \$18,618.00 . The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-336** Report of Board of Public Works of March 12, 2014, regarding bids received for 2014 Seal Coating & Preparation Work on Various Streets, Project WS-14-6.
- Moved by Soeldner, seconded by Brey, that this Report be approved awarding to low bidder (Vinton) for \$77,904.69. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-343** Report of the Board of Public Works of March 12, 2014, regarding quotes received for furnishing ready mixed concrete to be used by the Department of Public Works during the 2014 construction season.
- Moved by Soeldner, seconded by Brey, that this Report be approved awarding to low bidder (R & J Fricke) in the amount of \$38,380.00. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-344** Task Order 14-02 pursuant to Technical Services Agreement dated April 11, 2013 with Strand Associates, Inc. for 2014 Collection System Infiltration/Inflow (I/I) Program Assistance.
- Moved by Soeldner, seconded by Brey, to enter into the Agreement. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-360** Task Order No. 14-03 with Strand Associates, Inc. pursuant to Technical Services Agreement dated April 11, 2013, for Horseshoe Drive Pumping Station rehabilitation.
- Moved by Soeldner, seconded by Brey, to enter into the Agreement. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

- 14-369** Special Events Request from Michael Demske, Vietnam Veterans of America, Chapter 731, to use certain streets in the City for the annual Memorial Day Parade on May 26, 2014, beginning at 9:00 a.m. and in case of inclement weather to use the Citizen Park building for the ceremonies.
- Moved by Soeldner, seconded by Brey, that this Special Events Request be accepted and placed on file. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-404** Resolution approving the Three Year Harbor Development Statement of Intentions for 2014-2016.
- Moved by Soeldner, seconded by Brey, that this Resolution be adopted. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

7. Public Safety Committee

- 14-039** Request from Lifequest Billing Office recommending adjustment to account 182-13-3006 in the amount of \$849.50.
- Moved by Sitkiewitz, seconded by Martell, that this Request be approved to write off \$849.50 per City policy. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-315** Regional Fire Department Hiring Process Agreement between City and Fox Valley Technical College.
- Moved by Sitkiewitz, seconded by Martell, to enter into this Agreement per City policy. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

8. Licenses

- 14-412** Two Year Operator's License #331 of Allan Brixius, 520A Buffalo St.
- Moved by Brey, seconded by Hennessey, that this License be granted. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-413** Two Year Operator's license #332 of Michael J. Demske, 928 N. 16th St.
- Moved by Brey, seconded by Hennessey, that this License be granted. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

- 14-414** Temporary Operator's License #37 of Russell J. Zipperer, 1405 Hampton Circle, Cato, WI
- Moved by Brey, seconded by Hennessey, that this License be granted. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-415** Temporary Operator's license #38 of Scott P. Pankratz, 7402 CTH J, Valdars, WI
- Moved by Brey, seconded by Hennessey, that this License be granted. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-416** Temporary Operator's License #39 of Gregg A. Gaedtke, 2506 Marshall St.
- Moved by Brey, seconded by Hennessey, that this License be granted. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey
- 14-417** Temporary Operator's license #40 of Brenda L. Kaufmann, 11202 Westview Rd., Newton, WI
- Moved by Brey, seconded by Hennessey, that this License be granted. The motion carried by the following vote:**
- Aye:** 9 - Soeldner, Brey, Howe, Able, Sladky, McMeans, Sitkiewitz, Martell and Hennessey

M. OTHER BUSINESS

N. ADJOURN

Moved by Hennessey, second by Sladky, and unanimously carried, Common Council adjourned at 8:15 p.m. Ayes, 9. Nays, none.

Jennifer Hudon
City Clerk