

COMMON COUNCIL

OFFICIAL JOURNAL

Kevin M. Crawford, Mayor

February 16, 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, February 16, 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 7:04 p.m. and on roll call the following members were present: Alderpersons Dave Soeldner, Eric Sitkiewitz, Rick Sieracki, James N. Brey, Dean Graunke, Justin M. Nickels, Raymond T. Geigel, Thomas Frieder and Lee D. Thennes.

Absent: Ald. Christopher Able.

Pledge of Allegiance.

Invocation.

Minutes of the regular session of February 2, 2009, 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 February 16, 2009 Common Council agenda.

Resolution (09-103) appointing Kristen Clark as Human Resources Director/Risk Manager for the City of Manitowoc and establishing a salary for the position, was referred to Personnel Committee.

Resolution (09-107) to adopt Manitowoc County's All Hazards Mitigation Plan, was referred to Public Property & Safety Committee.

Resolution (09-121) to install three ornamental streetlights on Fessler Drive, was referred to Public Utilities and Licensing Committee.

Mayor submitted the following committee appointments and requested Council confirmation:

Rahr-West Art Museum Board

Amy Fricke-Weigel
(Pl. of Tim Brick)

Term

Term ending 6/1/11

Moved by Thennes, second by Nickels and unanimously carried to confirm the Mayor's appointments. Ayes,

9. Nays, none.

Mayor submitted the following appointments and requested Council confirmation:

Manitowoc Sustainability Committee

Bobbi Schuetze
Jennifer Heinzen
Ryan Holl

Term

Indefinite
Indefinite
Indefinite

Jennifer Glowaski
Sherrie Richards
Paul Braun
Kelly Eskew
Tony Fodden
Georgia Lusk

Indefinite
Indefinite
Indefinite
Indefinite
Indefinite
Indefinite

Moved by Thennes, second by Nickels and unanimously carried to confirm the Mayor's appointment. Ayes, 9.
Nays, none.

Ordinance (09-106) to create Section 10.1015 of the Manitowoc Municipal Code regulating parking for the purposes of street sweeping from April 1st thru September 30th of each year, was referred to Public Property & Safety and Streets & Sanitation Committees.

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 report (09-098) of City Planner David Less relative to First Amendment to the Services Agreement between City of Manitowoc, City of Two Rivers, City of Kiel and Manitowoc County and The Economic Development Corporation of Manitowoc County, recommending that the Council enter into the attached Amendment, recommending entering into the agreement. Motion by Thennes, second by Nickels, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Finance Committee returned communication (09-097) from Paul Bratz requesting a \$40.00 refund for a building permit, recommending a refund of \$40.00. Motion by Brey, second by Thennes, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Parks & Recreation, Streets & Sanitation and Public Property & Safety Committees returned special events request (09-096) from Tom Chermak requesting the use of Washington Park for Metro Jam Weekend, June 19 & 20, 2009, the use of the Metro Stage, a waiver of rules prohibiting alcohol beverages to be consumed in the park for the weekend, closing So. 11th & So. 12th Street for a portion of the weekend, and City employees to help with the Children's Area and for setup and preparation of the event; jointly recommending granting of request according to current City policy. Motion by Geigel, second by Frieder and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Parks & Recreation Committee returned proposal (09-120) for Professional Services from Water Technology,

Inc. for the Manitowoc Family Aquatic Center, recommending entering into agreement and place on file. Motion by Geigel, second by Nickels and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Property & Safety Committee returned report (09-099) of City Planner David Less relative to 2009 Farmers' Market, recommending acceptance of report and place on file. Motion by Sitkiewitz, second by Sieracki, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Property & Safety Committee returned report (09-117) of Board of Public Works of February 12, 2009, regarding quotes received for one new 2009 2-door sub-compact passenger vehicle for the Building Inspection Department, Quote QE-09-4, recommending awarding to lowest quoter, Horn Ford in the amount of \$12,799.00. Motion by Sitkiewitz, second by Sieracki, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Property & Safety and Streets & Sanitation Committees returned report (09-118) of Board of Public Works of February 12, 2009, regarding quotes received for two new 2009 mid-size 4-door passenger vehicles, one each for the Wastewater Treatment Facility and Police Department, Quote QE-09-6, jointly recommending awarding to Horn Ford for two 2010 vehicles totaling \$34,434.00. Motion by Sitkiewitz, second by Sieracki, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Property & Safety Committee returned report (09-119) of Board of Public Works of February 12, 2009, regarding quotes received for four new identical 2009 Ford Crown Victoria full size four door automobiles for the Police Department, Quote QE-09-1, recommending awarding to lowest quoter, Ewald Automotive Group, in the amount of \$91,852.00. Motion by Sitkiewitz, second by Sieracki, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Property & Safety Committee returned resolution (09-107) to adopt Manitowoc County's All Hazards Mitigation Plan, recommending adoption of the Manitowoc County All Hazards Mitigation Plan. Motion by Sitkiewitz, second by Sieracki, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Utilities & Licensing Committee returned resolution (09-121) to install three ornamental streetlights on Fessler Drive, recommending adoption of the resolution. Motion by Thennes, second by Graunke, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Utilities & Licensing Committee returned vehicle lease (09-116) with Assist-to-Transport for six vehicles to be used to provide specialized transportation services, as detailed therein, for the 2008 - 2009 calendar years, recommending entering into the agreement. Motion by Thennes, second by Graunke, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Public Utilities & Licensing Committee returned report (09-110) from Manitowoc Public Utilities highlighting the 2008 activities of Great Lakes Utilities with 2007 annual report attached, recommending acceptance and place on file. Motion by Thennes, second by Graunke, and unanimously carried to accept the Committee's report. Ayes, 9. Nays,

none.

Streets & Sanitation Committee returned communication (09-074) from Mark Balaban of North Valley Subdivision requesting the paving of Albert Drive in 2009 be postponed, recommending placing 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 special events request (09-102) from Dennis Scherer, Gravity Hill Derby Chairman, requesting permission to use Conroe Street for the 2009 Gravity Hill Derby on Saturday, June 20, 2009, recommending granting according to current City policy. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned communication (09-100) from Keith Klein, Shooter Malones, disputing the amount invoiced for equipment rental, as detailed therein, recommending placing 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 communication (09-094) from Midwest Industries/Yo-Yo Balloons seeking permission to sell novelties along the St. Patrick's Day parade route on March 13, 2009, recommending granting according to current City policy. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9 Nays, none.

Streets & Sanitation Committee returned report (09-109) of Board of Public Works of February 11, 2009, regarding bids received for S. 10th Street Sanitary Sewer Relay, Project WU-09-11, recommending awarding to low bidder, Vinton Construction Company, in the amount of \$395,787.81. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned report (09-108) of Board of Public Works of February 11, 2009, regarding bids received for 2009 New Sidewalk Construction, WS-09-2 and 2009 Remove and Replace Existing Sidewalks, WS-09-3, recommending awarding to low bidders, Jim Fischer, Inc. in the amount of \$42,658.88 for project WS-09-2 and Seiler Bros. Construction in the amount of \$120,987.19 for project WS-09-3. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned ordinance (08-695) to amend Section 15.05 of the amended zone map of the City of Manitowoc for an area located south of Marshall St. and east of S. 23rd Street to be changed from "B-3" General Business District to "C-1" Commercial District, recommending adoption of ordinance. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned report (09-112) of City Plan Commission relative to declaration of dedication of property (09-053) for 2.48 acres of land for Quay Street and South Lakeview Drive purposes, recommending Council approve and accept the declaration, 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 report (09-113) of City Plan Commission recommending that the Council accept the various deeds and easements with one correction as detailed therein, returned same 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, to whom were referred the following documents, returned same recommending acceptance of the documents pursuant to report (09-113) of the City Plan Commission: quit claim deed (09-050) to combine various City parcels along Quay Street and South Lakeview Drive, as detailed therein; quit claim deed (09-052) from City of Manitowoc for 2.48 acres of land for Quay Street and South Lakeview Drive purposes; utility easement (09-058) from City of Manitowoc for utility purposes for the existing storm sewer to the east and north of Fessler Dr. that drains to the existing detention pond; and utility easement (09-059) from City of Manitowoc for utility purposes for the existing watermain on Vits Dr. extended, west of Silver Creek and along the potential future right-of-way for Fessler Dr. 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 (09-051) to combine various City parcels along Quay Street, as detailed therein, recommending acceptance as corrected 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 ordinance (08-696) to amend Section 22.01 entitled Official Map Master Subdivision Plans for an area located on S. 42nd Street, recommending adoption of ordinance. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Streets & Sanitation Committee returned resolution (08-697) to vacate a portion of S. 42nd Street (C.T.H. "CR"), as detailed therein, 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 report (09-115) of City Plan Commission relative to proposed vacation and official map amendment for CTH "CR/So. 42nd Street, South of Dewey Street, recommending that Council approve and adopt the resolution for street vacation and the ordinance to effectuate the amendment to the Official Map, 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 report (09-114) of City Plan Commission relative to request to rezone property at 2215 Marshall St. recommending that Council approve the request for rezoning and adopt the necessary ordinance to effectuate this change, 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 and Finance Committees returned report (09-111) of City Plan Commission relative to a proposal for the extension of Fessler Dr. in the Manitowoc I-43 Industrial Park recommending Council approve the

improvement and expenditure, as detailed therein, jointly recommending acceptance of report and adoption of recommendations. Motion by Frieder, second by Geigel, and unanimously carried to accept the Committee's report. Ayes, 9. Nays, none.

Personnel Committee returned resolution (09-103) appointing Kristen Clark as Human Resources Director/Risk Manager for the City of Manitowoc and establishing a salary for the position, recommending adoption of resolution and appointing Kristen Clark as Human Resources Director/Risk Manager. Motion by Nickels, second by Graunke, and carried by acclamation to accept the Committee's report. Ayes, 7. Nays, 2.

Public Utilities & Licensing Committee returned applications 374-379 for 2008-10 Two Year Operator's license; recommending granting the various 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.

Committee of the Whole returned General City Claims (09-122) in the amount of \$8,811,953.81 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.

Common Council adjourned at 8:04 o'clock P.M.

Respectfully submitted

Jennifer Hudon

City Clerk