

COMMON COUNCIL
OFFICIAL JOURNAL

Justin M. Nickels, Mayor

Jennifer Hudon, City Clerk

Monday, April 1, 2013

The Common Council of the City of Manitowoc, Wisconsin, met in regular session at the Council Chambers in City Hall, on Monday, April 1, 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 March 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 April 1, 2013 Common Council agenda.

Resolution (13-138) authorizing City Attorney to settle claims filed against the City of Manitowoc in individual amounts up to \$5,000.00, was referred to Finance Committee.

Resolution (13-132) approving the 2013 Seal Coating Program with assessments to be made against the abutting property owners on the streets detailed therein, was referred to Streets and Sanitation Committee.

Parks and Recreation Committee returned special events request (13-122) from Manitowoc Citizen's Safety Patrol Picnic Association to hold annual Safety Patrol picnic at Silver Creek Park on May 15, 2013, with a rain date of May 16, 2013, and waiver of fee request attached, recommending granting request per City policy and 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 (13-128) from Holy Family Memorial to hold 2013 summer picnic for approximately 1,000 staff and volunteers, on August 17, 2013 from 11:00 a.m. until 6:00 p.m., as detailed therein, recommending granting request per City policy. Motion by Sladky, second by Soeldner, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Parks and Recreation Committee returned vendor agreement (13-134) with HP Enterprises for use of concession stand at Citizen Park on March 30, 2013, recommending granting request per City policy. Motion by Sladky, second by Soeldner, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Ordinance (13-144) to amend Section 3.130(1) of the Municipal Code changing the voting members on the Safety, Traffic & Parking Commission, was referred to Public Property and Safety Committee.

Ordinance (13-143) to amend Section 11.150(7) of the Municipal Code authorizing police inspection of business records of pawnbrokers, secondhand article dealers and secondhand jewelry dealers, was referred to Public Property and Safety Committee.

Ordinance (13-145) to amend Section 14.620 of the Municipal Code establishing the maximum dollar value of a theft permitted to be prosecuted in Municipal Court, was referred to Public Property and Safety 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.

Finance Committee returned resolution (13-138) authorizing City Attorney to settle claims filed against the City of Manitowoc in individual amounts up to \$5,000.00, recommending adoption of the resolution and placing on file. Motion by McMeans, second by Able, and carried by acclamation to accept the Committee's report. Ayes, 8. Nays, 2.

Public Property and Safety Committee returned ordinance (12-706) to repeal Section 3.130 of the Manitowoc Municipal Code relative to Safety, Traffic & Parking Commission, recommending not to adopt. Motion by Brey, second by McMeans, and carried by acclamation to accept the Committee's report. Ayes, 6. Nays, 4.

Public Property & Safety, Streets & Sanitation, Parks & Recreation and Public Utilities & Licensing Committees returned special events request (13-135) from Tom Drill for the use of the City Hall parking lot and various equipment for Showtime 2013 scheduled August 14 & 15, 2013, jointly recommending approval of the event with fees to be determined at a later date. 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 (13-137) from Time Out Sports Bar & Grill to extend the noise ordinance on April 27, 2013, for live music indoors, recommending approval of the request according to City policy. Motion by Brey, second by McMeans, and carried by acclamation to accept the Committee's report. Ayes, 9. Nays, 1.

Public Property and Safety Committee returned ordinance (13-143) to amend Section 11.150(7) of the Municipal Code authorizing police inspection of business records of pawnbrokers, secondhand article dealers and secondhand jewelry dealers, recommending adoption of the ordinance. Motion by Brey, second by McMeans, and unanimously carried to suspend the rules to take immediate action on this ordinance. Ayes, 10. Nays, none. Motion by Brey, second by McMeans, report accepted and ordinance adopted. Ayes, 10. Nays, none.

Public Utilities & Licensing and Streets and Sanitation Committees returned special events request (13-141) from Dave Basken to hold Operation Homefront Hero's on June 22, 2013, including use of City equipment, extension of liquor license premise and street closure as detailed therein, jointly recommending granting request. Motion by Hennessey, second by Sladky, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Streets and Sanitation Committee returned resolution (13-132) approving the 2013 Seal Coating Program with assessments to be made against the abutting property owners on the streets detailed therein, recommending approval. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Streets and Sanitation Committee returned communication (13-136) from Operations Manager Kevin Glaeser to rescind snow shoveling invoice in the amount of \$180 for parcel no. 000-245-040, recommending invoice be rescinded. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Streets & Sanitation and Public Property and Safety Committees returned memo (13-146) from Asst. City

Attorney Kathleen McDaniel on negotiations for an Offer to Purchase for the sale of Tract 8, located east of I-43 and the Holiday Inn and is an extension of South 44th Street, jointly recommending adopting. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Streets and Sanitation Committee returned declaration of restrictions - Underground Services (13-123), (13-124), (13-126) and (13-127) from Rick A. Pecore, Daniel M. & Lisa A. Eisenschink, Eugene J. Winkel, and Eugene J. Winkel, respectively, relative to permanent paving on Packer Lane, recommending acceptance of various declaration of restrictions and place on file, with Clerk to record same at Register of Deeds Office. 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 #33 for 2012-13 Temporary Operator's license; #3 for 2013-14 Temporary Operator's license; #380-385 & #387 for 2012-14 Two Year Operator's license; #1-2 for 2013-15 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 (13-140) in the amount of \$478,039.33 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 7:34 p.m. Ayes, 10. Nays, none.

Respectfully submitted,

Jennifer Hudon, City Clerk