



City of Manitowoc

900 Quay Street
Manitowoc, WI 54220
www.manitowoc.org

Meeting Minutes Common Council

Monday, January 5, 2015

7:00 PM

Council Chambers - City Hall

A. CALL TO ORDER

Mayor Justin M. Nickels called the meeting to order at 7:00 p.m.

B. ROLL CALL

Alderspersons Present: 8 - Jim Brey, Allan Schema, Eric Sitkiewitz, Jason Sladky, Jill Hennessey, Christopher Able, Dave Soeldner and Scott McMeans

Alderspersons Absent: 1 - Mike Howe

C. PLEDGE OF ALLEGIANCE

D. INVOCATION

City Clerk announced that the various documents have been referred to the appropriate committees as shown on the January 5, 2015 Common Council agenda.

E. PRESENTATIONS

[15-033](#) Presentation of awards for Lakeshore Holiday Parade.

[15-046](#) Presentations by District 5 Alderperson candidates.

Alderperson District 5 Candidates, Tyler Martell, Patrick Brandel and Donald Goeke, each gave a brief presentation.

Mayor announced that the Council will conduct the appointment of a successor to fill the vacancy for the District 5 Alderperson position.

[15-047](#) Appointment of District 5 Alderperson for the City of Manitowoc for the term ending 4/18/16.

Attachments: [Martell.pdf](#)
[Brandel.pdf](#)
[Goeke \(2\).pdf](#)

Moved by McMeans, seconded by Hennessey, to open the floor for nominations. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

Aldersperson McMeans nominated Patrick Brandel and Aldersperson Sladky nominated Tyler Martell.

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[Goeke \(2\).pdf](#)

There were no other nominations from the floor, and it was then moved by McMeans, seconded by Hennessey, to close nominations. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

Upon roll call vote, Martell received 2 votes and Brandel received 6 votes. Patrick Brandel was declared appointed as District 5 Aldersperson for the unexpired term ending 4/18/16. City Clerk administered the Oath of Office and Aldersperson Brandel assumed the seat of District 5 Aldersperson.

Alderspersons Present: 9 - Jim Brey, Allan Schema, Eric Sitkiewitz, Jason Sladky, Jill Hennessey, Christopher Able, Dave Soeldner, Scott McMeans and Patrick Brandel

Alderspersons Absent: 1 - Mike Howe

[15-034](#) Presentation by BPI Committee to update Council on their activities.

Finance Director Steve Corbelle, along with Jim Muenzenmeyer and Stacie Pajewski reported on the BPI process accomplishments.

F. PUBLIC HEARINGS

G. PUBLIC INPUT

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.

H. STANDING COMMITTEE REPORTS

I. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

[15-013](#) Appointment to Community Development Authority: Anton A. Doneff, Sr., in place of Chelle Blaszczyk, for unexpired term expiring 6/1/16.

Attachments: [15-013.pdf](#)

Moved by McMeans, seconded by Hennessey, that this Appointment be confirmed. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

[15-069](#)

Mayor appoints new D. 5 Alderperson to the following Standing Committees: Finance Committee, Parks and Recreation Committee and Public Safety Committee.

Moved by McMeans, seconded by Hennessey, that this Appointment be confirmed. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

J. RECESS

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, Licensing, Permits and Inspections Committee held a discussion relative to Request (14-2626) regarding the East Wisconsin Stock Car Racing Group project for waiver of fees. Motion by McMeans, second by Hennessey, and unanimously carried to deny the request and place on file. Ayes, 4. Nays, none.

Call back to order.

K. CONSENT AGENDA

1. Removal of Consent Agenda Items: None

Approval of the Consent Agenda

Moved by McMeans, seconded by Hennessey, to accept the Consent Agenda Items and recommendations of the various committees The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

2. Miscellaneous

[15-015](#)

Minutes of Common Council of Monday, November 17, 2014, recommending approval and place on file.

Attachments: [15-015.pdf](#)

[15-016](#)

Minutes of Common Council of Monday, December 1, 2014, recommending approval and place on file.

Attachments: [15-016.pdf](#)

[15-070](#) Minutes of Brownfields Advisory Committee of 12/9/14; Crime Prevention Committee of 11/6/14; Plan Commission of 6/11/14, 7/10/13, 6/12/13, 5/16/12; 4/11/12, 2/15/12; Public Utilities Commission of 11/10/14 & 11/24/14, recommending approval and place on file.

Attachments: [201501020937.pdf](#)
[201501020936.pdf](#)

[15-028](#) Public Notice of an Air Pollution Permit Application Review from Wisconsin DNR relative to Carmeuse Lime and Stone, 4110 Rockwood Rd., Manitowoc, recommending placing on file.

Attachments: [15-028.pdf](#)

[15-048](#) Communication from Society of St. Vincent de Paul thanking Schuette, Wernecke, Wilda, Rank Christmas Fund for their donation, recommending placing on file.

Attachments: [15-048.pdf](#)

3. Committee of the Whole

[15-001](#) General City Claims in the amount of \$1,860,176.88 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.

Attachments: [COW 15-001.pdf](#)

4. Finance Committee

[15-020](#) Communication from City Assessor Sarah Hoppe to delete tax of \$6.27 for PP Parcel 000-022-707 due to palpable error, recommending to delete tax of \$6.27.

Attachments: [FN 15-020.pdf](#)

[15-021](#) Communication from City Assessor Sarah Hoppe to rescind tax of \$108.67 for parcel 000-918-462 for personal property due to palpable error, recommending to rescind tax of \$108.67.

Attachments: [FN 15-021.pdf](#)

[15-022](#) Communication from City Assessor Sarah Hoppe to rescind tax of \$1,274.54 for parcel 834-402-130 for real property due to palpable error, recommending to rescind taxes of \$1,274.54.

Attachments: [FN 15-022.pdf](#)

[15-023](#) Communication from City Assessor Sarah Hoppe to rescind tax of \$334.35 for parcel 000-918-375 for personal property due to palpable error, recommending to rescind tax of \$334.35.

Attachments: [FN 15-023.pdf](#)

[15-024](#) Communication from City Assessor Sarah Hoppe to rescind tax of \$62.69 for parcel 000-918-274 for personal property due to palpable error, recommending to rescind tax of \$62.69.

Attachments: [FN 15-024.pdf](#)

[15-025](#) Communication from City Assessor Sarah Hoppe to rescind tax of \$1,776.18 for parcel 000-050-955 for personal property due to palpable error (duplicate assessment), recommending to rescind tax of \$1,776.18.

Attachments: [FN 15-025.pdf](#)

[15-026](#) Communication from City Assessor Sarah Hoppe to rescind tax of \$104.49 for parcel 000-317-262; \$125.39 for parcel 000-918-224; \$146.27 for parcel 000-918-154; and \$313.45 for parcel 000-010-868, all for personal property due to palpable errors, recommending to rescind tax amounts listed above.

Attachments: [FN 15-026.pdf](#)

[15-027](#) Communication from City Assessor Sarah Hoppe to rescind tax of \$5,000.44 for parcel 835-401-033 for real property due to palpable error, recommending to rescind tax of \$5,000.44.

Attachments: [FN 15-027.pdf](#)

[15-032](#) Communication from City Assessor Sarah Hoppe notifying of personal property palpable error related to parcels 000-918-389 and 000-308-768 (GE Capital Information Tech Solutions), recommending to rescind the 2014 taxes for personal property in the amount of \$4,419.53.

Attachments: [FN 15-032.pdf](#)

5. Licensing, Permits and Inspections Committee

6. Parks and Recreation Committee

7. Personnel Committee

8. Public Infrastructure Committee

[15-007](#) Report of the Board of Public Works of December 10, 2014 for 1st and final payment of WB-14-23 Digester Building No. 4 Re-Roofing to Kaschak Roofing Inc. in the amount of \$21,900.00, recommending payment.

Attachments: [PI 15-007.pdf](#)

[15-008](#) Report of Board of Public Works of December 10, 2014, of 6th and Final payment for Dewey Street Stormwater Pond Prairie Seeding and Tree Installation to Lakeshore Cleaners Inc. in the amount of \$8,683.38, recommending payment.

Attachments: [PI 15-008.pdf](#)

[15-009](#) Report of Board of Public Works of November 19, 2014 for 2nd and Final payment for WU-14-8 Sanitary Sewer Construction to Kip Gulseth Construction Co. in the amount of \$24,073.64, recommending payment.

Attachments: [PI 15-009.pdf](#)

[15-010](#) Report of Board of Public Works of November 19, 2014 for Cleaning/Demolition of Aboveground Storage Tank for 1st and Final Payment to Veolia Environmental Services in the amount of \$46,887.00, recommending payment.

Attachments: [PI 15-010.pdf](#)

[15-011](#) Report of Board of Public Works of November 19, 2014 for WS-14-1 Concrete Paving for 5th and Final Payment to Vinton Construction Co. in the amount of \$31,195.24, recommending payment.

Attachments: [PI 15-011.pdf](#)

9. Public Safety Committee

L. NON-CONSENT AGENDA ITEMS INCLUDING ITEMS REFERRED AT THIS MEETING AND ITEMS PREVIOUSLY REFERRED WHICH MAY BE CONSIDERED AT THIS COMMON COUNCIL MEETING

1. Committee of the Whole

[15-039](#) Resolution urging the Legislature and the Governor to enact the League of Wisconsin Municipalities Partnership for Prosperity agenda to accomplish the critical goals of job creation and economic growth.

Attachments: [COW 15-039.pdf](#)

Moved by McMeans, second by Hennessey to adopt the resolution.

Moved by Hennessey, seconded by Able, that this Resolution be tabled. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

2. Finance Committee

[15-012](#) Resolution authorizing the submittal of an application with the U S Environmental Protection Agency Brownfields Assessment Grant program pursuant to the Small Business Liability Relief and Brownfields Revitalization Act - P.L. 107-118.

Attachments: [FN 15-012.pdf](#)

Moved by Sitkiewitz, seconded by McMeans, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

[15-040](#) Proposal to review the Status of Each Tax Incremental Finance District and Prepare a Report with Options Ehlers & Associates, Inc.

Attachments: [20141224005521804.pdf](#)

[FN 15-040.pdf](#)

Moved by Sitkiewitz, seconded by McMeans, that this Action Item be accepted not to exceed \$16,000. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

[15-041](#) Request from Tree Commission to establish a non-lapsing fund from proceeds of firewood sales which would be used in the city's forestry operations.

Attachments: [20141224005502354.pdf](#)

[15-041 MTC memo - Firewood Revenue](#)

Moved by Sitkiewitz, seconded by McMeans, that this Action Item be recommended for approval to the Parks & Recreation Committee for their consideration. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

Nay: 1 - Sitkiewitz

[15-042](#) Letter from Friends of the Manitowoc Family Aquatics Center, Inc. regarding \$50,000 request for funding for 2013 operations.

Attachments: [20141224005537115.pdf](#)

Moved by Sitkiewitz, seconded by McMeans, that this Action Item be placed on file and rescind \$50,000. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

[15-058](#) Quarterly Capital Allocation Working Group (CAWG) Report for December 31, 2014

Attachments: [20141231040555629.pdf](#)

Moved by Sitkiewitz, seconded by McMeans, that this Report be placed on file. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

3. Licensing, Permits and Inspections Committee

[14-2626](#) Request regarding the East Wisconsin Stock Car Racing Group project for waiver of fees.

Attachments: [LPI 14-2626.pdf](#)

Moved by Brey, seconded by McMeans, that this Request be denied and placed on file. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

4. Parks and Recreation Committee

[15-018](#) Request for Waiver of Fees from Manitowoc Fish and Game for rental of Lincoln Park Cabin 1 for 2015 meetings.

Attachments: [PK 15-018.pdf](#)

Moved by Sladky, seconded by Schema, that this Request be granted for \$300 annual fee. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

[15-030](#) Special Events Request from Broken Spoke Bike Studio to hold Shelltrack/Fat Bike Race on January 31, 2015 at Silver Creek Park with waiver of fee request attached.

Attachments: [PK 15-030.pdf](#)

Moved by Sladky, seconded by Schema, that this Special Events Request be granted with 50% waiver of fees. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

[15-037](#) Communication from Manitowoc Amateur Baseball, Inc. to extend their license with the City for the use of Municipal Field for the one year period of May 1, 2015 through August 31, 2015.

Attachments: [PK 15-037.pdf](#)

Moved by Sladky, seconded by Schema, that this Agreement be entered into. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

[15-067](#) Special Events Request from Justin Finlan to hold Winter Softball Tournament at Citizen Park on January 22-23, 2015.

Attachments: [PK 15-067.pdf](#)

Moved by Sladky, seconded by Schema, that this Special Events Request be granted. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

5. Personnel Committee

[15-002](#) Resolution to approve the newly revised Employee Policy Manual.

Attachments: [PL 15-002.pdf](#)
[EPM-Current thru CC 2015 FINAL.pdf](#)

Moved by Hennessey, seconded by Able, that this Resolution be adopted. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner and McMeans

Abstain: 1 - Brandel

[15-003](#) Resolution to approve internal equity move from Step 1 to Step 3, Grade K, for Jeri Lynn Christensen, Police Department Office Manager.

Attachments: [PL 15-003.pdf](#)

CLERK'S NOTE: See Mayor's Veto (15-120). Council placed Veto on file on 1-19-15. This resolution was not adopted.

Moved by Hennessey, seconded by McMeans, that this Resolution be adopted. The motion carried by the following vote:

Aye: 5 - Brey, Schema, Hennessey, Able and McMeans

Nay: 4 - Sitkiewitz, Sladky, Soeldner and Brandel

[15-004](#) Resolution to approve the salary for the hiring of a new Deputy Police Chief, at Grade P of the Compensation Pay Plan.

Attachments: [PL 15-004.pdf](#)

Moved by Hennessey, seconded by Able, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

[15-005](#) Resolution to hire two part-time Transit Drivers in the Department of Public Infrastructure, Transit Division.

Attachments: [PL 15-005.pdf](#)

Moved by Hennessey, seconded by Able, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

[15-006](#) Resolution to approve the hiring process for vacant positions under the authority of the Common Council.

Attachments: [PL 15-006.pdf](#)

Moved by Hennessey, seconded by Able, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

6. Public Infrastructure Committee

[15-014](#) Adoptable Areas Program for maintenance and improvement of parks and designated green spaces. (Copy to Parks & Recreation)

Attachments: [PI 15-014 \(2\).pdf](#)

Moved by Soeldner, seconded by Brey, that this Program be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

[15-031](#) Memorandum from City Clerk Jennifer Hudon requesting that refunds be made to taxpayers on the 5-year plan for seal coating due to an interest calculation error.

Attachments: [PI 15-031.pdf](#)

Moved by Soeldner, seconded by Brey, that this Memorandum be accepted and refund the overpayment. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

[15-062](#) Amendment No. 1 to Assist to Transport, LLC Lease.

Attachments: [PI 15-062.pdf](#)

Moved by Soeldner, seconded by Brey, that this Amendment be approved. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

7. Public Safety Committee

[14-2622](#) Ordinance amending 10.390 creating a no parking zone for 44' on Chicago Street east of the 10th Street curblin.

Attachments: [PS 14-2622.pdf](#)

Moved by Able, seconded by Sitkiewitz, that this Ordinance be adopted. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

8. Licenses

#8 for Class "B" Retail Fermined Malt Beverage license; #2, 3 & 4 for Commercial Garbage Hauler's license; #5, 6 & 7 for Pawnbrokers/Second Hand Article license; #2 & 3 for Mobile Home Park license for granting. Moved by Brey, second by Hennessey, and unanimously carried to grant the various licenses. Ayes, 9. Nays, none.

M. ADJOURN

Moved by McMeans, seconded by Hennessey, that this meeting be adjourned at 9:22 p.m. The motion carried by the following vote:

Aye: 9 - Brey, Schema, Sitkiewitz, Sladky, Hennessey, Able, Soeldner, McMeans and Brandel

**Jennifer Hudon
City Clerk**