

**COMMON COUNCIL
OFFICIAL JOURNAL**

Justin M. Nickels, Mayor

Jennifer Hudon, City Clerk
Tuesday, September 3, 2013

The Common Council of the City of Manitowoc, Wisconsin, met in regular session at the Council Chambers in City Hall, on Tuesday, September 3, 2013. Said meeting was duly called, noticed, held and conducted in the manner required by the Common Council and the pertinent Wisconsin Statutes.

Mayor Justin M. Nickels called the meeting to order at 7:00 p.m. and on roll call the following members were present: Alderpersons Jim Brey, Alan Schema, Mike Howe, Christopher Able, Jason Sladky, Scott McMeans, Eric Sitkiewitz, Tyler Martell and Jill Hennessey.

Absent: Alderperson Dave Soeldner.

Pledge of Allegiance.

Invocation.

City Clerk announced that the various documents have been referred to the appropriate committees as shown on the September 3, 2013 Common Council agenda.

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.

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.

Items removed from Consent Agenda: None.

Council President Hennessey announced that notice is hereby given that the above governmental body will adjourn to the First Floor Hearing Room – East for a closed session during the recess of 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 which will be considered in the closed session is the following: Discussion and possible action on performance of Fire Chief.

It was moved by Alderperson Sitkiewitz, seconded by Alderperson Sladky, and carried upon roll call to convene in closed session. Ayes, 8. Nays, 1. Alderperson Able voting nay. (*Mayor Nickels was absent during the vote*).

Committee of the Whole deliberated in closed session.

It was moved by Alderperson Sladky, second by Alderperson McMeans, and carried upon roll call to reconvene in open session. Ayes, 9. Nays, 1. Alderperson Able voting nay.

Call back to order.

Moved by Hennessey, second by Sladky, and unanimously carried to accept the Consent Agenda Items and recommendations of the various committees. Ayes, 9. Nays, none. Consent Agenda items approved as follows:

Items Placed on File

- 1) Minutes (13-471) of Wastewater Treatment Facility Board of 6/18/13.
- 2) Thank You (13-467) from The Haven of Manitowoc County for support to develop men's homeless shelter.
- 3) Notice (13-469) from Dept. of Natural Resources of intent to reissue a Wisconsin pollutant discharge elimination system permit to Lakeside Foods, 508 Jay St.
- 4) Thank You (13-470) from MDA Fill the Boot Campaign for City's support.
- 5) Approval of Minutes of the regular Common Council meetings of August 5 & 19, 2013.

As recommended by Committee of the Whole

- 6) General City Claims (13-479) in the amount of \$1,092,945.76 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.

As recommended by Finance Committee

None.

As recommended by Licensing, Permits & Inspections Committee

- 7) Communication (13-240) from David C. Neuser to either purchase a 33 foot parcel of land from the City or receive an easement to allow him to build a new home, recommending placing on file.
- 8) Public works petition (13-465) from CR Mini Storage LLC for permanent paving, sidewalks, storm and sanitary sewers and other public utilities to be installed on property abutting on S. 26th Street, as described therein, and shown on the attached map (Parcel No. 355-106-003), recommending acceptance of petition.
- 9) Quit Claim Deed (13-466) from CR Mini Storage LLC for 7,804 sq. ft. of land for S. 26th Street purposes, recommending referral to Plan Commission.
- 10) Correction Instrument (13-468) relative to S. 19th St. easement vacation, recommending referral to Plan Commission.
- 11) Quit Claim Deed (13-472) from Popp Enterprises, LLC for .27 acres for South 19th Street purposes, recommending referral to Plan Commission.
- 12) Quit Claim Deed (13-473) from Summit Pond LLC for .04 acres for South 19th Street purposes, recommending referral to Plan Commission.
- 13) Site Assessment Grant Contract (13-487) between Wisconsin Economic Development Corporation and City of Manitowoc regarding the former Rockwell Lime property, recommending entering into contract.

Licenses

- 14) #36 for Temporary Operator's License; #23 for One Year Operator's license; #235, 239-243 for Two Year Operator's license, recommending granting the various licenses, as shown on the Committee's report.

As recommended by Parks and Recreation Committee

- 15) Report (13-400) of Board of Public Works of Tuesday, July 23, 2013, regarding bids received for Red Arrow Park Beach Nourishment, Project WO-13-12, recommending awarding to low bidder, Express Excavating, Inc. in the amount of \$75,701.75.

As recommended by Personnel Committee

None.

As recommended by Public Infrastructure Committee

- 16) Request (10-506) from SMI as representatives of the Allie Family Partnership and St. Francis of Assisi Parish for a change to the Official Map removing three streets south of Michigan Ave. and west of N. Rapids Rd., recommending placing on file.
- 17) Report (13-475) of the Board of Public Works of August 28, 2013, recommending 30th and final payment to AECOM in the amount of \$648.43 for City Centre Dockwall HAP Construction Management #10-405, recommending payment.
- 18) Report (13-476) of the Board of Public Works of August 28, 2013, recommending 2nd and final payment to Mr. Otek Sign & Textile in the amount of \$9,757.00 for LED sign in Burger Boat Park, recommending payment.
- 19) Report (13-477) of the Board of Public Works of August 28, 2013, recommending 1st and final payment to Struck & Irwin Paving, Inc. in the amount of \$39,186.27 for 2013 Slurry Sealing Program, WS-13-6, recommending payment.

As recommended by Public Safety Committee

None.

Non-Consent Agenda Items

Committee of the Whole returned resolution (13-474) supporting the Sister City Relationship with the City of Kamogawa, recommending acceptance (adoption) of the resolution. Motion by Hennessey, second by Sladky, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Committee of the Whole returned Service Level Agreement (13-481) of Granicus, Inc., recommending acceptance. Motion by Hennessey, second by Sladky, and carried by acclamation to accept the Committee's report. Ayes, 8. Nays, 1.

Committee of the Whole returned Service Agreement (13-482) between Granicus, Inc. and City of Manitowoc recommending entering into the agreement. Motion by Hennessey, second by Sladky, and carried by acclamation to accept the Committee's report. Ayes, 8. Nays, 1.

Finance Committee returned Investment Policy (13-484) of City of Manitowoc, recommending adoption of policy and placing on file. Motion by McMeans, second by Able, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Licensing, Permits & Inspections Committee returned license #22 for One Year Operator's license, recommending denial of the license based upon the recommendations from the Chief of Police or designee. Motion by Brey, second by Hennessey, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Licensing, Permits & Inspections Committee returned resolution (13-388) to vacate a portion of So. 19th Street, north of Summit Street and south of Dewey Street, recommending adoption of the resolution. Motion by Brey, second by Hennessey, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Licensing, Permits & Inspections Committee returned ordinance (13-389) to amend Section 22.010 of the Manitowoc Municipal Code entitled "Official Map – Master Subdivision Plans" for an area located at S. 19th Street, north of Summit Street, recommending adoption of the ordinance. Motion by Brey, second by Hennessey, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Licensing, Permits & Inspections Committee returned Quit Claim Deed (13-486) from City of Manitowoc to Kevin J. and Wendy L. Ramminger for a 1,644 square foot parcel of land on Broadway Street, recommending referral to Plan Commission. Motion by Brey, second by Hennessey, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Parks and Recreation Committee returned request (13-488) from Zoological Society to build new cat enclosure at Lincoln Park Zoo at their own expense, recommending granting request upon final Infrastructure Department approval. Motion by Sladky, second by Schema, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Parks and Recreation & Public Infrastructure Committees returned Special Events Request (13-462) from MPPA to hold MPPA Police Chase 4 mile run/walk on October 5, 2013, utilizing Red Arrow Park, Silver Creek Park, and city streets as detailed in attached map, jointly recommending granting request per City policy and waiver of fees. Motion by Sladky, second by Schema, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Parks and Recreation & Public Infrastructure Committees returned Special Events Request (13-483) from Mainly Manitowoc to hold Manitowalker and HarvestFest on October 5, 2013 utilizing Burger Boat Park and with walking route attached, jointly recommending granting request per City policy. Motion by Sladky, second by Schema, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Parks and Recreation Committee returned Special Events Request (13-485) from Sunrise Optimist Club to hold Art in the Park on October 5, 2013, in Washington Park, with Waiver of Fee request attached, recommending granting request per City policy with 50% waiver of fees. Motion by Sladky, second by Schema, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Infrastructure Committee returned Special Event Request (13-426) from Shady Lane requesting street closures as detailed therein for their Run/Walk for a Cause benefit on September 14, 2013, recommending approval of the request according to City policy. Motion by Brey, second by Sladky, and carried by acclamation to accept the Committee's report. Ayes, 9. Nays, none. Abstained, 1. Alderperson McMeans abstaining.

Public Infrastructure Committee returned request (13-463) from Suburban Sports to sell novelties along the parade route at the Lakeshore Holiday Parade and St. Patrick's Day Parade, recommending approval of request and placing on file. Motion by Brey, second by Sladky, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Mayor announced that the next regular meeting of the Common Council will be on Monday, September 30, 2013.

Moved by Alderperson Able to approve request (13-441) from Niagara Worldwide LLC to waive requirement for letter of credit for acquisition of Demolition Permit for 1512 Washington Street. Motion failed for lack of a second.

Moved by Alderperson Hennessey, second by Alderperson Sladky, and unanimously carried, Common Council adjourned at 8:53 p.m. Ayes, 9. Nays, none.

Respectfully submitted,

Jennifer Hudon, City Clerk