

17-0401



City of Manitowoc

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

Meeting Minutes

Common Council

Monday, March 20, 2017

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

17-0278 Commendation by Mayor Nickels to commend, congratulate and wish a happy retirement to K9 Uly.

17-0315 Update on Mirro Building (1512 Washington Street) Demolition by Stantec.
Update given by Stantec representative.

E. PUBLIC HEARINGS

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

H. CLOSED SESSION

Mayor Nickels read the notice to go into closed session.

Moved by Brey, seconded by Sitkiewitz, that this meeting convene in closed session. The motion carried by the following vote:

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

Notice is hereby given that the above governmental body may adjourn into a closed session during the meeting as authorized by Section 19.85(1)(c) of the Wisconsin Statutes, which authorizes the governmental body to convene in closed session for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

The specific subject matter that may be considered in closed session is:

17-0308 Wastewater Treatment Facility Superintendent Salary Negotiation.

Common Council deliberated in closed session. (Redacted - - Closed Session).

I. RECONVENE IN OPEN SESSION

Moved by Howe, seconded by Able, that this meeting reconvene in open session.
The motion carried by the following vote:

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

J. CONSENT AGENDA

1. Removal of Consent Agenda Items

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

17-0280 Minutes of Common Council meeting of February 20, 2107, recommending approval and place on file.

17-0288 Thank You from Governor Scott Walker for sharing our resolution, recommending placing on file.

17-0289 Public Notice of Air Pollution Control Permit application review of Broadwind Towers, 101 S. 16th Street, Manitowoc, recommending placing on file.

3. Committee of the Whole (Consent)

17-0298 Report of Special Events Committee recommending approval of the following events subject to Council action: WindigoFest/MonsterFest and Parade on 10/6 and 10/7/17 (Street Closures; Parking Restrictions; Noise Ordinance Waiver; Alcohol on City Property; Lift Downtown Parking Restrictions); Memorial Day Parade on 5/29/17 (closure of 8th Street from Marshall to Huron, Huron from N. 8th to N 18th, & N 18th from Michigan to the Veterans Memorial); recommending approvals.

17-0299 Report of Special Events Committee relative to approval of the following events: Children's Safety Network Family Fun Night on 4/28/17; Waiver of Fees Art at the Zoo on 4/29/17; Waiver of Fees Kids' Art at the Zoo on 5/7/17; Manitowoc Safety Patrol Picnic on 5/17/17; Manitowoc Sunrise Rotary Run/Walk on 10/21/17; Richard Luebke Benefit on 3/31/17, recommending acceptance of report and place on file.

4. Finance Committee (Consent)

17-0220 Write off Personal Property Taxes due to palpable error on parcel 000-918-386 Crown Credit Company \$1,862.71, recommend approval.

17-0248 Request Carryforward of unspent 2016 Vehicle Acquisition Funds in the amount of \$42,768.30 to 2017 Budget for the purchase of a used squad car from Village of Valders (\$23,000) and other 2017 vehicle purchases, recommend approval.

17-0256 License Refund Petskull Brewing Company LLC Class "B" License fees of \$58.34, recommending approval.

17-0258 Possible Property Purchase as part of the road project located at S 10th St and Dewey St., recommending approval to pursue purchase.

17-0285 General City Claims in the amount of \$1,476,891.62 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.

5. Personnel Committee (Consent)

6. Public Infrastructure Committee (Consent)

17-0133 Grass Cutting & Trimming Services for Properties in Non-Compliance with City Weed Ordinance Contract with Ecology Technology, Inc., recommending entering into the contract.

17-0261 Annual Request from David Naidl to place crosses at Evergreen Cemetery the week prior to Easter, recommending approval.

17-0263 DNR MS4 Annual Permit - 2016 Accomplishments, recommending acceptance and place on file.

- 17-0264 Permission to operate a Mobile Cookie Booths on City property, recommended approving request.
- 17-0279 Report of Board of Public Works of February 22, 2017, of bids received for 2017 Seal Coating, Project WS-17-6, recommending awarding to low bidder, Scott Construction, Inc. in the amount of \$154,763.26.
- 17-0283 Report of Director of Public Infrastructure Dan Koski of Tonnage Report for the year ending 12/31/16.
- 17-0286 Report of Board of Public Works of March 8, 2017, of bids received for Silver Creek Fieldhouse Renovations, Project WB-17-13, recommending awarding to low bidder, Hamann Construction in the amount of \$213,202.00.
- 17-0287 Report of Board of Public Works of March 8, 2017, of bids received for 2017 Remove and Replace Existing Sidewalks, Project WS-17-3, recommending awarding to low bidder, Seiler Bros. Construction Inc. in the amount of \$105,185.00.
- 17-0296 Report of Board of Public Works of March 13, 2017, of quotes received for Three New 2018 Ford Utility All-Wheel Drive Police Interceptors (Option K8A) for Police Department, QE-17-2, recommending awarding to low bidder, Ewald Chevrolet/Ford in the amount of \$84,796.00.
- 17-0297 Report of Board of Public Works of March 13, 2017, of quotes received for Ready Mixed Concrete to be used by the Department of Public Infrastructure Operations Division during the 2017 construction seasons, QE-17-1, recommending awarding to low bidder, R & J Fricke in the amount of \$67,575.00.

7. Public Safety Committee (Consent)

K. STANDING COMMITTEE REPORTS

1. Committee of the Whole

- 17-0143 Ordinance to amend Section 11.010(10)(d) of the Municipal Code regulating "Class A" license regulations relative to intoxicating liquor sales only.

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

Aye: 6 - Brey, Howe, McMeans, Sitkiewitz, Kummer and Czekala

Nay: 3 - Soeldner, Sladky and Able

17-0290

Resolution urging Governor and Legislature to protect homeowners and main street businesses from having even more of the property tax burden shifted to them.

Moved by Brey, 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

2. Finance Committee

17-0291

Statement of the Board of Canvassers relative to February 22, 2017 Primary Election for D. 7 Alderpersons.

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

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

17-0300

Resolution to backfill an Administrative Support Specialist position in the Finance Department - Clerk's Division, due to a resignation.

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

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

Nay: 1 - Sladky

17-0305

Resolution to enter into agreement with Carlson Dettmann Consulting, LLC for market measurement and pay plan management services of the City's original compensation step plan.

Moved by McMeans, seconded by Sitkiewitz, that this Resolution be adopted and enter into the attached agreement. The motion carried by the following vote:

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

3. Personnel Committee

17-0311

Recommendation from Room Tax Commission to utilize up to \$4,000.00 from the undesignated room tax reserves for trail counters on Mariner's Trail.

Moved by McMeans, seconded by Sitkiewitz, that this Action Item be approved to use undesignated room tax not to exceed \$4,000 for the trail counters. The motion carried by the following vote:

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

17-0222 Resolution adopting revised Employee Policy Manual updates.

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

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

17-0225 Resolution to approve revised job descriptions within the Department of Public Infrastructure, WWTF, and Police departments.

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

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

17-0234 Resolution to allow immediate posting of job openings in hiring process.

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

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

17-0303 Resolution to approve backfilling of Rahr-West Art Museum Security Guard.

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

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

17-0304 Resolution to approve the hiring of a replacement Wastewater Treatment Facility Chemist/Pretreatment Coordinator.

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

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

17-0306 Resolution to approve the backfilling of a Clerk Typist position within the Police Department.

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

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

17-0307 Resolution to enter into agreement with Associated Financial Group as our Benefits Broker for the City's Medical Plan.

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

Aye: 8 - Soeldner, Brey, Howe, Sladky, Able, Sitkiewitz, Kummer and Czekała

Abstain: 1 - McMeans

17-0309 Communication from Wisconsin Professional Police Association relative to the opening of contract negotiations - Manitowoc Police Department Employees Association.

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

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

4. Public Infrastructure Committee

17-0121 Proposed 2019 Reconstruction of CTH R and temporary access to Custer Lane

Moved by Soeldner, seconded by Howe, that this Request be approved with two separate engineering solutions, with the selected solution depending on timing of railroad bridge reconstructed. The motion carried by the following vote:

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

17-0262 Henry Vits Memorial Restoration Project - Washington Park

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, Sitkiewitz, Kummer and Czekała

17-0266 Request to place two (2) porta potties at Silver Creek Park (April-October).

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, Sitkiewitz, Kummer and Czekała

17-0281 Report of Board of Public Works of February 22, 2017, relative to delayed sanitary sewer assessment for parcel 812-303-109, with Board recommending reduction in assessment to \$3,519.00.

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

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

17-0284 Resolution approving Three Year Harbor Development Statement of Intentions for 2017-2019.

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

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

17-0294 Report of Harbor Commission relative to redevelopment of Canadian National Railroad property.

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

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

17-0295 Report of Harbor Commission relative to maintenance of whalers east of 8th Street Bridge.

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

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

17-0302 Demolition/Salvaging Application from Brandenburg Industrial Service Co. for Mirro Building, 1512 Washington Street.

Moved by Soeldner, seconded by Howe, 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

5. Public Safety Committee

17-0203 Sex Offender Residence Appeal for Mark A. Henseler with recommendation from Police Chief Nick Reimer to deny.

Moved by Able, seconded by Sladky, that this Request be denied and placed on file. The motion carried by the following vote:

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

17-0301 Contract with Bartolotta Fireworks (Wolverine Fireworks Display) for St. Patrick's Day Display on March 17, 2017.

Moved by Able, seconded by Sladky, 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

L. OTHER BUSINESS

M. ADJOURN

Meeting adjourned at 8:25 p.m.

**Jennifer Hudon
City Clerk**