

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

Justin M. Nickels, Mayor

Jennifer Hudon, City Clerk

Monday, March 4, 2013

The Common Council of the City of Manitowoc, Wisconsin, met in regular session at the Council Chambers in City Hall, on Monday, March 4, 2013. 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 February 18, 2013, 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 March 4, 2013 Common Council agenda.

City Clerk administered oath of office to Police Officer Alexander Engman.

City Clerk administered oath of office to Firefighters Thomas C. Christensen and Patrick T. Peterson followed by a badge ceremony.

Connie Loden, Executive Director, Economic Development Corporation Manitowoc County, gave an annual update.

Resolution (13-086) establishing a Capital Allocation Working Group, was referred to Finance Committee.

Resolution (13-087) authorizing the Finance Committee and Finance Department to, in accordance with General Accepted Accounting Principles, take the necessary steps to create, monitor and maintain the Non-Lapsing Accounts established from year to year, was referred to Finance Committee.

Resolution (13-083) to provide free bus passes on Maritime Metro Transit to disabled veterans, was referred to Public Utilities & Licensing Committee.

Resolution (13-091) adjusting fee schedule for Evergreen Cemetery, was referred to Streets and Sanitation Committee.

Ordinance (13-096) to repeal chapter 11.230 of the Manitowoc Municipal Code authorizing issuance of Nonintoxicating Beverage licenses, was referred to Public Utilities and Licensing 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.

During recess, Parks and Recreation Committee held a discussion relative to request (13-085) from Amvets Post 99 to waive fees for Wenger Bandwagon rental on May 27, 2013. Motion by Soeldner, second by Braunel, and carried to keep the fee at \$100.00. Ayes, 5. Nays, 0.

Call back to order.

Finance Committee returned summons and complaint (08-428) from Holy Family Memorial, Inc. vs. City of Manitowoc, Case No. '08 CV 448, recommending 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 communication (Claim) (12-417) from Luisier Plumbing relative to sewer repair at 1403 Nagle Avenue, recommending 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 notice of claim and claim (13-038) of David S. Baker of January 29, 2013, Fleet Claim No. 13-203, recommending 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 notice of claim and claim (13-056) of Jeff Koish filed February 5, 2013, Fleet Claim File No. 13-204, recommending payment in the amount of \$2,104.20 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 notice of claim and claim (13-073) of Mary A. Hardrath filed February 15, 2013, Claim File No. 13-1091, recommending denial 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 resolution (13-086) establishing a Capital Allocation Working Group, 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.

Finance Committee returned resolution (13-087) authorizing the Finance Committee and Finance Department to, in accordance with General Accepted Accounting Principles, take the necessary steps to create, monitor and maintain the Non-Lapsing Accounts established from year to year, 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.

Parks and Recreation Committee returned special events request (13-051) from Washington Jr. High School PTO & Be the Change organization to hold color run on May 4, 2013, utilizing Dewey Street Park, as detailed therein, with waiver of fee request attached, recommending granting request and 50% waiver 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 (13-080) of Manitowoc Sunrise Rotary to hold Lobsterfest on September 7, 2013, in Washington Park including waiver of fees and waiver of rules prohibiting alcoholic beverages in the park, recommending granting request and 50% waiver 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 request (13-085) from Amvets Post 99 to waive fees for Wenger Bandwagon rental on May 27, 2013, recommending granting request and keeping \$100.00 fee in place. 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 (13-010) from The Crossing requesting a change in the parking time limit for the 800 block of Washington Street, recommending placing on file. Motion by Brey, second by McMeans, and carried by acclamation to accept the Committee's report. Ayes, 8. Nays, 2.

Public Property and Safety Committee returned special events request (13-058) from Northeastern Wisconsin Great Lakes Sport Fishermen to hold the annual Salmon Derby at the Manitowoc Marina from Friday, July

5 through Sunday, July 7, 2013, use of various City equipment, permission to sell fermented beverages until 11:30 p.m. and extension of the noise ordinance until 11:30 p.m. on Friday, Saturday and Sunday nights, as detailed therein, recommending approval of the request according to City policy and to charge 50% of the cost associated with set up and materials. 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 regional fire department hiring process agreement (13-088) with Fox Valley Technical College to conduct testing of potential candidates for the position of firefighter, recommending entering into the 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 communication (12-371) from Malcolm Shaw relative to posted two-hour parking limit in the 600 block of Chicago 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 communication (12-399) from Manitowoc City Center Association expressing their concerns regarding pedestrian safety in our cross walks, recommending placing on file. Motion by Brey, second by McMeans, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Utilities and Licensing Committee returned resolution (13-083) to provide free bus passes on Maritime Metro Transit to disabled veterans, recommending adoption of the resolution. Motion by Hennessey, second by Sladky, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Utilities and Licensing Committee returned statement of canvassers (13-089) of election returns for February 19, 2013 Election in District 1 for Alderperson, recommending acceptance and place on file. Motion by Hennessey, second by Sladky, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Utilities and Licensing Committee returned ordinance (13-096) to repeal chapter 11.230 of the Manitowoc Municipal Code authorizing issuance of Nonintoxicating Beverage licenses, recommending adoption of the ordinance. Motion by Hennessey, second by Sladky, and unanimously carried to take immediate action on this ordinance. Ayes, 10. Nays, none. Motion by Hennessey, second by Sladky, report accepted and ordinance adopted. Ayes, 10. Nays, none.

Streets and Sanitation Committee returned request (13-084) from David Naidl to erect three crosses on the southeast hillside of Evergreen Cemetery from March 24, 2013 thru April 1, 2013, recommending granting request. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Streets and Sanitation Committee returned application (13-090) from Ronald Leschke to amend the Zoning Ordinance District Map for property at 608 N. 41<sup>st</sup> Street from P-1, Conservancy, and R-4, Single and Two Family to C-1, Commercial, recommending referral to Plan Commission. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Streets and Sanitation Committee returned request (13-093) from The Redmond Company to waive the minimum stormwater requirement for on-site stormwater management for site located at the corner of Calumet and Rapids Road, recommending approval subject to Infrastructure Dept. verifying impervious area calculation. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Utilities and Licensing Committee returned #49A & #66 for "Class B" Retail Intoxicating Liquor and

Fermented Malt Beverage license; #6 for Secondhand Article Dealer license; #365 - 370 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 (12-094) in the amount of \$762,305.91 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.

Moved by Sladky, second by Able, and unanimously carried, Common Council adjourned at 8:17 p.m. Ayes, 10. Nays, none.

Respectfully submitted,

Jennifer Hudon, City Clerk