



City of Manitowoc

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

Meeting Minutes Common Council

Monday, March 3, 2014

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. ROLL CALL

Alders Present: 8 - Jim Brey, Allan Schema, Mike Howe, Christopher Able, Jason Sladky, Scott McMeans, Eric Sitkiewitz and Tyler Martell

Alders Absent: 2 - Dave Soeldner and Jill Hennessey

C. PLEDGE OF ALLEGIANCE

D. INVOCATION

City Clerk announced that the various documents have been referred to the appropriate committees as shown on the March 3, 2014 Common Council agenda.

E. PRESENTATIONS

[14-094](#) Update on Economic Development Corporation by Connie Loden, Executive Director.

[14-095](#) Update on progress made with the City's 2011 EPA Community-Wide Assessment Grant, and 2013 EPA Revolving Loan Fund grant program by City Planner David Less.

[14-128](#) Presentation by Library Director Cherilyn Stewart on Adult Literacy Program.

F. 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.

G. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

[14-186](#) Appointment of Nancy Boeck (Pl. of P. Campbell) to the Crime Prevention Committee for an indefinite term.

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-187](#) Appointment of Robert Maloney (Pl. of E. Wagner) to the Crime Prevention Committee for an indefinite term.

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-188](#) Appointment of Chrisma Hochkammer (Pl. of D. Sleger) to the Crime Prevention Committee for an indefinite term.

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-192](#) Reappointment of David Gratz to the Library Board for a 3 year term expiring 7/1/16.

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-193](#) Reappointment of Maureen Stokes to the Library Board for a 3 year term expiring 7/1/16.

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

H. 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, Brad Viegut, Managing Director, Robert W. Baird, addressed the Council relative to General Obligation Promissory Notes and refinancing.
Call back to order.

I. CONSENT AGENDA

1. Removal of Consent Agenda Items

None.

2. Miscellaneous

Approval of the Consent Agenda

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-087](#)

Minutes of Municipal Tree Commission of 2/12/13 & 4/26/13; Zoological Board 12/11/13, recommending placing on file.

[14-096](#)

Minutes of the regular Common Council meeting of February 3, 2014, recommending approval of minutes and placing on file.

[14-147](#)

Resignation of Emilee Wagner from Crime Prevention Committee effective immediately, recommending acceptance and place on file.

[14-148](#)

Resignation of Pam Campbell from Crime Prevention Committee effective immediately, recommending acceptance and place on file.

3. Committee of the Whole

[14-089](#)

General City Claims in the amount of \$6,987,753.89 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 .

[14-198](#)

General City Claims in the amount of \$484,650.07 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. Finance Committee

[14-082](#)

Report from Interim City Attorney Kathleen McDaniel with original contract entered into with Weslow Water Systems, Inc. for the installation of a replacement potable well and associated pumping system at 3518 Hecker Rd., recommending acceptance of report and placing contract on file.

5. Licensing, Permits and Inspections Committee

[14-092](#)

Communication from General Manager Nilaksh Kothari highlighting the 2013 activities of Great Lakes Utilities with Annual Report of Great Lakes Utilities for the year ending December 31, 2012, recommending acceptance and place on file.

6. Parks and Recreation Committee

7. Personnel Committee

- [14-021](#) Resolution establishing Manitowoc Interim Pay Policy effective upon approval by the Common Council to establish guidelines in order to consistently compensate lessor paid employees assigned to temporary interim assignments, recommending placing on file.

8. Public Infrastructure Committee

- [14-079](#) Report of Manitowoc County Recycling Center of 2013 breakdown of recyclable materials, recommending acceptance and place on file.
- [14-080](#) Report of Director of Public Infrastructure Dan Koski of Port of Manitowoc Tonnage Report for year ending December 31, 2013, recommending acceptance and place on file.
- [14-178](#) Revised Report of Board of Public Works of February 26, 2014, recommending 4th and final payment to Lake Shore Cleaners, Inc. in the amount of \$19,347.85 for So. 10th St. Pond Landscaping (previously paid on December 2, 2011), recommending acceptance and place on file.
- [14-179](#) Revised Report of Board of Public Works of February 26, 2014, recommending 7th and final payment to Strand Associates, Inc. in the amount of \$4,950.33 for WWTF Biogas Burner Replacement Project (previously paid with check number 46806), recommending acceptance and place on file.
- [14-189](#) Report of Board of Public Works of February 26, 2014, recommending 10th and final payment to Strand Associates, Inc. in the amount of \$3,419.13 for 2013 Collection System I/I, recommending payment.

9. Public Safety Committee

10. Approval of the following licenses.(Subject to department endorsements and payment of license fees).

- [14-137](#) Operator's License Applications: #317, 319, 321-325 & 327 Two Year Operator's License.
- [14-141](#) Class "B" Retail Fermented Malt Beverage license application #27 of Khushi Corp.; Gina Horkman, Agent; 1807 Washington St.
- [14-142](#) Class "B" Retail Fermented Malt Beverage license application #28 of Khushi Corp.; Gina Horkman, Agent; 1710 S. 10th St.

J. 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

- [14-225](#) Notice of Retirement of City Planner David Less.
- Moved by Sladky, seconded by Able, that this Notice be accepted and placed on file. The motion carried by the following vote:**

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

2. Finance Committee

[14-031](#) Claim for excessive assessment from SCP 2006-C23-114 LLC #854/CVS Pharmacy on parcel number 520-035-020.

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-071](#) Claim of Holy Family Memorial, Inc. for refund of 2013 real property taxes and personal property taxes for various properties.

Moved by Able, seconded by Brey, that this Claim be denied. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Howe, Able, Sladky, Sitkiewitz and Martell

Abstain: 1 - McMeans

[14-074](#) Agreement for management services for the 2014 Farmers' Market.

Moved by Brey, seconded by Able, to enter into the Agreement. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Howe, Able, Sladky, McMeans and Martell

Nay: 1 - Sitkiewitz

[14-133](#) Purchase Granicus VoteCast for iLegislate

Moved by McMeans, seconded by Able, to enter into an agreement for Votecast contingent upon the agreement of a reasonable trial period to be negotiated by the City Finance Director. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Howe, Able, Sladky, McMeans and Sitkiewitz

Nay: 1 - Martell

[14-135](#) Resolution awarding the sale of \$4,030,000 General Obligation Promissory Notes, was referred to Finance Committee.

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-136](#) Scope of Engagement relative to proposed issuance of approximately \$4,030,000 City of Manitowoc General Obligation Promissory Notes.

Moved by McMeans, seconded by Able, to enter into agreement and place on file. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-181](#) Report of Deputy City Planner Paul Braun relative to AECOM's General Conditions of Service Agreement (attached) related to the sheet wall and river walk study along the Manitowoc River.

Moved by McMeans, seconded by Able, to enter into agreement and place on file. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-231](#) Agreement with Pelion Benefits, Inc. relative to 3121 FICA Alternative Plan and Trust Administrative Services Agreement and Medical Expense Reimbursement Plan and Prime Trust Administrative Service Agreement.

Moved by McMeans, seconded by Able, to enter into agreement and place on file. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-237](#) Agreement with Precision Retirement Group, Inc. for Medical Expense Reimbursement Plan (accrued sick leave conversion plan).

Moved by McMeans, seconded by Able, to enter into agreement and place on file. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-247](#) Agreement with Precision Retirement Group, Inc. to implement a FICA Alternative Retirement Plan.

Moved by McMeans, seconded by Able, to enter into agreement and place on file. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

3. Licensing, Permits and Inspections Committee

[14-076](#) Report of City Planner David Less providing an informational packet on 2014 Farmers' Market.

Moved by Brey, seconded by Sladky, that this Report be accepted and recommendations adopted. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Howe, Able, Sladky, McMeans and Martell

Nay: 1 - Sitkiewitz

[14-208](#) Request from Red Arrow Products Company LLC for Change in Zone from B-3 General Business District to C-1 Commercial District for property at 200 E. Waldo Blvd.

Moved by Brey, seconded by Sladky, that this Request be referred to the Plan Commission. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

4. Parks and Recreation Committee

[14-055](#)

Communication from Friends of the Manitowoc Family Aquatic Center Board with proposal to add an 18 hole miniature golf course to be part of the aquatic center.

Moved by Sladky, seconded by Schema, that this request be granted and accept donation of mini golf. The motion carried by the following vote:

Aye: 7 - Brey, Schema, Howe, Sladky, McMeans, Sitkiewitz and Martell

Nay: 1 - Able

[14-057](#)

Special Events Request from Liz Becker, Carol Rose Wester Memorial Walk/Run, requesting to hold a walk/run event on Saturday, August 9, 2014, starting and ending at Red Arrow Park, as detailed therein. (Copy to Public Infrastructure Committee).

Moved by Sladky, seconded by Schema, (joint recommendation of Parks and Recreation and Public Infrastructure Committees) that this Special Events Request be granted with same terms as 2013. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-072](#)

Special Events Request from Kenny's Athletic Klub to hold annual slow-pitch tournament beginning on July 25, 2014, at Citizen Park.

Moved by Sladky, seconded by Schema, that this Special Events Request be granted per City Policy with same terms as 2013. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-091](#)

Memo from Director of Public Infrastructure Dan Koski relative to Parks Worker I being elevated to Parks Worker II and replacement of Parks Worker I.

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-180](#)

Special Event Request from James Moffatt to hold the Memorial Benefit Fundraiser for Victor Gadzinski at Silver Creek Park on September 13, 2014 and to waive the fees

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-194](#) Special Events Request from Pete Honzik to hold Acoustic Fest event in Washington Park on July 19, 2014, including use of barricades, street closures, electrical service and serving alcohol in the park, as well as Waiver of Fees request. (Copies to Public Infrastructure and Licensing, Permits & Inspections Committees.)

Moved by Sladky, seconded by Schema, that this Special Events Request be granted per City Policy under same agreement as 2013. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-197](#) Special Events Request from Paul Roekle, Manitowoc Sunrise Rotary, to hold Lobsterfest in Washington Park on Saturday, September 6, 2014 and to waive the fees and serve alcoholic beverages in park. (Copy to Licensing, Permits & Inspections Committee).

Moved by Sladky, seconded by Schema, that this Special Events Request be granted per City Policy and same conditions as 2013. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-253](#) Amendment to the Lease Agreement with the Manitowoc Area Visitor and Convention Bureau to allow the MAVCB to construct and maintain a new electronic sign.

Moved by Sladky, seconded by Schema, to enter into Amendment. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

5. Personnel Committee

[14-085](#) Resolution to approve revised job descriptions within the Wastewater Treatment Facility.

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-086](#) Resolution to approve revised job descriptions within the Department of Public Infrastructure.

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-088](#) Memo from Human Resources Generalist Jeri Johnson attaching contracts relative to our Medical and Life Renewals for 2014.

Moved by Able, seconded by Schema, that the contracts be approved. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-093](#) Legal Services Agreement with Mozinski and Cashman LLP.

Moved by Sitkiewitz, seconded by Schema, that this Agreement be approved. The motion carried by the following vote:

Aye: 6 - Brey, Schema, Howe, McMeans, Sitkiewitz and Martell

Nay: 2 - Able and Sladky

6. Public Infrastructure Committee

[14-183](#) Report of Director of Public Infrastructure Dan Koski outlining the accomplishments for 2013 relative to DNR's MS4 General Stormwater Discharge Permit No. WI-S050075-1.

Moved by Brey, seconded by Sladky, that this Report be accepted and placed on file. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-216](#) Report of the Board of Public Works of February 26, 2014, regarding bids received for 2014 Televising Sewers, Project WU-14-5.

Moved by Brey, seconded by Sladky, that this Report be approved to accept bid of Northern Pipe Equipment Inc. in the amount of \$40,539.76. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-223](#) Report of Board of Public Works of February 26, 2014, regarding quotes for three 2014 Ford Utility AWD Police Interceptor, QE-14-2.

Moved by Brey, seconded by Sladky, that this Report be approved and accept bid of \$79,404.00 from Ewald Chevrolet. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

7. Public Safety Committee

[14-041](#) Request from Manitowoc County Planning and Zoning Department relative to review of Hazard Mitigation Materials to update the Hazard Mitigation Plan for Manitowoc County and the municipalities.

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

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-077](#) Contract with Bartolotta Fireworks Company, Inc. for March 14, 2014 fireworks display in conjunction with St. Patrick's Day parade.

Moved by Sitkiewitz, seconded by Martell, to enter into contract per City policy. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

8. Licenses

[14-138](#)

Two Year Operator's License application #320 of Darian R. Kaderabek, 3311 Dale St.

Moved by Brey, seconded by Sladky, that this License be denied. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-139](#)

Two Year Operator's license application #326 of Angela M. Seefeldt, 1622 S. 13th Street

Moved by Brey, seconded by Sladky, that this License be denied. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

[14-140](#)

Two Year Operator's license application #318 of Dana Estrada, 2704 Meadow Lane

Moved by Brey, seconded by Sladky, that this License be denied. The motion carried by the following vote:

Aye: 8 - Brey, Schema, Howe, Able, Sladky, McMeans, Sitkiewitz and Martell

K. ADJOURN

Moved by Sladky, second by Able, and unanimously carried, Common Council adjourned at 8:45 p.m. Ayes, 8. Nays, none.

**Jennifer Hudon
City Clerk**