

**COMMON COUNCIL
OFFICIAL JOURNAL**

Justin M. Nickels, Mayor

Jennifer Hudon, City Clerk
Monday, December 2, 2013

The Common Council of the City of Manitowoc, Wisconsin, met in regular session at the Council Chambers in City Hall, on Monday, December 2, 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 Dave Soeldner, Alan Schema, Mike Howe, Christopher Able, Jason Sladky, Scott McMeans, Eric Sitkiewitz, Tyler Martell and Jill Hennessey.

Absent: Alderperson Jim Brey.

Pledge of Allegiance.

Invocation.

City Clerk announced that the various documents have been referred to the appropriate committees as shown on the December 2, 2013 Common Council agenda.

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.

Items removed from Consent Agenda: Alderperson Soeldner requested document 13-637 be removed from the Consent Agenda.

Moved by Hennessey, second by Sladky, and unanimously carried to accept the Consent Agenda Items and recommendations of the various committees. Ayes, 9. Nays, none. Consent Agenda items approved as follows:

Miscellaneous Reports

- 1) Approval of Minutes of the regular Common Council meetings of November 18, 2013, recommending approval of minutes and placing on file.
- 2) Minutes (13-632) of Committee on Aging of 12/19/11, 2/6/12, 3/12/12, 4/9/12, 5/14/12, 9/10/12, 10/15/12, 10/19/12, 12/10/12, 1/14/13, 4/8/13, 9/9/13 & 11/11/13; Cemetery Commission of 11/10/11 & 4/19/12; Community Development Authority of 10/16/13; Harbor Commission of 7/25/13; Plan Commission of 10/16/13; Police and Fire Commission of 10/8/13 & 10/17/13; Manitowoc Public Utilities Commission of 10/28/13; Sustainability Committee of 11/25/13; Wastewater Treatment Facility Board of 8/13/13 & 10/8/13, recommending placing on file.

As recommended by Committee of the Whole

- 3) General City Claims (13-643) in the amount of \$378,561.09 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.
- 4) Petition (13-105) from the tenants of The Riverview Drive Apartments of Manitowoc, recommending placing on file.

- 5) Request (13-441) from Niagara Worldwide LLC to waive requirement for letter of credit for acquisition of Demolition Permit for 1512 Washington Street, recommending placing on file.

As recommended by Finance Committee

- 6) County Clerk's apportionment (13-631) of state taxes in the amount of \$317,178.42 and county taxes and special charges in the amount of \$9,867,149.06, recommending acceptance and place on file.

As recommended by Licensing, Permits & Inspections Committee

- 7) Application (13-635) from Silver Lake College of the Holy Family, Inc. for a change in zone from R1 and R6 to B2 for property located at 2406 S. Alverno Road, recommending referral to Plan Commission.

- 8) Application (13-640) from Bamco and Wisconsin Redevelopment for change in zone from I-2 to B-2 for property at 2402 Franklin St., recommending referral to Plan Commission.

As recommended by Parks and Recreation Committee

- 9) Permit (13-638) for use of Mariner's Trail by Luekemia & Lymphoma Society on July 20, 2014, recommending granting request per City policy.

Licenses

- 10) #2 Pawnbroker, Second-Hand Dealer, Flea Market, Etc.; #2-3 Mobile Home Park license; #292, 293 & 295 Two-Year Operator's license; #1 Racing Exhibitions license.

Non-Consent Agenda Items

Finance Committee returned General City Budget (13-527) of proposed 2013 levy for 2014, in the amount of \$15,402,650.00 including the Manitowoc Public Library, with \$932,727.00 in proposed tax incremental financing, recommending amending the budget to the sum of \$15,402,650.00 with \$932,727.00 in proposed tax incremental financing, more specifically an increase of \$0.00 to reflect the attached revisions, with the related TIF increments, and adoption of the budget as amended. Motion by McMeans, second by Able, to accept the Committee's report.

Discussion on the budget followed. Alderperson Brey arrived at 7:49 p.m.

Upon a vote: Ayes, 7. Nays, 3. Budget is adopted, as amended.

Committee of the Whole returned license agreement (13-636) with Cycom Data Systems, Inc. for litigation management, advisory assignments and prosecution management, recommending entering into the Agreement. Motion by Hennessey, second by Sladky, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Finance Committee returned Master Services Agreement (13-647) with Stantec Consulting Services, Inc. relative to City's 2013 EPA Revolving Loan Fund Grant, recommending entering into Master Service Agreement and associated Task Order No. 1. Motion by McMeans, second by Able, and carried by acclamation to accept the Committee's report. Ayes, 9. Nays, 0. Abstained, 1.

Licensing, Permits & Inspections Committee returned Memorandum of Understanding (13-480) from EJ Spirtas Manitowoc LLC relative to 1512 Washington Street complex, recommending placing on file. Motion by Hennessey, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Licensing, Permits & Inspections Committee returned #289 and 294 for Two-Year Operator's license, recommending denial of the licenses based upon the recommendation from the Deputy Police Chief. Motion by Hennessey, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Parks and Recreation Committee returned contract (13-646) with Nichols Electric, Inc. for removing existing main lug service panel and providing and installing a new Type 3R main breaker panel at the Lincoln Park Zoo at a cost of \$7,950.00, recommending acquiring a second quote prior to awarding. Motion by Sladky, second by Schema, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Personnel Committee returned resolution (13-607) revising the job description for Plumbing Inspector-Full Time within the Planning Department, recommending adoption of the resolution and acceptance of the revised job description. Motion by Able, second by Hennessey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Personnel Committee returned resolution (13-608) revising the job descriptions within the Police Department, recommending adoption of the resolution and acceptance of the revised job description. Motion by Able, second by Hennessey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Infrastructure Committee returned agreement (13-633) with The Holy Family Convent of the Franciscan Sisters of Christian Charity, Inc. for stormwater management, recommending entering into agreement. Motion by Soeldner, second by Brey, and carried by acclamation to accept the Committee's report. Ayes, 9. Nays, none. Abstained, 1.

Public Infrastructure Committee returned report (13-637) of the Board of Public Works of December 2, 2013, for 1st and final payment to Evans Associates in the amount of \$5,000 for radio frequency impact study for new Viebahn communication tower located at 3110 Viebahn St., recommending approval subject to receipt of final lien waiver. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Infrastructure Committee returned policy (13-639) of Maritime Metro Transit Passenger Behavior, recommending adoption. Motion by Soeldner, second by Brey, to accept the Committee's report.

Moved by Sladky, second by McMeans, to amend the policy to allow rifles and legally carried long guns on the bus. After a brief discussion, it was moved by Sladky, second by Soeldner, to table the document. Ayes, 10. Nays, none.

Public Infrastructure Committee returned resolution (13-641) increasing the monthly bus fare to \$25.00 effective January 1, 2014, recommending adoption. Motion by Soeldner, second by Brey, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Public Safety Committee returned resolution (13-642) to increase Municipal Court costs from \$28 to \$38 on each separate matter, effective January 1, 2014, recommending adoption of resolution. Motion by Sitkiewitz, second by Martell, and unanimously carried to accept the Committee's report. Ayes, 10. Nays, none.

Moved by Alderperson Hennessey, second by Alderperson Sladky, and unanimously carried, Common Council adjourned at 8:03 p.m. Ayes, 10. Nays, none.

Respectfully submitted,

Jennifer Hudon, City Clerk