



City of Manitowoc

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

Meeting Minutes Common Council

14-1176

Monday, May 19, 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: 10 - Mike Howe, Jim Brey, Keith W. Shaw, Allan Schema, Eric Sitkiewitz, Jason Sladky, Jill Hennessey, Christopher Able, Dave Soeldner and Scott McMeans

C. PLEDGE OF ALLEGIANCE

D. INVOCATION

City Clerk announced that the various documents have been referred to the appropriate committees as shown on the May 19, 2014 Common Council agenda.

E. PRESENTATIONS

14-1053 Presentation by Manitowoc Area Visitor and Convention Bureau on Sales Manager Position.

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

14-1114 Appointment of Jan Algozine, Silver Lake College Representative, to Transit Development Plan Review Committee for period ending 4/30/16.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

H. RECESS

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.

Call back to order.

I. CONSENT AGENDA

Removal of Consent Agenda Items: Alderperson Brey removed document 14-1110 from the Consent Agenda.

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: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

Miscellaneous

- 14-1055 Minutes of Common Council of Monday, May 5, 2014, recommending approval and place on file.
- 14-1057 Minutes of Common Council Organizational Session of Tuesday, April 22, 2014, recommending approval and place on file.
- 14-1067 Communication from Coulee Region Prayer Consortium relative to prayer at public meetings, recommending placing on file.
- 14-1068 Communication from State of Wisconsin Department of Natural Resources has reissued WPDES Municipal Separate Storm Sewer System General Permit, recommending placing on file.

3. Committee of the Whole

- 14-1082 Proposal from Herald Times Reporter to publish council proceedings, legal notices, display ads and ordinances, for the contract year beginning June 1, 2014, recommending acceptance and enter into contract.
- 14-1113 General City Claims in the amount of \$644,364.54 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. Licensing, Permits and Inspections Committee

- 14-946 PC15-2014/PC17-92: Schweppe; Request for a Conditional Use Permit (CUP) for Operation of a Group Child Care Center at 1501 N. Rapids Road Pursuant to Section 15.110(3)(c) of the Manitowoc Municipal Code, recommending placing on file.

14-956 PC1-2014: MPU; Request for Utility Easements from the City of Manitowoc in Block 230 of the Original Plat, recommending placing on file.

14-1109 Report of City Plan Commission relative to MPU's request for utility easement for placement of an above ground pad transformer at two sites, recommending Council approve entering into the utility easement and determine a strategy for replacement of lost green space, recommending acceptance of report and placing on file.

5. Parks and Recreation Committee

14-1088 Report of Board of Public Works of March 2, 2011, for 4th and Final payment to Martenson & Eisele, Inc. for Parks, Recreation Open Space Plan, recommending acceptance and placing on file.

6. Personnel Committee

14-1032 **Plan Documents and Summary Plan Descriptions for the City's Employee Health, Preventive Dental and Enhanced Dental Plans, recommending entering into the contracts.**

7. Public Infrastructure Committee

14-1115 Report of Board of Public Works of May 13, 2014 for 1st and final payment to Northern Pipe Equipment, Inc. in the amount of \$43,005.55 for 2014 Televising Miscellaneous Sewers I, Project WU-14-5, recommending payment.

14-1116 Report of Board of Public Works of May 13, 2014 for 1st and final payment to A.C.E. Building Services in the amount of \$18,618.00 for Marina Dock Repairs, recommending payment.

J. 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

14-1047 Addendum to Wireless Telecommunications Service Agreement

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

- 14-1054** Resolution to carry forward to 2014 departmental budgets various appropriations budgeted in 2013.
- Moved by Sitkiewitz, seconded by McMeans, that this Resolution be adopted. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-1089** Resolution authorizing the submittal of a Site Assessment Grant (SAG) by the City to the Wisconsin Economic Development Corporation for the former Mirro Plant 9 at 1512 Washington Street.
- Moved by Sitkiewitz, seconded by McMeans, that this Resolution be adopted. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

3. Licensing, Permits and Inspections Committee

- 14-1056** Request from Manitowoc Yacht Club to extend liquor license premise on July 4, 2014, to a tent on the east side of their property, per attached map.
- Moved by Brey, seconded by Howe, that this Request be approved according to City policy. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-1059** Request from The Friends of the Manitowoc Family Aquatic Center Board to waive fees for the building permits for the construction of the Miniature Golf Course.
- Moved by Brey, seconded by Howe, that this Request be approved. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-1064** Request from SMI as representative of Abbey Ridge LLC for a change to the official map eliminating a portion of Ravenswood Lane per attached map.
- Moved by Brey, seconded by Howe, that this Request be referred to the Plan Commission. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-1065** Request from SMI as representative of Abbey Ridge LLC for a street vacation for a portion of Ravenswood Lane per attached map.
- Moved by Brey, seconded by Howe, that this Request be referred to the Plan Commission. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

- 14-1084** Resolution providing for the installation of eleven (11), non-ornamental, 250 Watt, Cobra style, high pressure sodium street lights in the 6700 and 6800 blocks of Calumet Avenue.
- Moved by Brey, seconded by Howe, that this Resolution be adopted. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-1110** Report of City Plan Commission relative to request from Schweppe for a conditional use permit for the operation of a child care center at 1501 N. Rapids Rd. recommending that Council approve the CUP subject to attached terms and conditions, recommending acceptance of report and placing on file.
- Moved by Brey, seconded by Howe, that this Report be approved. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-1111** Report of City Plan Commission relative to request of Manitowoc Lutheran High School to rezone a portion of property at 4045 Lancer Circle from R-2 to I-1 for a future telecommunication facility.
- Moved by Brey, seconded by Howe, that this Report be accepted and placed on file, with Clerk to call for Public Hearing on June 16th. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-1112** Report of City Plan Commission relative to Manitowoc Lutheran High School request for a conditional use permit for a future telecommunications tower, recommending Council issue the CUP subject to the conditons outlined herein.
- Moved by Brey, seconded by Howe, that this Report be accepted and placed on file. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

4. Parks and Recreation Committee

- 14-823** Lincoln Park campground rules and ordinances
- Moved by Sladky, seconded by Schema, that these Camping Rules be adopted. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-830** Request by Discover Eastern Wisconsin Disc Golf organization to allow dogs in Indian Creek and Silver Creek Parks
- Moved by Sladky, seconded by Schema, that this Action Item be granted for Indian Creek Park but not Silver Creek. The motion carried by the following vote:**

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

- 14-934** Special Events Request from Discover Eastern Wisconsin Disc Golf to hold Silver Cup XIV Disc Golf Tournament on June 26-29, 2014 at Silver Creek Park and waiver of fees request.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

- 14-1090** Report of City Planner David Less relative to proposed site assessment grant (SAG) application for 1512 Washington Street (former Mirro Plant 9).

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

- 14-1094** Request from the Friends of the Citizen Park Recreation Center that the name of the building be officially changed to the Citizen Park Recreation Center and a sign be constructed and placed in front of the building

Moved by Sladky, seconded by Schema, that this Action Item be granted to name the building "Citizen Park Recreation Center". The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

5. Personnel Committee

- 14-1127** Resolution to approve the hiring of an additional Clerk I in the Police Department and attached job description, at Grade E, Step 1 of the Compensation Plan and Employee Policy Manual, as detailed therein.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

- 14-1128** Resolution to approve the rehiring of Taylor Albright for seasonal employment per Section 20.030 of the Municipal Code.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1130 Resolution to hire a replacement full-time Fleet Mechanic in the Department of Public Infrastructure Fleet Maintenance Shop, at Grade H, Step 1, as detailed therein.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

6. Public Infrastructure Committee

14-1058 Special Events request from Two Rivers Main Street for Cool City Classic Car Cruise on June 27, 2014 utilizing City streets with waiver of fees attached.

Moved by Soeldner, seconded by Brey, that this Special Events Request be approved with waiver of fee. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1062 Communication from Graphic House Inc. to place sign in the right of way for Manitowoc Area Visitor & Convention Bureau Center.

Moved by Soeldner, seconded by Brey, that this Communication be approved and City Attorney directed to draft SPA. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1063 Communication from Village Square tenants to place flower pots in City right of way.

Moved by Soeldner, seconded by Brey, that this Communication be approved. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1066 Request from SMI as representative of Abbey Ridge LLC for a vacation of a sanitary sewer easement along Ravenswood Lane and Ebony Avenue.

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

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

14-1076 Special Events Request from St. Francis of Assisi Parish to hold their 2014 Parish Picnic on August 15 - 16, 2014, closing N. 14th Street between Waldo and Menasha, including the sale of beer. (Copy to Licensing, Permits & Inspections)

Moved by Soeldner, seconded by Brey, that this Special Events Request be approved. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

- 14-1085** 2014 Urban Mass Transit Operating Assistance Grant Agreement between Wisconsin Dept. of Transportation and City of Manitowoc.
- Moved by Soeldner, seconded by Brey, that this Agreement be entered into. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-1086** 2014 Small Urban Operating Assistance Grant Agreement between State of Wisconsin and City of Manitowoc.
- Moved by Soeldner, seconded by Brey, that this Agreement be entered into. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans
- 14-1087** Federal Certifications and Assurances for 5311 Grant Agreements with Manitowoc Maritime Metro Transit for the calendar year 2014.
- Moved by Soeldner, seconded by Brey, that this Action Item be accepted and placed on file. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

7. Public Safety Committee

- 14-1060** Special Event Request from Manitowoc Two Rivers YMCA to hold Manitowoc Two Rivers YMCA Triathlon on August 23, 2014 from 7:00 am to 11:00 am utilizing City equipment and traffic control, as detailed therein. (Copy to Public Infrastructure Committee).
- Moved by Able, seconded by Shaw, that this Special Events Request be approved. The motion carried by the following vote:**
- Aye:** 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

8. Licenses

#19-20 for Class "A" Retail Fermented Malt Beverage license; #5-6 for Class "B" Retail Fermented Malt Beverage license; #48-54 for "Class B" Retail Intoxicating Liquor & Fermented Malt Beverage license; #3 for "Class C" Wine license; #10 for Secondhand Article Dealer license; #365-372 & #374 for 2013-15 Two Year Operator's license; #34-39 for 2014-16 Two Year Operator's license for granting. Moved by Brey, second by Howe, and unanimously carried to grant the various licenses. #373 for 2013-15 Two Year Operator's license recommending denial based upon the recommendations from the Police Chief or designee. Moved by Brey, second by Howe, and unanimously carried to deny the license. Ayes, 10. Nays, none.

N. ADJOURN

Moved by McMeans, seconded by Hennessey, that Common Council adjourned at 8:06 p.m. The motion carried by the following vote:

Aye: 10 - Howe, Brey, Shaw, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

**Jennifer Hudon
City Clerk**