

COMMON COUNCIL
OFFICIAL JOURNAL

Justin M. Nickels, Mayor

Jennifer Hudon, City Clerk
Monday, February 3, 2014

The Common Council of the City of Manitowoc, Wisconsin, met in regular session at the Council Chambers in City Hall, on Monday, February 3, 2014. 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 Dave Soeldner, Jim Brey, Alan Schema, Mike Howe, Christopher Able, Jason Sladky, Scott McMeans, Eric Sitkiewitz, Tyler Martell and Jill Hennessey.

Absent: None.

Pledge of Allegiance.

Invocation.

City Clerk announced that the various documents have been referred to the appropriate committees as shown on the February 3, 2014 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.

During recess, Finance Committee held a discussion relative to agreement (14-070) for management of Farmers' Market with Mainly Manitowoc of the day-to-day operations of the Market. Moved by Sitkiewitz, second by McMeans, to approve the agreement with the following amendments: 1) In Paragraph V, remove the \$4,000 startup fund and replace with reimbursement of actual costs for marketing and mailing; and 2) In Paragraph III, change terms to reflect either party having the option of termination within 60 days notice each year in the two-year term. Ayes, 2. Nays, 3. Motion failed.

Moved by Brey, second by Able, to table the matter. Ayes, 3. Nays, 2. It was tabled.

Call back to order.

Items removed from Consent Agenda: Alderperson Brey requested item 14-048 be removed from the consent agenda.

Moved by Hennessey, second by Sladky, and unanimously carried to accept the Consent Agenda Items and recommendations of the various committees. Ayes, 10. Nays, none. Consent Agenda items approved as follows:

Placed on File

- 1) Approval of Minutes of the regular Common Council meeting of January 20, 2014, recommending approval of minutes and placing on file.
- 2) Minutes (14-065) of Citizens Advisory Committee of 10/1/13 & 11/5/13; Crime Prevention Committee of 1/2/14; GLU West Power Supply Project Committee of 12/17/13; Plan Commission of 9/11/13; MIRA Steering Committee of 1/23/14; Manitowoc Public Utilities Commission of 12/18/13;

Wastewater Treatment Facility Board of 12/10/13, recommending placing on file.

As recommended by Committee of the Whole

- 3) General City Claims (14-043) in the amount of \$1,407,750.44 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 Licensing, Permits & Inspections Committee

- 4) Application (13-635) from Silver Lake College of the Holy Family, Inc. for a change in zone from R1 and R6 to B2 for property located at 2406 S. Alverno Road, recommending placing on file.
- 5) Application (13-640) from Bamco and Wisconsin Redevelopment for change in zone from I-2 to B-2 for property at 2402 Franklin St., recommending placing on file.

As recommended by Parks and Recreation Committee

- 6) Report (14-045) of Board of Public Works of January 29, 2014, recommending 4th and final payment to Schaus Roofing & Mechanical Contractors in the amount of \$9,026.50 for 2013 CP Armory HVAC Replacement, WB-13-13, recommending payment subject to receipt of Affidavit of Compliance of Wage Rates.
- 7) Report (14-047) of Board of Public Works of January 29, 2014, recommending 1st and final payment to E. F. Becker & Sons, Inc. in the amount of \$6,895.00 for fence at Dewey Street Park, Project 13-594, recommending payment.
- 8) Request (14-052) from Manitowoc Amateur Baseball, Inc. to extend their non-exclusive license for the period May 1, 2014 through August 31, 2014, recommending acceptance and place on file.

As recommended by Public Infrastructure Committee

- 9) Report (14-044) of Board of Public Works of January 29, 2014, recommending 9th and final payment to MSA Professional Services in the amount of \$742.00 for Dufek Drive Stormwater Pond Design, recommending payment.
- 10) Report (14-046) of Board of Public Works of January 29, 2014, recommending 1st and final payment to Luisier Plumbing, Inc. in the amount of \$7,765.00 for backflow protection and marking non-potable water at DPW Service Building, Project 13-538, recommending payment.
- 11) Public Works Petition (14-061) from David W. Maltby for permanent paving, sidewalks, storm and sanitary sewers and other public utilities to be installed on property abutting S. 26th Street, as described therein and shown on the attached map, recommending acceptance of petition with copy to be sent to Director of Public Infrastructure.
- 12) Quit Claim Deed (14-062) from David W. Maltby for .18 acres of land for S. 26th Street purposes, recommending referral to Plan Commission.

As recommended by Public Safety Committee

- 13) Ambulance Service Agreement (14-050) with Manitowoc County Expo for service on January 25, 2014, at the Expo, recommending entering into the agreement.

- 14) Report (14-056) of 2013 Municipal Court Revenues & Caseload Statistics, recommending acceptance and place on file.

Licenses

- 15) License #8 "CLASS A" RETAIL INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE; #2 "CLASS B" FERMENTED MALT BEVERAGE LICENSE Change of Agent; #8 (Beer) and #1 (Wine) CLASS "B" TEMPORARY BEER & TEMPORARY WINE LICENSE; #315-16 TWO YEAR OPERATOR'S LICENSE – 2013-15

Non-Consent Agenda Items

Committee of the Whole returned resolution (14-013) increasing the Police Chief's salary from a Classification 22, Step 9 of the Performance Based Compensation Schedule, with an hourly rate of \$43.78 to an hourly rate of \$46.19 per hour effective immediately and \$48.59 per hour effective January 1, 2015, recommending adoption of the resolution. Motion by Hennessey, second by Able, and carried by acclamation to accept the Committee's report. Ayes, 9. Nays, 1.

Finance Committee returned agreement (13-663) to Provide Services between Manitowoc Public Utilities and City of Manitowoc for performance of IT services and related functions for a 5-year period, recommending entering into the agreement and placing on file. Motion by McMeans, second by Able, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Finance Committee returned agreement (14-060) with Institutional Capital Management, Inc. as an investment advisor, recommending entering into the agreement and place on file. Motion by McMeans, second by Able, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Finance Committee returned resolution (14-068) providing for the sale of approximately \$4,030,000 General Obligation Promissory Notes, recommending adoption of the resolution and placing on file. Motion by McMeans, second by Able, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Licensing, Permits & Inspections Committee returned report (14-048) of Manitowoc Industrial Development Corporation advising of their action to approve funding towards the proposed Wisconsin Redevelopment project of the former Mirro Plant #3 building at Franklin Street, as detailed therein, recommending acceptance of report and placing on file. Motion by Brey, second by McMeans, and carried by acclamation to accept the Committee's report. Ayes, 9. Nays, 1.

Parks and Recreation Committee returned communication (14-049) from Tony Fodden for the Manitowoc Youth Baseball Association for approval of their proposal to develop and construct a full-sized baseball field at Dewey Park this year directly west of the new Miracle League Field, recommending approval of plan. Motion by Sladky, second by Schema, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Parks and Recreation Committee returned Mariner's Trail Permit (14-066) from Manitowoc Two Rivers YMCA for Healthy Kids Day on April 26, 2014, from 8:30 a.m. to 12:30 p.m., recommending granting request. Motion by Sladky, second by Schema, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Infrastructure Committee returned Stormwater Management Facility Maintenance Agreement (14-051) with Merwynn Trade Group, LLC for property located at 3900 Calumet Avenue, recommending entering into agreement. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Infrastructure Committee returned communication (14-053) from Sprint Spectrum L.P. advising the necessity for Sprint to make certain physical modifications to equipment located at 736 Revere Dr. in accordance with antenna collocation lease agreement with the City, recommending entering into agreement. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Infrastructure Committee returned contract (14-054) with State of Wisconsin Department of Transportation for 2014 urban mass transit paratransit assistance, recommending entering into agreement. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Infrastructure Committee returned special events request (14-058) from Midwest LLC for sale of novelties at St. Patrick's Day parade route on March 14, 2014, recommending approval of request. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Infrastructure Committee returned special events request (14-059) from Rahr-West Art Museum to hold Sputnikfest on September 5-6, 2014, at Rahr-West and close a portion of Park Street, as detailed therein, and waiver of inter-departmental fees, recommending approval subject to City policy with waiver of interdepartmental fees. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Infrastructure Committee returned report (14-063) of Board of Public Works of January 29, 2014, regarding bids received for 2014 Sewer Re-Lining, Project WU-14-7, recommending awarding project to low bidder, Michels Corporation in the amount of \$284,057.00. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Infrastructure Committee returned report (14-064) of Board of Public Works of January 29, 2014, regarding bids received for WWTF – Waste Gas Burner Replacement, Project WO-14-2, recommending awarding to low bidder, J.F. Ahern Co. in the amount of \$84,200.00. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Infrastructure Committee returned Construction Management Agreement (14-067) with A.C.E. for 2013 Hail Damage Repairs, recommending entering into agreement. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Infrastructure Committee returned resolution (14-069) in support of the Little Manistowoc River Partnership groups Little Manistowoc River Conservancy and Coastal Wetland Project, recommending adoption. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Moved by Alderperson Hennessey, second by Alderperson Sladky, and unanimously carried, Common Council adjourned at 8:00 p.m. Ayes, 10. Nays, none.

Respectfully submitted,

Jennifer Hudon, City Clerk