

16-0739



# City of Manitowoc

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

## Meeting Minutes

### Common Council

Monday, July 18, 2016

6:30 PM

Council Chambers

#### A. CALL TO ORDER

#### B. ROLL CALL

**Alders 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

16-0668 Presentation by Tom Karman, CPA shareholder Schenck SC relative to 2015 CAFR and Management Letter.

#### E. PUBLIC HEARINGS

16-0635 Public Hearing to be held at 6:35 p.m. for the purpose of hearing any and all interested parties in the matter of proposed changes to Chapter 15 of the Manitowoc Municipal Code eliminating the requirement for Community Living Arrangements with fewer than 9 residents to obtain a conditional use permit.

Mayor declared the meeting open for a public hearing for the purpose of hearing any and all interested parties in the matter of proposed changes to Chapter 15.

City Clerk reported that the notice of the hearing was published in the Herald-Times-Reporter on July 4 & 11, 2016. (Proof of publication is on file in the City Clerk's office).

No interested parties appeared.

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

#### 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

16-0663 Appointment of Alderperson Lee Kummer as alderperson representative on Rahr West Art Museum Board for term ending 4-17-17.

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

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

Nay: 1 - Able

16-0665 Appointment of Thomas Giesen to Industrial Development Corporation for an indefinite term.

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

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

Nay: 1 - Able

16-0678 Appointment of Alderperson Eric Sitkiewitz as alderperson representative on Manitowoc Public Utilities Commission for term ending 4-17-17.

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

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

Nay: 1 - Able

## H. CONSENT AGENDA

### 1. Removal of Consent Agenda Items: None.

#### Approval of the Consent Agenda

Moved by Brey, seconded by Sitkiewitz, 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

16-0634 Minutes of Common Council meeting of June 20, 2016, recommending acceptance and place on file.

16-0669 Communication from Tom Drill asking for support for this year's Showtime on August 10 & 11, 2016

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

- 16-0647 Report of Special Events Committee recommending approval of the following events subject to Council action: YMCA Triathlon on 8/26 - 8/27/16 (street lane closure from YMCA to Woodland Dr. & waiver of noise ordinance from 6:30 am to 8:00 am); Mi Pueblo Anniversary Festival on 9/24/16 (waiver of rules prohibiting alcohol in Washington Park); Lakeshore Weekend on 8/5 - 8/7/16 (waiver of noise ordinance until midnight on Saturday; waiver of rule until midnight which prohibits sale of fermented malt beverages on city property after 11 pm; lane closure on Maritime Dr. on Sat. & Sun.; Balloon Glow on 8/19/16 (closure of Quay St. between 7th and 8th), recommending approvals.
- 16-0648 Report of Special Events Committee relative to approval of the following events: Two Rivers Optimist Walk on 6/21/16; Festival Foods Waiver of Fees on 8/2/16; 22 with 22 for 22 Charity Walk on 8/6/16; Share the Hope Concert on 8/19/16; Wise 'N Up on 8/6 - 8/11/16; MDA Fill the Boot Drive Waiver of Fees on 8/18 - 8/20/16; Jagemann Stamping Co. Stake Permit on 8/27/16, recommending acceptance of report and place on file.

#### 4. Finance Committee (Consent)

- 16-0601 Amendment #1 for WEDC Site Assessment Grant BF SAG FY 15-22541, Mirro Plant #9 1512 Washington Street, recommending acceptance and approval.
- 16-0603 Extend Alcohol License to parking lot for Charity Bike Wash for Vets of TLM Investments on 8/7/2016, recommending approval.
- 16-0606 Summons and Complaint Kira Schultz vs. Integrity Mutual Insurance Company Green Cab of Madison, Acuity, A Mutual Insurance Company and City of Manitowoc, recommending referral to City Attorney for follow up.
- 16-0608 Manitowoc Public Utilities Commission award of banking services to Bank First National, recommending acceptance and adoption.
- 16-0611 Report from Community Development Director Nic Sparacio relative to Future Assessor Services, recommending acceptance of report and place on file.
- 16-0627 General City Claims in the amount of \$1,976,511.37 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.
- 16-0636 Report of City Plan Commission relative to Public Participation Plan for amendments to City of Manitowoc Comprehensive Plan, recommending approval.
- 16-0637 Report of City Plan Commission relative to Annual Review of Animated Signs, recommending acceptance of report with staff to mail out a courtesy letter to all animated sign owners to remind them of the rules regulating animated signs.

- 16-0638 Report of City Plan Commission relative to Annual Review of Amy Sheck, Four Paws Pet Care, 1718 S. 15th St. home occupation expanded use conditional use permit, recommending approval of the annual review.
- 16-0639 Report of City Plan Commission relative to Annual Review of Katelyn Burton f/k/a Katelyn Sheck, Four Paws Pet Care, 2019 S. 9th St. home occupation expanded use conditional use permit, recommending approval of the annual review.

#### 5. Personnel Committee (Consent)

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

- 16-0541 Installation of Pedestrian Improvements on S. 41st Street between Custer Street and Harbor Town Lane, recommending placing on file.
- 16-0623 Garbage Collection from Alleys, recommending placing on file.
- 16-0624 SMI request for Driveway Variances for the width of two (2) driveways on Vits Drive between S. 59th Street and S. 63rd Street due to semi traffic, recommending approval.
- 16-0629 Report of Board of Public Works of July 22, 2016 for Hail Damaged - replace brakemetal trim and casement windows, for 2nd and Final Payment to Corcoran Glass & Paint in the amount of \$2,954.00, recommending payment.
- 16-0630 Report of Board of Public Works of June 22, 2016 for Enlarge Overhead Door on main garage at Police Department for 1st and Final Payment to Hamann Construction Company in the amount of \$17,701.00, recommending payment.
- 16-0631 Report of Board of Public Works of July 22, 2016 for Remove and Replace Windows with glass block at Armory Building for 1st and Final Payment to Hamann Construction Company in the amount of \$20,702.00, recommending payment.
- 16-0632 Progress Invoice from Wisconsin Dept. of Transportation in the amount of \$11,668.13 for Waldo Blvd., CTH R - 8th Street, Design/Resurf 4 Lane Urban, Project No. 1500-37-00, recommending payment.
- 16-0633 Progress Invoice from Wisconsin Dept. of Transportation in the amount of \$9,060.48 for Waldo Blvd., 8th Street - Maritime Drive, Design/Resurf 4 Lane Urban, Project No. 4570-12-00, recommending payment.
- 16-0644 Installation of toilet facilities at Camp Vits, recommending approval of the concept with design details and costs to be discussed at future meeting.
- 16-0649 Minutes from the Wastewater Treatment Facility Board Meeting on July 5, 2016, recommending approval and place on file.

- 16-0666 Report of Board of Public Works of July 13, 2016 for Playground Equipment at Lincoln Park for 2nd and Final Payment to Miller & Associates Sauk Prairie Inc. in the amount of \$6,900.00, recommending payment.

## 7. Public Safety Committee (Consent)

- 16-0592 Out of State Travel/Training Request for Officer Nick Place, recommending approval of request.
- 16-0593 Request to have lines painted for parking spaces on North 10th street from Buffalo to York Street, recommending approval of request.
- 16-0595 May Fire monthly report, recommending approval.
- 16-0596 May Police monthly report, recommending approval.

## I. STANDING COMMITTEE REPORTS

### 1. Committee of the Whole

- 16-0616 Update on environmental remediation activities and budgeting at the Newton Gravel Pit site, requesting CAWG unbudgeted request for \$40,000, \$90,000 from budgeted AECOM, and proceed with an MOU with the US Forestry Service.

Moved by Brey, seconded by Sitkiewitz, that this Action Item be approved. The motion carried by the following vote:

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

### 2. Finance Committee

- 16-0562 Ordinance to amend Section 15.370(19)(a) of Chapter 15 of the Municipal Code regulating Community Living Arrangements.

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

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

- 16-0602 City Claims Policy Manual

Moved by McMeans, seconded by Sitkiewitz, that this Action Item be accepted with recommended changes to disclaimer. The motion carried by the following vote:

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

16-0605 Resolution to allow CVMIC to sign checks related to worker's compensation

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

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

16-0609 TIF Project for I-43 Enterprise and Technology Park Wetlands.

Moved by McMeans, seconded by Sitkiewitz, that this Action Item be approved requesting authorization to proceed with obtaining bids for a specific scope of services and cost estimate from qualified wetland professionals and to return to the Finance Committee with specific costs and report on financial impact to TID #12. The motion carried by the following vote:

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

16-0610 I-43 Enterprise and Technology Park Land Sale.

Moved by McMeans, seconded by Sitkiewitz, that this Action Item be approved requesting authorization to negotiate and finalize the land sale and related purchase option subject to the City of Manitowoc Option and Right of First Refusal Policy, authorization to proceed to close the sale and authorization of applicable City officials to sign all related documents. The motion carried by the following vote:

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

16-0612 Petition for Direct Legislation received from Manitowoc United to Amend requesting a resolution or a referendum

Moved by McMeans, seconded by Sitkiewitz, that this Petition be accepted to place a summary question on the November election ballot as a referendum on this item. The motion carried by the following vote:

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

16-0613 2015 Comprehensive Annual Financial Report (CAFR) and 2015 Management Letter

Moved by McMeans, seconded by Sitkiewitz, that this Report be accepted and placed on file. The motion carried by the following vote:

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

16-0667 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

16-0670 Ordinance creating section 16.020 of the Municipal Code adopting commercial building codes.

**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

### 3. Personnel Committee

### 4. Public Infrastructure Committee

16-0534 Request to rename Dewey Street Park to Miracles Park.

**Moved by Soeldner, seconded by Howe, that this Request be approved and direct City Attorney to draft resolution authorizing change. The motion carried by the following vote:**

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

16-0626 Location of Basketball Hoop at Dewey Street Park

**Moved by Soeldner, seconded by Howe, that this Request be approved to remove basketball hoop and pole. The motion carried by the following vote:**

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

**Nay:** 1 - Able

16-0640 CAWG Request - Remodel Silver Creek Fieldhouse

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

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

16-0641 CAWG Request - Rahr-West Building Access Control

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

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

16-0645 Request for a Seasonal Porta Potty at Silver Creek Park for Disc Golf Course

**Moved by Soeldner, seconded by Howe, that this Request be approved for placement through the end of the 2016 disc golf season. The motion carried by the following vote:**

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

**16-0664** First Amendment to Stormwater Facility Maintenance Agreement between Great Lakes Energy Technologies, Orion Energy Systems, Tramontina, and the City of Manitowoc.

**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

**16-0671** Agreement with Manitowoc County regarding mobility manager position.

**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

**16-0675** Vehicle Lease for Paratransit vehicles with Assist-to-Transport.

**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

## 5. Public Safety Committee

**16-0585** Letter from a registered sex offender requesting to relocate into 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

**16-0591** LifeQuest ambulance billing hardship request, call #182A-16-0034A and call# 182A-16-0355.

**Moved by Able, seconded by Sladky, that this Request be denied and continue past practice of offering minimum payments until paid. The motion carried by the following vote:**

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

**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.

**It was moved by Able, seconded by Sladky that this Ordinance be adopted. After a short discussion, it was then moved by Brey, seconded by Sitkiewitz, that this Ordinance be tabled. The motion to table carried by the following vote:**

**Aye:** 5 - Brey, Howe, McMeans, Sitkiewitz and Kummer



Nay: 4 - Soeldner, Sladky, Able and Czekala

16-0676 Ordinance amending section 10.390 to remove a no parking zone on Quay Street.

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

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

**J. OTHER BUSINESS**

**K. ADJOURN**

Meeting was adjourned at 7:26 p.m.

**Jennifer Hudon**  
City Clerk