



City of Manitowoc

14-1249

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

Meeting Minutes Common Council

Monday, June 2, 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

Rollcall

Alders Present: 9 - Jim Brey, Keith W. Shaw, Allan Schema, Eric Sitkiewitz, Jason Sladky, Jill Hennessey, Christopher Able, Dave Soeldner and Scott McMeans

Alders Absent: 1 - Mike Howe

C. PLEDGE OF ALLEGIANCE

D. INVOCATION

City Clerk announced that the various documents have been referred to the appropriate committees as shown on the June 2, 2014 Common Council agenda.

E. PRESENTATIONS: None.

F. PUBLIC HEARINGS

14-1175 Public Hearing at 7:10 p.m. for the purpose of hearing any and all interested parties in the matter of a proposed change to the Official Map to remove certain areas of publicly owned rights-of-way proposed for vacation, plus a non-dedicated extension of the southernmost R/W extending east to future Zimmer Drive.

Mayor declared the meeting open for a public hearing.

City Clerk reported that the notice of the hearing was published in the Herald-Times-Reporter on May 12, 19 & 26, 2014. (Proof of publication is on file in the City Clerk's office).

City Planner David Less gave an overview of the proposed street vacation and change to the Official Map. 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).

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. RECESS

1. Prior to going into recess, 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.

2. CLOSED SESSION: None

J. CONSENT AGENDA

1. Removal of Consent Agenda Items: None.

Approval of the Consent Agenda

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

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

2. Miscellaneous

14-1176 Minutes of May 19, 2014 Council meeting, recommending approval and placing on file.

14-1178 Minutes of Brownfields Advisory Committee of 3/6/14; Great Lakes Utilities Board of 3/19/14; Great Lakes Utilities Power Supply Project Committee of 12/17/13; Great Lakes Utilities West Power Supply Project Committee of 1/22/14; Great Lakes Utilities Lakeswind Project Committee of 3/19/14; Community Development Authority of 4/16/14; Plan Commission of 4/16/14; Wastewater Treatment Facility Board of 3/11/14, recommending placing on file.

3. Committee of the Whole

14-1186 General City Claims in the amount of \$460,178.88 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

- 14-1183 Report of EMS Medical Billing Associates LLC reviewing EMS billing revenue and patient care report documentation compliance for 2012 and 2013, recommending acceptance and place on file.

5. Licensing, Permits and Inspections Committee

- 14-1170 Public Works Petition of Charlotte Sobel to cause permanent paving, sidewalks, storm and sanitary sewers and other public utilities on property abutting Viebahn Street, recommending acceptance of petition with copy to be sent to Director of Public Infrastructure.

6. Parks and Recreation Committee

- 14-174 Proposed management plan for Lakeside Boulevard, recommending adoption of the management plan.
- 14-1177 Request relative to Manitowoc Two Rivers YMCA utilizing Mariner's Trail on August 22 & 23, 2014 in association with their triathlon, recommending granting use of the trail.

7. Personnel Committee

8. Public Infrastructure Committee

- 14-1188 Report of the Board of Public Works setting 10 year installment plan interest rate at 7.5% for 2013 assessments levied in the year 2014, recommending acceptance of report and place on file.
- 14-1192 Report of Board of Public Works of May 14 & 28, 2014 on 2013 Special Assessments, recommending acceptance of report and approval of the assessments.

9. Public Safety Committee

- 14-1143 Fire Department Monthly Report for April 2014, recommending placing on file.
- 14-1144 Police Department monthly report for April 2014, recommending placing on file.

K. 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

- 14-1171 Petition from Charlotte Sobel for direct annexation of approximately 2.25 acres of land from the Town of Newton to the City of Manitowoc, area known as Viebahn South #27.
- Moved by McMeans, seconded by Hennessey, that this Petition be referred to the Plan Commission. The motion carried by the following vote:

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

2. Finance Committee

14-1139 Agreement with SpyGlass Group, LLC to conduct a primary telecommunications service audit

Moved by Sitkiewitz, seconded by McMeans, that this Agreement be entered into per City policy. The motion carried by the following vote:

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1169 Appointments to Capital Allocation Working Group per Resolution 13-086 for term June 1, 2014 through May 31, 2016: Chad Scheinoha, Operations Assistant; Police Chief Oscar Dick; Fire Chief Todd Blaser; Rahr-West Art Museum Director Greg Vadney; Director of Public Infrastructure Dan Koski; Transit/Building & Grounds Team Leader Jim Muenzenmeyer; Finance Director/Treasurer Steve Corbeille.

Moved by Sitkiewitz, seconded by McMeans, that these Appointments be approved. The motion carried by the following vote:

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

3. Licensing, Permits and Inspections Committee

14-1173 Petition of Abbey Ridge LLC for vacation of a portion of Ravenswood Lane west of N. 18th Street.

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

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1174 Quit Claim Deed from Charlotte J. Sobel, for .12 acres of land for street purposes.

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

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1179 Request from Manitowoc Yacht Club to build storage garage on the land leased from the City of Manitowoc.

Moved by Brey, seconded by Soeldner, that this Request be approved according to the lease between the City and the Manitowoc Yacht Club. The motion carried by the following vote:

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1204 Quit Claim Deed from Manitowoc Cinema LLC containing .17 acres of land for So. 44th Street purposes.

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

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

4. Parks and Recreation Committee

14-830 Request by Discover Eastern Wisconsin Disc Golf organization to allow dogs in Indian Creek and Silver Creek Parks

This Action Item was discussed and it was clarified that prior 5/19/14 Council action was to allow leashed dogs on disc golf course at Indian Creek Park.

14-1168 Special Events Request from Manitowoc Sunrise Rotary Club for use of sidewalks and streets in and near Lincoln Park for annual run event on October 18, 2014 on the route detailed herein. Also referred to Public Infrastructure Committee.

Moved by Sladky, seconded by Schema, that this Special Events Request be granted with same terms as 2013. The motion carried by the following vote:

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1181 Special Events Request from Lakeshore Humane Society for use of sidewalks and streets in and near Lincoln Park for 28th Annual Walk for Kindness event on September 20, 2014 on the route detailed herein. Also referred to Public Infrastructure Committee.

Moved by Sladky, seconded by Schema, that this Special Events Request be granted with 2013 terms. The motion carried by the following vote:

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1187 Special Events Request of Painting Pathways Clubhouse to hold 5k walk/run on September 13, 2014, utilizing sidewalks and Lincoln Park, with waiver of fee request attached. (Copy to Public Infrastructure Committee).

Moved by Sladky, seconded by Schema, that this Special Events Request be granted with same terms as 2013. The motion carried by the following vote:

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1189 Contract with Friends of the Manitowoc Aquatic Center, Inc. relative to miniature golf course installation.

Moved by Sladky, seconded by Schema, that this Contract be entered into. The motion carried by the following vote:

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

5. Personnel Committee

14-1184 Job Description for Community Development Director.

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

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and
McMeans

6. Public Infrastructure Committee

14-1156 Contract with Lakeland Landscape Service to perform restoration work and reseeded of the banks of the Dewey Street Stormwater Detention Pond for the sum of \$7,656.00.

Moved by Soeldner, seconded by Brey, that this Contract be entered into. The motion carried by the following vote:

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and
McMeans

7. Public Safety Committee

14-284 Communication from Municipal Judge Steve Olson concerning Municipal Court Staffing.

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

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and
McMeans

14-642 Communication from Judge Olson updating the Committee on Municipal Court staffing issues.

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

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and
McMeans

14-930 Communication from Federal-Mogul Corporation relative to placing signs to direct semi traffic to their shipping and receiving docks on Fairmont.

Moved by Able, seconded by Shaw, that this Communication be placed on file. It was noted that Federal Mogul is working with the City to create signage. The motion carried by the following vote:

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and
McMeans

14-997 Ordinance to amend Section 14.330(3) of the Municipal Code regarding concealed weapons.

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

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-998 Ordinance to amend Section 10.390 of the Municipal Code prohibiting parking on a portion of Windiate Street.

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

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1008 Ordinance to amend Section 14.390(2) of the Municipal Code regarding Habitual Truancy.

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

Aye: 9 - Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

8. Licenses

#25A Transfer and Change of Agent for "Class B" Retail Intoxicating Liquor & Fermented Malt Beverage license for year ending 6/30/14; #67A and #70 for "Class B" Retail Intoxicating Liquor & Fermented Malt Beverage license for year ending 6/30/14; #55-58 for "Class B" Retail Intoxicating Liquor & Fermented Malt Beverage license for year ending 6/30/15; #68 for Retail Intoxicating Liquor & Fermented Malt Beverage license for year ending 6/30/14 subject to meeting conditions stated in Fire Chief Memo dated 5/21/14 and Building Inspector's Memo dated 5/27/14; #36-37 for Temporary Class "B" license; #11 for Secondhand Article Dealer license; #3 for Temporary Operator's license; #1-3 for 2014-15 One Year Operator's License; #375-379 for 2013-15 Two Year Operator's license; #40-50, 52-56, 58-79, 81, 83-90 for 2014-16 Two Year Operator's license; #3-6 for Stock Car Races/Racing Exhibitions, Etc. permit. Moved by Brey, second by Soeldner, and unanimously carried to grant the various licenses as shown on the Committee's report. Ayes, 9. Nays, none.

#57 for 2014-16 Two Year Operator's license recommending denial based upon the recommendations from the Police Chief or designee. Moved by Brey, second by Soeldner, and unanimously carried to deny the license. Ayes, 9. Nays, none.

L. ADJOURN

Moved by McMeans, second by Hennessey, and unanimously carried to adjourn at 7:34 p.m. Ayes, 9. Nays, none.

Jennifer Hudon
City Clerk