

15-1017 Appointment of Matthew Sauer to the Police and Fire Commission, in place of K. Reynolds, for 5 year term expiring 4/30/20.

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

H. CONSENT AGENDA

1. Removal of Consent Agenda Items: None.

Approval of the Consent Agenda

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

2. Miscellaneous

15-981 Minutes of Common Council of Monday, August 17, 2015, recommending approval and place on file.

15-982 Minutes of Citizens Advisory Committee of 5/5/15; Crime Prevention Committee of 8/6/15; Municipal Tree Commission of 8/12/14 & 10/21/14; Plan commission of 6/3/15 & 7/29/15; Police & Fire Commission of 8/11/15; Manitowoc Public Utilities Commission of 7/13/15 & 8/10/15; TIF Joint Review Board of 7/16/15; recommending acceptance and place on file.

15-916 Public Notice of air pollution permit application review of Foster Needle Co., Inc., 4343 Expo Drive, recommending placing on file.

15-963 Communication from Wisconsin Dept. of Administration advising the Camomili Annexation has been reviewed and found to be in the public interest, recommending placing on file.

3. Committee of the Whole (Consent)

15-961 Communication from James G. Morrow, Sr. resigning from the MPU Commission effective 9/30/15, recommending acceptance and place on file.

15-983 Report of Special Events Committee relative to approval of the following events: Manitowalker on 9/12/15; Harvestfest on 10/3/15; MDA Fill the Boot Waiver of Fees for 8/13/15; 1 to 1 Adult Literacy Partners Summer Family Zoo Tour Waiver of Fees on 8/8/15; Red Arrow Park Grand Re-Opening on 8/22/15; Halloween Zoo Boo on 10/31/15; Rubick Run on 10/10/15; Block Party 1600 Block of Elm Street on 9/6/15; I Manitowoc Garden Fair on 6/11/16; Pandamonium Discs Disc Golf Tournament on 10/31/15; Shanty Town on 10/17/15; Ugly Sweater Run on 11/14/15; Bike Ride for Hunger on 9/3/16; recommending acceptance of report and place on file.

15-984 Report of Special Events Committee recommending approval of the following events subject to Council action: Metro Jam on 6/17/16 (waiver of rules for alcoholic beverages in park as well as street closures); Linebacker's Cruz-In Car Show on 9/12/15 (closure of Park Street); Courthouse Pub Annual Street Party on 9/10/15 (Closure of Washington Street as well as extension of licensed alcohol premise); recommending approvals per Committee's report.

4. Finance Committee (Consent)

15-169 Assignment of the Maritime Hotel and Convention Center Associates Lease (Best Western Property) Parcels 000-179-011 and 000-917-568, recommending placing on file.

15-911 General City Claims in the amount of \$2,154,981.95 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.

15-940 Manitowoc Public Utilities Investment Advisory and Management Services Agreement, recommending to accept.

5. Licensing, Permits and Inspections Committee (Consent)

15-910 Request from Van's Bar and Grill to extend their alcohol premise to their parking lot for outdoor festivities being held on September 12, 2015, along with extension of noise ordinance to allow for band to play until 10:30 p.m., recommending approval.

15-967 Report of City Plan Commission relative to review of Conditional Use Permit for The Haven, 1003 Marshall Street, with Commission recommending re-approval of the CUP with an amendment to remove condition G which is the annual review requirement, recommending acceptance of report.

15-986 Report of City Plan Commission relative to assignment of a conditional use permit from Harmony Living Centers LLC to Ensign Group, Inc. d/b/a Harbor View Assisted Living to operate a 43 bed community based residential facility at 2115 Cappaert Road subject to the attached conditions.

6. Parks and Recreation Committee (Consent)

- 15-903 Communication from the City of Manitowoc Municipal Tree Commission in support of the Tree Maintenance and Removal Priority Policy and in support of an increase in funding for forestry issues recommending to place on file for Consent Agenda.
- 15-975 Report of Board of Public Works of September 9, 2015 for Hail Damaged Ball Field/Tennis Court Light Replacements for 3rd and Final Payment to Bodart Electric Service Inc. in the amount of \$820.00, recommending payment.
- 15-976 Report of Board of Public Works of September 9, 2015 for Zoo Education Center Update for 1st and Final Payment to Hamann Construction Company in the amount of \$5,544.00, recommending payment.

7. Personnel Committee (Consent)**8. Public Infrastructure Committee (Consent)**

- 15-914 Contract with Manitowoc Heating & Refrigeration Services, Inc. for installation of three Calcana infrared heaters and removal and disposal of existing Co. Ray Vac System at the Department of Public Works Repair Garage at 2655 South 35th Street at a cost of \$15,890.00. The Committee recommended that this Contract be approved for consent agenda.
- 15-930 Quit Claim Deed for Sale of Cemetery Lot N1/7 of lot 8, block 35 of Section P (Sharon Morrow, Victoria Berres & Marlene Boyajian) The Committee recommended that this Deed be approved for consent agenda.
- 15-931 Quit Claim Deed for sale of Cemetery Lot N1/3 of S1/2 of lot 29, block 5 of section Y (Robert Raduenz) The Committee recommended that the Deed was approved for consent agenda.
- 15-935 Request for Street Closure on Washington Street (between S. 7th and S. 8th Street) for Courthouse Pub Annual Street Party which benefits the Domestic Violence Center and the Haven on September 20, 2015. The Committee recommended approval of the Request for Street Closure be approved for consent agenda
- 15-937 Street Closure Request for Park Street (N. 9th to N. 10th Street) for Linebacker's Cruz-In Car/Truck/Bike Show on September 12, 2015. The Committee recommended that the Request for Street Closure for Park Street be approved for consent agenda.
- 15-939 Noise Complaint on Waldo Boulevard between North 23rd and North 21st Streets. The Committee authorized hot mix asphalt patching of affected areas be approved for consent agenda and place correspondence on file

- 15-942 Installation of Parking Lot on Clay Pit Road for the Manitowoc Chiefs Football Organization. The Committee recommended that the Chief's Parking lot be exempt from site plan requirements and action item be approved for consent agenda.
- 15-947 Out of State Request for FASTER Conference. The Committee approved the request for Consent Agenda.
- 15-949 Request from Heritage Real Estate to stripe parking spots along North 8th Street starting from Park Street to St. Claire Street. The Committee unanimously approved the Request for consent agenda with provisions that stalls be marked on both sides of N. 8th in this block.
- 15-950 Request from Manitowoc County Safety Commission for the City to review site obstructions (plantings and lighthouse) at the intersection of Dewey Street and Harbor Town Lane. The Committee recommended placing on file.
- 15-951 Maintenance Responsibility of Traffic Signals on Calumet Avenue at I-43 off-ramps and Dufek Drive. The Committee approved the transfer of maintenance responsibilities and that this Request be approved for consent agenda.
- 15-972 Report of Board of Public Works of September 9, 2015, of bids received for Last Court Drainage Ditch Re-Grading, Project WU-15-20, recommending awarding to low bidder, Vinton Construction Co. in the amount of \$19,674.25.
- 15-973 Report of Board of Public Works of September 9, 2015, of bids received for Miscellaneous Concrete Construction, Project WS-15-21, recommending awarding to low bidder, Vinton Construction Co. in the amount of \$36,296.70 with letter attached from Broadwind Towers confirming their intent to contribute \$10,000 toward the project.
- 15-974 Report of Board of Public Works of September 9, 2015 for WWTF Influent Screw Pump Improvement, WB-15-11, for 2nd and Final Payment to J. FG. Ahern Co. in the amount of \$62,448.87, recommending payment.
- 15-977 Report of Board of Public Works of September 9, 2015 for Exterior Painting of Rahr-West Museum for 1st and Final Payment to Hi-Tech Painting & Decorating in the amount of \$17,500.00, recommending payment.
- 15-1005 Sidewalk Privilege Agreement between City of Manitowoc and Audio Star, LLC d/b/a Extreme Audio for the purpose of installing and maintaining a lighted electronic sign to be placed in the City right-of-way adjacent to property located at 1104 So. 26th Street.
- 15-1006 Permanent Easement by John and Becky Thompson to the City a perpetual utility easement and drainage ditch on and east of Last Court.

- 15-1007 Temporary Construction Easement by John and Becky Thompson for the purpose of sloping, grading, restoration and operating construction equipment during the construction of a drainage ditch on the east of Last Court.
- 15-1008 Report of Board of Public Works of September 9, 2015 for 2015 Curb Replacement, WS-15-10, for 2nd and Final Payment to Vinton Construction in the amount of \$6,303.95, recommending payment.
- 15-1009 Report of Board of Public Works of September 9, 2015 for 2015 Asphaltic Concrete Paving Lincoln Park, WS-15-4, for 3rd and Final Payment to Vinton Construction in the amount of \$3,861.59, recommending payment.

9. Public Safety Committee (Consent)

- 15-897 Communication from Matthew and Megan Fehrmann requesting the 2 hour parking law on the 800 block of Jay Street be moved to a 3 hour parking to accomodate their business (La Bella Capelli Salon) at 813 Jay Street, recommending denial and place on file.
- 15-907 Communication from Judge Steve Olson regarding Municipal Court unpaid forfeitures, recommending acceptance and place on file.
- 15-909 Ambulance Service Agreement between Roncalli, Lincoln High School and Manitowoc Fire Rescue, recommending entering into the agreement.

I. STANDING COMMITTEE REPORTS

1. Committee of the Whole

2. Finance Committee

- 15-815 Resolution to borrow \$184,713 for a 20 year period from the Board of Commissioners of Public Lands of Wisconsin (State Trust Fund Loan) to be used for financing affordable housing units as part of Mirro Plant #3 renovation.

Moved by McMeans, seconded by Sitkiewitz, that Council action of 8/17/15 be rescinded and that this Resolution is not adopted. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

- 15-958 Resolution Authorizing and Designating Public Depositories

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

Moved by McMeans, second by Sitkiewitz, and unanimously carried to Recess at 7:00 p.m. Ayes, 9. Nays, none. During recess, Finance Committee held a discussion relative to Report 15-985 of City Plan Commission relative to creation of Tax Incremental Financing District No. 18 and Resolution 15-1002 creating the boundary and adopting a Project Plan for TIF District No. 18. Community Development Director Nicolas Sparacio addressed the committee and answered questions. Moved by Brandel, second by Able, and unanimously carried by Finance Committee, to accept Report 15-985 and place on file. Ayes, 4. Nays, none. Moved by Sitkiewitz, second by Able, and unanimously carried by Finance Committee, to recommend adoption of Resolution 15-1002. Ayes, 4. Nays, none.

15-985 Report of City Plan Commission relative to creation of Tax Incremental Financing District No. 18 Project Plan and boundary in an area located east of the Little Manitowoc River to Memorial Drive and from E. Linden Ave. to the Little Manitowoc River including former Lakeview Center Mall and former Elks Club and golf course areas with Plan Commission recommending that Council approve the TIF.

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-1002 Resolution creating the boundary and adopting a Project Plan for TIF District No. 18.

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

3. Licensing, Permits and Inspections Committee

15-812 Proposal for full-time Electrical Inspector.

Moved by Able, second by Hennessey, and unanimously carried, to remove from the table. Ayes, 9. Nays, none. Moved by Howe, seconded by Hennessey, that this Proposal be placed on file. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-960 Memorandum from Deputy Chief Rob Barbier recommending denial of One Year Operator's license #OP1-150018 of Angela L. Oelhafen.

Moved by Howe, seconded by Hennessey, that this License be denied. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-962

Request for extension of alcohol licensed premise of Three T's Inc., Theodore Frisch, Agent, 2202 Marshall St., to parking lot on October 10, 2015.

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-968

Report of City Plan Commission relative to the creation of a deed restriction between the City and Manitowoc Public Utilities to refrain from conveying a 9.92 acre parcel on State Highway 310 owned by the City without prior approval of MPU, with Commission recommending that after review and approval by City Attorney, the Mayor and Clerk enter into the deed restriction.

Moved by Howe, seconded by Hennessey, that this Report be accepted. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-969

Report of City Plan Commission relative to Midwest Assisted Living Partners II request for a Conditional Use Permit to operate a CBRF for up to 72 beds located west of CTH 42 and south of USH 151 with Commission approving the request pursuant to the conditions attached in their report.

Moved by Howe, seconded by Hennessey, that this Report be accepted. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-987

Report of Licensing, Permits and Inspections Committee with the following licenses for granting: No. AMC-1507 Wal-Mart Stores East LP, Kent Abitz, Agent, 4115 Calumet Ave.; No. AMM-1502 Wal-Mart Stores East LP, change of agent to Kent Abitz, 4115 Calumet Ave.; No. TAV-1539 Blazin Wings, Inc., change of agent to Demetrius A. Lawson, 4140 Harbor Town Lane; No. TMP-1548 Temporary Class "B" Beer St. Francis of Assisi Parish, 2000 Mirro Dr.; No. TMPW-1513 Temporary "Class B" Wine St. Francis of Assisi Parish, 2000 Mirro Dr.

Moved by Howe, seconded by Hennessey, that these Licenses be granted. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

4. Parks and Recreation Committee

15-670

Silveridge Park options.

Moved by Schema, second by McMeans and unanimously carried to remove from the table. Ayes, 9. Nays, none. Moved by Schema, seconded by McMeans, that this Action Item be accepted to allow up to \$30,000 to be used from Parkland Dedication for playground equipment. The motion carried by the following vote:

Aye: 7 - Schema, Brandel, Soeldner, Hennessey, McMeans, Able and Sitkiewitz

Nay: 1 - Sladky

Abstain: 1 - Howe

15-761 Resolution creating parkland dedication fees leveraging policy.

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-771 Request for monies from the Parkland Dedication Fund for the Miracle League handicap accessible playground at Dewey Street Park.

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-874 Request from James Van Lanen, Jr, Secretary/Treasurer of Discover Eastern Wisconsin Disc Golf, for monies from the Parkland Dedication Fund to expand the Silver Creek Park Disc Golf Course.

Moved by Sladky, seconded by Schema, that this Request be approved to provide \$13,000 from Parkland Dedication Fund and \$3,188 from Silver Creek Donation Tube. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-875 Request from the City of Manitowoc Safety Committee for the donations from the Manitowoc Family Aquatic Center and Mini-Golf Course for prizes for the City of Manitowoc Employee Health Fair.

Moved by Sladky, seconded by Schema, that this Request be approved to provide ten BOGO. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-1012 Resolution to obtain cost-share grant from Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects or urban forestry catastrophic storm projects.

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

5. Personnel Committee

6. Public Infrastructure Committee

15-831 Term Sheet relative to Forefront Dermatology Parking Project, 924 York Street. The Committee recommended authorizing staff to move forward toward Development Agreement incorporating City Design Standards and Financial Considerations. This Action Item be accepted and referred to Council.

Moved by Soeldner, seconded by Schema, that this Action Item be approved and authorize staff to move forward toward development agreement incorporating City design standards and financial considerations. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-938 Plank Road Closure and Gates. The Committee recommended that the Action to initiate the vacation process be approved and referred to Council.

Moved by Soeldner, seconded by Schema, that this Action Item be accepted to initiate the Vacation process. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-941 Additional Remedial Investigation and Groundwater Monitoring Activities at S. 18th and Flambeau Street. The Committee recommended entering into contract not to exceed \$30,000 and refer to council.

Moved by Soeldner, seconded by Brandel, to enter into contract not to exceed \$30,000. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-946 Resolution for Rebuilding Manitowoc Marina Dock "E".

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-1003 Ordinance to amend Chapters 7, 10 and 13 of the Manitowoc Municipal Code regulating fall brush and leaf pickup in the City of Manitowoc.

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

Aye: 8 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans and Sitkiewitz

Nay: 1 - Able

15-1004 Temporary Access Easement Agreement with Jared Smith over a portion of the City's North Rapids Road Stormwater Detention Pond site for the purpose of obtaining access to property at 1436 North Rapids Road for brush cleanup and general yard maintenance.

Moved by Soeldner, seconded by Brandel, that this Agreement be approved upon obtaining Grantee's signature. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-1010 Report of Board of Public Works of September 9, 2015 for Sanitary Sewer Construction, WU-15-8, for 3rd and Final Payment to Vinton Construction Co. in the amount of \$42,060.92.

Moved by Soeldner, seconded by Brandel, that this Report be accepted for payment. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-1016 Memorandum of Understanding with Broadwind Energy Inc. for road damage repairs on Franklin street at South 21st and South 26th Streets from oversized truck loads hauling Broadwind towers.

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

7. Public Safety Committee

15-842 Ordinance to amend Sections 10.390, 10.470 and 10.490 of the Manitowoc Municipal Code to revise no parking zones on portions of South 15th Street, South 16th Street and Washington Street.

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

15-843 Ordinance to amend portions of Section 10.390 of the Manitowoc Municipal Code to revise parking on Franklin Street from South 21st Street to South 26th Street.

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

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

J. OTHER BUSINESS

K. ADJOURN

Moved by Sitkiewitz, seconded by Hennessey, that this meeting be adjourned at 8:00 pm. The motion carried by the following vote:

Aye: 9 - Schema, Brandel, Soeldner, Hennessey, Howe, Sladky, McMeans, Able and Sitkiewitz

**Jennifer Hudon
City Clerk**