

**COMMON COUNCIL**  
**OFFICIAL JOURNAL**

Justin M. Nickels, Mayor

Jennifer Hudon, City Clerk

Monday, December 5, 2011

The Common Council of the City of Manitowoc, Wisconsin, met in regular session at the Council Chambers in City Hall, on Monday, December 5, 2011. 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 Jason Sladky, Dave Soeldner, Allan Schema, Collin Braunel, Jill Hennessey, Matt Kadow, James N. Brey, Scott McMeans, Alex J. Olson and Christopher Able.

.Absent: None.

Pledge of Allegiance.

Invocation.

Minutes of the regular session of November 21, 2011, were approved as distributed by the City Clerk.

City Clerk announced that the various documents have been referred to the appropriate committees as shown on the December 5, 2011 Common Council agenda.

Mike Andrastek and Chris Cerkas presented trophies for 2011 Lakeshore Holiday Parade.

Jamie Zastrow, Executive Director of Mainly Manitowoc, along with other Board members gave their annual presentation to the Council.

Resolution (11-802) requesting Mayor present to Finance Committee the First 3-5 Year Financial Plan by the first regular Common Council meeting in May, commencing May, 2012, with updates yearly, was referred to Committee of the Whole.

Resolution (11-803) requesting Mayor present to Common Council annually a detailed Strategic Plan at first regular Council Meeting in May, commencing May 2012, with updates yearly, was referred to Committee of the Whole.

Mayor submitted the list of persons to be appointed to serve as election officials and nursing home deputies in the City of Manitowoc for the ensuing two year term from 1/1/12 to 12/31/13. (Detailed list on file in the City Clerk's office.) Moved by Able, second by Soeldner to confirm the Mayor's appointments. Ayes, 10. Nays, none.

Ordinance (11-806) to amend sections of Chapter 11 of the Municipal Code regarding commercial garbage haulers, was referred to Public Utilities and Licensing Committee.

Ordinance (11-805) to amend various sections of Chapter 13 of the Municipal Code regarding solid waste recycling and disposal was referred to Streets and Sanitation Committee.

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.

Call back to order.

Alderman McMeans, Chair of Finance Committee, distributed a handout outlining the budget shortfall for

2012.

Public Utilities and Licensing Committee returned ordinance (11-806) to amend sections of Chapter 11 of the Municipal Code regarding commercial garbage haulers, recommending adoption of the ordinance. Motion by Hennessey, second by Soeldner, and unanimously carried to suspend the rules to take immediate action on this ordinance. Ayes, 10. Nays, none. Motion by Hennessey, second by Soeldner, report accepted and ordinance adopted. Ayes, 10. Nays, none.

Streets and Sanitation Committee returned ordinance (11-805) to amend various sections of Chapter 13 of the Municipal Code regarding solid waste recycling and disposal, recommending adoption of the ordinance. Motion by Soeldner, second by Brey and unanimously carried to suspend the rules to take immediate action on this ordinance. Ayes, 10. Nays, none. Motion by Brey, second by Soeldner, report accepted and ordinance adopted. Ayes, 10. Nays, none.

Moved by McMeans, second by Able to approve the 2012 budget recommended by Committee of the Whole with a \$2,520,910.00 shortfall.

Moved by Soeldner, second by Olson to replace the organizational structure of the Mayor with Olson's structure e-mailed today. (No action was taken on this motion.)

Aldersperson Able asked for clarification on the motion as to whether the motion included just the reorganization of staff or everything. Aldersperson Soeldner clarified by stating everything.

Discussion followed.

Moved by Brey, second by Schema to amend the motion to remove \$250,000.00 for leaf and brush pickup. Discussion of leaf pickup options followed. Upon a vote: Ayes, 6. Nays, 4. Motion carried.

Mayor Nickels reviewed the reductions in the reorganization plan (Olson) and revenues. A lengthy discussion followed relative to all aspects of Aldersperson Olson's reorganization plan dated 12/4/11.

Motion by Hennessey, second by Braunel to amend the motion to strike Library from \$250,000.00 to \$166,553.00. Ayes, 3. Nays, 7. Motion fails.

Discussion followed regarding the reorganization.

Moved by Kadow, second by Able to amend the motion to add 1.5 Million to revenue for a stormwater utility.

Aldersperson Brey called the Question. Mayor Nickels called for a vote: Ayes, 2. Nays, 8. Motion failed.

Moved by Kadow, second by Able to amend the motion to increase the debt service line to 2.5 Million, a 19% tax increase for debt service.

Aldersperson Brey called the Question. Mayor Nickels allowed discussion.

Upon a vote: Ayes, 2. Nays, 8. Motion failed.

Moved by McMeans, second by Olson, and unanimously carried, to amend the plan to add \$399,153.00 Special Assessment dollars putting revenue back into the budget. Ayes, 10. Nays, none. Motion carried.

Moved by McMeans, second by Brey, and unanimously carried, to add as an expense reduction to this plan \$3,510.00 reflecting a reduction to the Mayor's membership dues budget and amending a reduction in overtime for snow and ice removal in the amount of \$50,000.00. Ayes, 10. Nays, none.

Moved by McMeans, second by Brey, and unanimously carried, to add \$51,000.00 in revenues in special assessments to this plan for seal coating. Ayes, 10. Nays, none.

Moved by Sladky, second by Olson, and unanimously carried to add \$54,000.00 to revenue to increase Evergreen Cemetery fees to bring our fees up to comparables. Ayes, 10. Nays, none.

Moved by Brey, second by Sladky, and unanimously carried, to amend Parks and Recreation programming fees to increase all lines by \$10,000.00 which would increase every fee for 2012 by 15%. Ayes, 10. Nays, none.

Moved by Brey, second by Kadow, and unanimously carried, to take a five minute recess. Ayes, 10. Nays, none.

Acting Finance Director outlined the Council actions of this evening on a whiteboard leaving a running total of +\$317,663.00.

Moved by Able, second by Schema, and carried by acclamation, to leave \$317,663.00 so we begin to accumulate an undesignated reserve again. Ayes, 7. Nays, 3.

Moved by Brey, second by Schema, to amend 32240 (curb, gutter, sidewalks) eliminating the whole line item totaling \$225,400.00; eliminate 32410 (signals, floor and patterns intersection signalization at N. 8<sup>th</sup> St. and Reed Ave .) of \$100,000.00; Parks and Recreation building and grounds 51200, eliminate what's left of Red Arrow Park bonding of \$290,000.00; fund 4700, equipment here at City Hall under account 17100 lawn tractors and accessories, remove \$18,500.00; DPW motorpool 35210, eliminate 2 hot patch units of \$15,000.00; for a total removal of \$648,900.00. Ayes, 2. Nays, 8. Motion failed.

Moved by McMeans, second by Sladky, to increase the tax for debt service to 16% total. Ayes, 4. Nays, 6. Motion failed.

Vote on the original motion to amend the budget as forwarded by Committee of the Whole. Ayes, 7. Nays, 3. Motion carried.

Vote on the original motion to approve the budget, as amended: Ayes, 7. Nays, 3. Motion carried.

Mayor declared a short recess at 10:10 p.m.

Aldersperson Schema left the meeting at 10:16 p.m.

Committee of the Whole returned report (11-791) of Springsted relative to 2012 Budget Options and Strategic Initiatives along with State Tax Policy Implications for Manitowoc, recommending placing on file. Motion by Able, second by Soeldner, and carried by acclamation to accept the Committee's report. Ayes, 8. Nays, 1.

Committee of the Whole returned resolution (11-803) requesting Mayor present to Common Council annually a detailed Strategic Plan at first regular Council Meeting in May, commencing May 2012, with updates yearly, recommending approval of the resolution. Motion by Able, second by Soeldner, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Committee of the Whole returned resolution (11-802) requesting Mayor present to Finance Committee the First 3-5 Year Financial Plan by the first regular Common Council meeting in May, commencing May, 2012, with updates yearly, recommending approval of the resolution. Motion by Able, second by Soeldner, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Finance Committee returned Capital Improvement Plan (11-794) for 2011-2015, recommending approval and place on file. Motion by McMeans, second by Able, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Finance Committee returned County Clerk's apportionment (11-797) of state taxes in the amount of \$335,454.59 and county taxes and special charges in the amount of \$9,734,057.08, recommending acceptance and place on file. Motion by McMeans, second by Able, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Finance Committee returned Notice of Claim and Claim (11-745) of November 2, 2011, from Martial H. Ledvina, Claim File No. 11-1078, recommending denial of the claim and place on file. Motion by McMeans, second by Able, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Finance Committee returned Special Events Request (11-799) from Wisconsin AFLCIO on behalf of workers at Manitowoc Crane to use soccer field area on corner of 35th and Dewey Street for rally on December 10, 2011, as detailed therein, recommending granting request to use Municipal Baseball Field per City policy. Motion by Sladky, second by Kadow, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Parks and Recreation Committee returned Special Events Request (11-795) from Manitowoc County Miracles Special Olympics to hold summer sports tournament on June 16, 2012, with practice dates attached, along with request for waiver of fees, recommending granting request per City policy. Motion by Sladky, second by Kadow, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Property and Safety Committee returned communication (11-793) from Zorica Dent, Z's Wisconsin Cheese Store, relative to parking on Jay Street, recommending referral to Safety, Traffic & Parking Commission. Motion by Brey, second by Olson, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Utilities and Licensing Committee returned memo (11-801) from Police Department recommending denial of application no. 13002 Taxicab Driver's license, recommending denial of the license for the reasons set forth in the memo from the Deputy Chief of Police dated December 2, 2011. Motion by Hennessey, second by Soeldner, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets and Sanitation Committee returned report (11-796) of Board of Public Works for 5th and final payment to H. Tod Culver, Inc. for 2010 Remove and Replace Existing Sidewalks, WS-10-3, recommending payment of \$1,000.00. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Utilities and Licensing Committee returned #4-6 for Pawnbrokers license; #281-285 for 2011-13 Two Year Operator's license; granting the various licenses, as shown on the committee's report. Motion by Hennessey, second by Soeldner, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Committee of the Whole returned General City Claims (11-798) in the amount of \$1,403,219.42 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. Motion by Able, second by Soeldner, report accepted. Ayes, 9. Nays, none.

Police Chief distributed Notice of Special Meeting of Common Council on Tuesday, December 6, 2011 to the Alderpersons.

Common Council adjourned at 10:27 p.m. Ayes, 9. Nays, none.

Respectfully submitted,

Jennifer Hudon, City Clerk