



City of Manitowoc

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

Meeting Minutes

Common Council

Monday, December 19, 2016

6:30 PM

Council Chambers

A. CALL TO ORDER

B. ROLL CALL

Alders Present: 9 - Dave Soeldner, Jim Brey, Mike Howe, Jason Sladky, Scott McMeans, Christopher Able, Eric Sitkiewitz, Lee H. Kummer and Steven Czekala

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

[16-1152](#) Lakeshore Holiday Parade Awards.

[16-1157](#) City Clerk administers oath of office to Firefighter/Paramedics Phillip Burton, Michael Burgard, Jeremy Reichwald, and Phillip Stodola followed by a badge ceremony.

[16-1158](#) City Clerk administers oath of office to Police Officers Fielder Clark and Alex Turek, followed by a badge ceremony.

E. PUBLIC HEARINGS

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

[16-1154](#) Appointments to Library Board: Andrew Myers in place of David Gratz for a three year term ending 7/1/19; Patricia Zimmerman in place of Maureen Stokes for a three year term ending 7/1/19.

Attachments: [16-1154.pdf](#)
[16-1154a.pdf](#)

Moved by Sladky, seconded by Soeldner, that this Appointment be sent to oversite Committee (Finance). The motion failed by the following vote:

Aye: 1 - Sladky

Nay: 8 - Soeldner, Brey, Howe, McMeans, Able, Sitkiewitz, Kummer and Czekala

Moved by Brey, seconded by McMeans, that these Appointments be confirmed. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1159](#) Appointment to Harbor Commission: Dave Luckow in place of James Anderson for a term ending 6/1/18.

Attachments: [16-1159.pdf](#)

Moved by Sladky, seconded by Soeldner, that this Appointment be sent to oversight Committee (Public Infrastructure). The motion failed by the following vote:

Aye: 1 - Sladky

Nay: 8 - Soeldner, Brey, Howe, McMeans, Able, Sitkiewitz, Kummer and Czekala

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

Aye: 6 - Brey, Howe, McMeans, Able, Sitkiewitz and Kummer

Nay: 3 - Soeldner, Sladky and Czekala

H. CONSENT AGENDA

1. Removal of Consent Agenda Items: None.

Approval of the Consent Agenda

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

2. Miscellaneous

[16-1160](#) Minutes of November 21, 2016 Common Council meeting, recommending acceptance and place on file.

Attachments: [16-1160.pdf](#)

[16-1170](#) Minutes of November 28, 2016 Common Council meeting, recommending acceptance and place on file.

Attachments: [16-1170.pdf](#)

[16-1176](#) Thank yous from The Salvation Army and Peter's Pantry for donation from the Schuette, Wernecke, Wilda, Rank Christmas Fund, recommending placing on file.

Attachments: [16-1176.pdf](#)

3. Committee of the Whole (Consent)

[16-1129](#) Communication from Superintendent Wastewater Treatment Facility resigning his position effective December 16, 2016, recommending acceptance of resignation and place on file.

Attachments: [16-1129.pdf](#)

[16-1130](#) Discussion and possible action on filling the vacant Wastewater Treatment Facility Superintendent position, recommending placing on file.

Attachments: [job_descr.pdf](#)

4. Finance Committee (Consent)

[16-1071](#) Foreclosure of Mortgage 16-CV-0383 Wisconsin Housing and Economic Development Authority vs. Chai Wang Xiong and Por Choua Xiong, City of Manitowoc, Holy Family Memorial, Inc; returned with Report of City Attorney with attached Notice of Entry of Judgment and Foreclosure, recommending acceptance of report and place on file.

Attachments: [20161112025720650](#)

[atty report.pdf](#)

[16-1151](#) General City Claims 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: [report 16-1151.pdf](#)

[11-23-16.pdf](#)

[12-2-16.pdf](#)

[12-9-16.pdf](#)

[12-13-16.pdf](#)

[12-16-16.pdf](#)

[16-1163](#) Quit Claim Deeds from Donald Umnus Trust for Dutch Road purposes and S. Alverno Rd. purposes, recommending acceptance.

Attachments: [deeds.pdf](#)

5. Personnel Committee (Consent)

6. Public Infrastructure Committee (Consent)

[16-1135](#) Stormwater Management Facility Maintenance Agreement for 2240 & 2280 South 42nd Street, parcel #835-401-010, recommending entering into the agreement.

Attachments: [16-1135.pdf](#)

[16-1138](#) Request for Equipment Rental Fee Waiver for Manitowoc Praisefest, recommending approval.

Attachments: [16-1138.pdf](#)

[16-1150](#) Budget transfer request for contracted janitorial service, recommending approval.

Attachments: [Budget Transfer Request Nov16 HH Seasonal.pdf](#)

[16-1153](#) Report of Board of Public Works of December 7, 2016 for Truck Storage Heating System replacement DPW, WB-16-13 for 1st and Final Payment to Manitowoc Heating & Refrigeration Services, Inc. in the amount of \$37,214.00, recommending payment.

Attachments: [16-1153.pdf](#)

[16-1155](#) Report of Board of Public Works of December 7, 2016 for 2nd and Final payment of \$5,928.61 to Vinton Construction for 2016 Asphalt Concrete Paving Program, WS-16-4, recommending payment.

Attachments: [16-1155.pdf](#)

[16-1156](#) Report of Board of Public Works of 12/7/16 for 1st and Final payment of \$22,213.00 to Vinton Construction for 2016 Sanitary Building Sewer Lateral Construction, 4025 Viebahn St., recommending payment.

Attachments: [16-1156.pdf](#)

[16-1175](#) Agreement 16-14 with Martenson & Eisele, Inc. to generate and update planning document that will further strengthen the park system and enhance resident and visitor experiences, recommending entering into the agreement.

Attachments: [201612140950.pdf](#)

7. Public Safety Committee (Consent)

[16-1033](#) Citizen request to place a yield or a stop sign on the corner of North 12th Street and Ahrens Street, recommending placing on file.

Attachments: [Public Safety Item #16-1033](#)
[N. 12th and Ahrens Street Photo](#)
[Information on #16-1033](#)

[16-1053](#) Fire Department/City of Manitowoc partner agreement with Southern Columbia University, recommending not to enter into the agreement and place on file.

Attachments: [Southern Columbia University partner agreement #16-1053](#)
[CSU Certificate of Accreditation](#)

[16-1109](#) Manitowoc Fire Department October Division of Life Safety Report, recommending acceptance and place on file.

Attachments: [Life Safety 10Oct. Report](#)

[16-1110](#) October Fire Report, recommending acceptance and place on file.

Attachments: [October Fire Report](#)

[16-1111](#) October Police Report, recommending acceptance and place on file.

Attachments: [October Police report](#)

[16-1123](#) Communication from Village of Kellnersville on Emergency Medical Service Ambulance Agreement updates, recommending placing on file.

Attachments: [Kellnersville EMS Agreement](#)

I. STANDING COMMITTEE REPORTS

1. Committee of the Whole

[16-1173](#) Resolution relative to train horns.

Attachments: [16-1173.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

2. Finance Committee

[16-1164](#) Report of City Plan Commission relative to request from Sara Stelzer-Grosshuesch for conditional use permit for a tatoos (eyebrow microblading) in a B-1 Office Residential District located at 709 Marshall St. recommending approval pursuant to conditons attached in the report.

Attachments: [16-1164.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1178](#) Report of Finance Committee to grant the various licenses subject to approvals, inspections, insurance, payment of license fees and meeting State Statute requirements, as detailed therein.

Attachments: [16-1178.pdf](#)

Moved by McMeans, seconded by Sitkiewitz, that the various licenses contained in this Report be granted. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1184](#) Maintenance Agreement with Wisconsin Document Imaging for copiers for the year 2017.

Attachments: [16-1184.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

3. Personnel Committee

[16-1001](#) 2017 Wage Agreement between City of Manitowoc and Department of Public Works Employees Local 662.

Attachments: [DPW Agreement 2017](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

4. Public Infrastructure Committee

[16-0950](#) Dogs/Security Cameras in Evergreen Cemetery

Attachments: [16-0950.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1050](#) Resolution for the Closure of the Archer Street & Rapids Road Intersection.

Attachments: [16-1050-1.pdf](#)
[20161208113017386.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1134](#) Fund for Lake Michigan Grant Approval to support the Relocation and Treatment of Contaminated Stormwater at Blue Rail Marina Beach.

Attachments: [16-1134.pdf](#)

Moved by Soeldner, seconded by Howe, to accept grant monies after verification of site encumbrances. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1136](#) Request for a Grow it Forward Hoop House.

Attachments: [16-1136.pdf](#)

Moved by Soeldner, seconded by Howe, that this Request be approved for Hoop House measuring a maximum of 20' x 96' for a single structure and working with Engineering for proper siting. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1140](#) Resolution for Capital Projects Street Improvements for 2017.

Attachments: [16-1140.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1141](#) Resolution for 2017 Dust Palliatives

Attachments: [16-1141.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1142](#) Resolution for City-wide Sidewalk Construction and Repair Program for 2017.

Attachments: [16-1142.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1143](#) Resolution for Sealcoating for 2017.

Attachments: [Sealcoating 2017.doc](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1146](#) Resolution to appoint Mike Jaeger as Interim for Wastewater Treatment Facility Superintendent.

Attachments: [16-1146.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1166](#) Resolution to hire a part-time Engineering Administrative Support Specialist due to resignation.

Attachments: [16-1166.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1171](#) Ordinance to revise Section 10.410 of the Municipal Code for the Winter Parking Ban, revising Expo Drive.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

5. Public Safety Committee

[16-1108](#) Sex Offender request for residency in the City of Manitowoc, recommending denial of request and place on file.

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1161](#) Agreement for Ambulance Services with Village of Francis Creek from January 1, 2017 through December 31, 2021.

Attachments: [16-1161.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1162](#) Agreement for Ambulance Services with Town of Manitowoc Rapids for period January 1, 2017 through December 31, 2021.

Attachments: [16-1162.pdf](#)

Moved by Sladky, seconded by Brey, that this Agreement be amended requiring the Town to restore no parking on N. Parkview Rd. to only one side of the road near Camp Vits. The motion failed by the following vote:

Aye: 4 - Soeldner, Howe, Sladky and Sitkiewitz

Nay: 5 - Brey, McMeans, Able, Kummer and Czekala

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1167](#) Resolution to hire a Police Department Administrative Assistant due to retirement.

Attachments: [16-1167.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1169](#) Joint Powers Agreement between Manitowoc County Joint Dispatch Center and City of Manitowoc.

Attachments: [16-1169.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1172](#) Ordinance to revise Section 10.390 of the Municipal Code relative to parking on Lindbergh Drive.

Attachments: [16-1172.pdf](#)

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

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

[16-1177](#) Accela Land Management Software Contract - Inspections/Permits/Codes

Moved by Able, seconded by Sladky, that this Agreement be entered into after it is amended to the satisfaction of the City Attorney, Finance and Fire & Safety. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

J. OTHER BUSINESS

K. ADJOURN

Moved by Brey, seconded by McMeans, that this meeting be adjourned at 7:45 p.m. The motion carried by the following vote:

Aye: 9 - Soeldner, Brey, Howe, Sladky, McMeans, Able, Sitkiewitz, Kummer and Czekala

**Jennifer Hudon
City Clerk**