

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

Justin M. Nickels, Mayor

Jennifer Hudon, City Clerk

Monday, December 3, 2012

The Common Council of the City of Manitowoc, Wisconsin, met in regular session at the Council Chambers in City Hall, on Monday, December 3, 2012. 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 Eric J. Sitkiewitz, Scott McMeans, Collin Braunel, Tyler Martell, Jim Brey, Dave Soeldner, Allan Schema, Christopher Able, Jill Hennessey and Jason Sladky.

Absent: None.

Pledge of Allegiance.

Invocation.

Minutes of the regular session of November 19, 2012, 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 3, 2012 Common Council agenda.

Emily Knier, Member of Lakeshore Holiday Parade, presented 2012 Holiday Parade awards.

Resolution (12-683) authorizing the necessary efforts of a pollutant minimization program and the subsequent appropriation of Wastewater Treatment Facility funds for mercury reduction activities and safe collection and recycling of mercury and mercury containing devices was referred to Streets and Sanitation Committee.

Ordinance (12-695) to amend Section 15.450 of the Manitowoc Municipal Code dealing with signage, was referred to Committee of the Whole.

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 communication (12-689) from Manitowoc Public Library relative to the transfer of funds from the Library to the City's General Fund.

Moved by McMeans, second by Sitkiewitz, to remove the \$49,880 from the 2013 budget that was allocated towards the Library funding. Ayes, 2. Nays, 3. Motion failed.

Moved by Brey to place the letter on file. Seconded and carried by acclamation. Ayes, 3. Nays, 2.

During recess, Committee of the Whole held a discussion relative to Memorandum of Understanding (12-690) with Holy Family Memorial. Alderperson McMeans recused himself from the discussion.

Moved by Alderperson Hennessey, second by Alderperson Braunel, to hold off on the Memorandum of Understanding until we have the City's allocation of the credit amount. Ayes, 10. Nays, none.

Call back to order.

Committee of the Whole returned communications (12-678) from Hope House, Deborah Knox and Darlene Wellner, in support of The Haven shelter for homeless men, recommending placing on file. Motion by Sladky,

second by Able, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Finance Committee returned communication (12-689) from Manitowoc Public Library relative to the transfer of funds from the Library to the City's General Fund, recommending placing on file. Motion by Able, second by Brey, to accept the Committee's report.

Moved by McMeans, second by Sitkiewitz, amending the motion recommending removing \$49,880 from the Library funding in the 2013 budget to the General Fund. Discussion followed and it was noted that alterations to the budget require a two-thirds vote. Upon a vote: Ayes, 5. Nays, 5. Motion to amend fails.

Vote on the original motion to place on file: Ayes, 10. Nays, none. Motion to place on file carries.

Finance Committee returned County Clerk's apportionment (12-685) of state taxes in the amount of \$324,887.67 and county taxes and special charges in the amount of \$9,861,635.58, recommending acceptance 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 Amendment No. 1 (12-684) to Services Agreement Between City of Manitowoc and Mainly Manitowoc, Inc., recommending entering into agreement and placing on file. Motion by McMeans, second by Able, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Parks and Recreation Committee returned special events request (12-616) from Manitowoc County Miracles to hold softball practices and tournament on various dates and in various parks during the summer of 2013, with waiver of fee request attached, recommending granting request with 50% reduction of fees. Motion by Sladky, second by Soeldner, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Parks and Recreation Committee returned special events request (12-635) from Debbie Seehafer to hold four tennis tournaments at the Lincoln Park courts in June, July and August of 2013, recommending granting request. Motion by Sladky, second by Soeldner, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Parks and Recreation Committee returned contract (12-682) with MCM Excavating and Landscaping to grade and seed 7.6 acres at southwest corner of Crossing Meadows Drive and Meadow Park Drive for the sum of \$10,070.00, recommending entering into contract. Motion by Sladky, second by Soeldner, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Property and Safety Committee returned communication (12-557) from Jay Xiong expressing concerns regarding the current traffic problems around Lincoln High School, recommending placing on file. Motion by Brey, second by McMeans, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Property and Safety Committee returned communication (12-573) from Rita Schroeder, requesting the removal of no parking sign at 819 S. 20th St., recommending approval of the request. Motion by Brey, second by McMeans, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Property and Safety Committee returned request (12-624) from Tracey Klickman on behalf of Carrie Curcio to waive fee for ambulance transport on 7/25/11, recommending writing off the bill and to place on file. Motion by Brey, second by McMeans, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Property and Safety Committee returned request (12-637) from Chris Stanke for consideration of placement of traffic signage at intersection of Woodridge Drive, Woodridge Court and Stoneybrook Drive, recommending denial of the request and place on file. Motion by Brey, second by Sitkiewitz, and carried by acclamation to accept the Committee's report. Ayes, 9. Nays, 1.

Public Property and Safety Committee returned memorandum (12-659) from Alderperson Soeldner relative to inconsistencies relative to the accident spill cleanup fee and requesting that this rule be looked at again and possibly tightened up to be more consistent, recommending changing the wording in billing to hazardous fluid. Motion by Brey, second by McMeans, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Property and Safety Committee returned memorandum (12-660) from Alderperson Soeldner relative to a constituent's concern regarding traffic coming out of Kwik Trip on Dewey Street and S. 42nd Street, recommending placing on file. Motion by Brey, second by McMeans, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Property and Safety Committee returned memorandum (12-661) from Alderperson Soeldner relative to a constituent's concern regarding the parking situation in the neighborhood surrounding St. Francis of Assisi Parish on Waldo Blvd., recommending placing on file. Motion by Brey, second by McMeans, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Property and Safety Committee returned acknowledgement and consent (12-675) in accordance with Site Agreement with Sprint for modifications to tower at 736 Revere Dr., recommending entering into agreement. Motion by Brey, second by McMeans, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Property and Safety Committee returned report (12-693) of Board of Public Works of November 28, 2012, regarding quotes for up to four new identical 2013 full size four door automobiles (Police package) for Police Department, QE-12-2, recommending accepting the bid from Maritime Ford in the amount of \$96,828.96. Motion by Brey, second by McMeans, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Streets and Sanitation Committee returned report (12-680) of Deputy City Planner Paul Braun with agreement with CFT Developments LLC (Panda Express) attached for placement of private improvements in a public easement area, recommending entering into agreement. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Streets and Sanitation Committee returned resolution (12-683) authorizing the necessary efforts of a pollutant minimization program and the subsequent appropriation of Wastewater Treatment Facility funds for mercury reduction activities and safe collection and recycling of mercury and mercury containing devices, recommending adoption of resolution. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Streets and Sanitation Committee returned agreement (12-691) with Excel Underground, LLC for underground facilities locating and marking service, recommending entering into agreement. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Streets and Sanitation Committee returned report (12-692) of Board of Public Works of November 28, 2012, regarding quotes for one new 2013 anti-icing unit for the Department of Public Works, QE-12-3, recommending awarding to low bidder, Olson Trailer & Body in the amount of \$12,656.00. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Streets and Sanitation Committee returned report (12-694) of Board of Public Works of November 28, 2012, regarding quotes for up to four new 2013 9-foot V-Box spreaders with pre-wet system for the Department of Public Works, QE-12-4, recommending awarding to lowest responsive bidder. Motion by Soeldner, second by Brey, and

unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Personnel Committee returned resignation (12-676) from employment from Dir. Public Works/Engineer/Parks & Recreation Valerie Mellon effective December 6, 2012, recommending placing on file. Motion by Able, second by Hennessey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Personnel Committee returned resolution (12-658) to create a seasonal Street Maintenance Worker (Limited Term Employment-Casual) non-benefited position in the Department of Public Works, recommending approval of resolution. Motion by Able, second by Hennessey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Utilities and Licensing Committee returned #1 -3 for Mobile Home Park license; #44 - 45 for 2012-13 One Year Operator's license; #330 - 337 for 2012-14 Two Year Operator's license; granting the various licenses, as shown on the committee's report. Motion by Hennessey, second by Sladky, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Committee of the Whole returned General City Claims (12-681) in the amount of \$628,786.68 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 Sladky, second by Able, report accepted. Ayes, 10. Nays, none.

Common Council adjourned at 8:57 p.m. Ayes, 10. Nays, none.

Respectfully submitted,

Jennifer Hudon, City Clerk