

COMMON COUNCIL
OFFICIAL JOURNAL

Kevin M. Crawford, Mayor

January 5, 2009

Jennifer Hudon, City Clerk

The Common Council of the City of Manitowoc, Wisconsin, met in regular session at the Council Chambers in City Hall, on Monday, January 5, 2009. Said meeting was duly called, noticed, held and conducted in the manner required by the Common Council and the pertinent Wisconsin Statutes.

Mayor Kevin M. Crawford called the meeting to order at 7:00 p.m. and on roll call the following members were present: Alderpersons Dave Soeldner, Eric Sitkiewitz, James N. Brey, Christopher Able, Dean Graunke, Justin M. Nickels, Raymond T. Geigel, Thomas Frieder and Lee D. Thennes.

Absent: Ald. Rick Sieracki.

Pledge of Allegiance.

Invocation.

Minutes of the regular session of December 15, 2008, were approved as distributed by the Deputy City Clerk.

Deputy City Clerk announced that the various documents have been referred to the appropriate committees as shown on the January 5, 2009 Common Council agenda.

Resolution (09-012) authorizing a stormwater management facility maintenance agreement with Great Lakes Energy Technologies LLC and Orion Energy Systems, Inc., for property located at 2001 Mirro Drive, was referred to Streets & Sanitation Committee.

Resolution (09-004) appointing Kathleen McDaniel as Assistant City Attorney for the City of Manitowoc and establishing a salary for the position, was referred to Personnel Committee.

Ken Stubbe, Exec. Dir., Economic Development Corp. of Manitowoc County, gave a brief summary of the 2008 annual report.

Mayor introduced Kathleen McDaniel who is the Personnel Committee's recommendation for the Assistant City Attorney position.

Ordinance (09-010) to amend Section 25.05 of the Municipal Code to adjust rates for sewer service charges effective January 1, 2009, 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.

Committee of the Whole returned petition (08-689) from The Holy Family Convent of the Franciscan Sisters of Christian Charity, Inc. for direct annexation of approximately 23.723 acres of land from the Town of Manitowoc Rapids to the City of Manitowoc, area known as Silver Lake College #1, recommending referral to Plan Commission. Motion by Thennes, second by Nickels, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Finance Committee returned notice of claim (08-145) & claim from Manitowoc Lutheran High School of March 7, 2008, Claim File No. 08-1003, recommending payment of \$6,359.65 to Church Mutual Ins. and \$2,376.07 to Manitowoc Lutheran High School. Motion by Brey, second by Thennes, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Finance Committee returned claim (08-445) from Stacy Drinkwine Hauser of July 24, 2008, Claim File No. 08-1009, recommending payment of claim in the amount of \$5,743.30. Motion by Brey, second by Thennes, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Parks & Recreation Committee returned communication (08-643) from Mrs. James Griebing relative to Aquatic Center in Humboldt, Iowa, recommending placing on file. Motion by Geigel, second by Able and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Parks & Recreation Committee returned amendment no. 1 (09-020) to agreement for Parks Tree Inventory Project between City of Manitowoc and Stratapoint, Inc., recommending acceptance of amendment and placing on file. Motion by Geigel, second by Able and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Property & Safety Committee returned joint powers agreement (09-002) between Manitowoc County Joint Dispatch Center and City of Manitowoc for the period 3/1/09 thru 2/28/10, recommending entering into agreement. Motion by Sitkiewitz, second by Soeldner, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Property & Safety Committee returned ordinance (08-676) to create Section 10.10(40)(f) of the Municipal Code regarding no parking on Jay Street, recommending adoption of ordinance. Motion by Sitkiewitz, second by Soeldner, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Utilities & Licensing Committee returned request (09-016) from Dale Hornburg requesting reconsideration of denial of operator's license, recommending granting the request to reconsider the denial. Motion by Thennes, second by Graunke, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned resolution (09-012) authorizing a stormwater management facility maintenance agreement with Great Lakes Energy Technologies LLC and Orion Energy Systems, Inc., for property

located at 2001 Mirro Drive, recommending adoption of resolution. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned quit claim deed (09-009) from R & J Property Management LLC to City of Manitowoc for 3.877 acres of land for stormwater pond purposes, recommending referral to Plan Commission. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned report (09-003) of City Planner relative to GIS Needs Assessment - update on solicitation of request for proposal for planning services, recommending acceptance of report and place on file. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned contract (09-017) with MSA for the stormwater quality pond alternative site selection analysis, recommending entering into agreement. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned contract (09-018) with SMI for Clay Pit Road stormwater detention pond design, recommending entering into agreement. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned easement (09-011) between Osuld Torrison River Front Condos LLC and City of Manitowoc for public access across riverwalk for property at 2 N. 8th St., recommending referral to Plan Commission. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned contract (09-21) with McMahon for S. 30th Street stormwater detention pond design, recommending entering into agreement. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned progress invoice (09-006) from Wisconsin Dept. of Transportation in the amount of \$829.30 for North 21st Street Bridge (Viaduct) Project No. 4991-02-00, recommending payment. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned progress invoice (09-007) from Wisconsin Dept. of Transportation in the amount of \$121.29 for Madison St. - 10th Street - 8th Street, Project No. 4347-05-00, recommending payment. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned progress invoice (09-008) from Wisconsin Dept. of Transportation in the amount of \$140.12 for 8th Street - Madison St. to Washington St., Project No. 4347-04-00, recommending payment. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Personnel Committee returned resolution (09-004) appointing Kathleen McDaniel as Assistant City Attorney for

the City of Manitowoc and establishing a salary for the position, recommending adoption of resolution, and appoint Kathleen McDaniel as Assistant City Attorney. Motion by Nickels, second by Graunke, and carried by acclamation to accept the Committee's report. Ayes, 6. Nays, 3.

Public Utilities & Licensing Committee returned amended application 28 and change of agent for "Class B" Retail Intoxicating Liquor & Fermented Malt Beverage license; application 5-6 for 2009 Pawnbroker's license; application 2 for 2009 Mobile Home Park license; application 71-72 for 2008-09 One Year Operator's license; 361-365 for 2008-10 Two Year Operator's license; recommending granting the various communications/licenses, as shown on the committee's report. Motion by Thennes, second by Graunke, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Utilities & Licensing Committee returned application 70 for 2008-09 One Year Operator's license, recommending denial of the license based upon the recommendations from the Chief of Police or designee. Motion by Thennes, second by Graunke, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Committee of the Whole returned General City Claims (09-019) in the amount of \$1,226,007.41 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 Thennes, second by Nickels, report accepted. Ayes, 9. Nays, none.

Upon motion by Thennes, second by Nickels, Common Council unanimously adjourned at 7:45 o'clock P.M. Ayes, 9. Nays, none.

Respectfully submitted

Deborah Neuser
Deputy City Clerk