



City of Manitowoc

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

Meeting Agenda Common Council

Monday, April 7, 2014

7:00 PM

Council Chambers

Pursuant to Section 19.84(2) and (3) of the Wisconsin Statutes, notice is hereby given to the public, to the Herald-Times-Reporter, the official newspaper of Manitowoc, and to those news media who have filed a written request for this notice that a meeting of the above-referenced will be held at the date, time and location listed above.

The above governmental body will meet to discuss and possibly take action on the agenda items set forth below.

A. CALL TO ORDER

B. ROLL CALL

*Dave Soeldner, Jim Brey, Al Schema, Mike Howe, Chris Able,
Jason Sladky, Scott McMeans, Eric Sitkiewitz, Tyler Martell, and Jill Hennessey*

C. PLEDGE OF ALLEGIANCE

D. INVOCATION

Council President Jill Hennessey

E. PRESENTATIONS

[14-477](#)

Presentation by Rebecca Petersen, MCLS, and Terry Ehle, Lester Public Library, of Reach Out and Read Program.

F. PUBLIC HEARINGS

[14-488](#)

Public Hearing to be held at 7:10 p.m. for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from "B-3" General Business District to "C-1" Commercial District, for an area located on the north side of Waldo Blvd. and west of Memorial Drive.

G. PUBLIC INPUT

Members of the public will be permitted to speak at the first or second scheduled Common Council meeting of each month on any matter of public interest. The comments from each speaker shall be limited to five minutes in length unless extended by action of the Common Council.

H. STANDING COMMITTEE REPORTS

1. Committee of the Whole (Council President Jill Hennessey)
2. Finance (Chairman Scott McMeans)
3. Licensing, Permits and Inspections (Chair Jim Brey)
4. Parks and Recreation (Chair Jason Sladky)
5. Personnel (Chair Chris Able)
6. Public Infrastructure (Chair Dave Soeldner)
7. Public Safety (Chair Eric Sitkiewitz)

I. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

[14-520](#) Appointment of Adam Becker to Sustainable Manitowoc Committee, in place of P. Sturtz, for a 3 year term expiring 2/15/16.

[14-563](#) Appointment of Michael Pearson to Sustainable Manitowoc Committee in place of K. Eskew for a 3 year term expiring 2/15/17.

J. RECESS

During the recess of the Common Council the Mayor will discuss all matters concerning the operation of the City of Manitowoc. Prior to going into recess, the Mayor publicly announces that during the recess the standing committees of the Common Council, as well as the Committee of the Whole, will meet in the Council Chambers to discuss and act upon some of the matters which have been discussed or referred at this Common Council Meeting.

2. CLOSED SESSION: None

K. CONSENT AGENDA

These items will be approved by one motion unless any member of the Council wishes to remove an item for discussion.

1. Removal of Consent Agenda Items

Any Common Council Member may request removal of any item from the consent agenda, and such item shall be removed without debate or vote. Any item or part thereof removed from the consent agenda shall be separately considered.

2. Miscellaneous

[14-486](#) Minutes of Common Council of Monday, March 17, 2014, recommending approval and place on file.

[14-502](#) Minutes of Cemetery Commission of 1/24/13; Community Development Authority of 2/12/14; Crime Prevention of 2/6/14; Great Lakes Utilities Board of 12/17/13; GLU Power Supply Project of 10/15/13; GLU Lakeswind Project of 8/28/13, 10/15/13 & 12/17/13; Harbor Commission of 11/14/13; Plan Commission of 1/15/14; Police & Fire Commission of 2/11/14; Public Utilities Commission of 1/27/14 & 2/10/14; Wastewater Treatment Facility of 1/14/14, recommending placing on file.

3. Committee of the Whole

[14-459](#) Structure of attorney and human resources office.

[14-607](#) General City Claims in the amount of \$963,251.95 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

[14-482](#) Communication from Moody's Investors Service informng that the City has been assigned a rating of A1 as of February 25, 2014, recommending placing on file.

[14-485](#) Communication from Interim City Attorney Kathleen McDaniel attaching filed copy of Stipulation and Order for Dismissal with Leave to Reinstate relative to UnitedOne Credit Union v. Rick L. Salta et al Case No. 13 CV 175, recommending acceptance and place on file.

[14-528](#) Memorandum from City Assessor Sarah Hoppe advising to personal property palpable error relating to parcel number 000-918-126 and requesting that a double assessment was made and recommending to rescind the taxes of \$126.61.

[14-561](#) Report of City Planner David Less relative to evidencing payment in full of previously issued Industrial Revenue Bond for Jagemann Plating Company, recommending acceptance of report and adoption of recommendations.

5. Licensing, Permits and Inspections Committee

[14-466](#) Progress Invoice from Wisconsin Department of Transportation in the amount of \$12,295.43 for Waldo Blvd. 8th Street to Maritime Drive, Project No. 4570-12-00, recommending payment.

[14-467](#) Progress Invoice from Wisconsin Department of Transportation in the amount of \$18,132.25 for Waldo Blvd. CTH R to 8th Street, Project No. 1500-37-00, recommending payment.

6. Parks and Recreation Committee

[14-491](#) Request for special use trail permit for the use of Mariner's Trail on September 7, 2014 for Prevent Suicide WI Manitowoc County, recommending granting request per City policy.

7. Personnel Committee

8. Public Infrastructure Committee

[14-492](#) Report of the Board of Public Works of March 25, 2014, recommending 3rd and final payment to Strand Associates, Inc. in the amount of \$2,109.75 for Horseshoe Drive and Lawton Terrace Pumping Station Evaluations, recommending payment.

[14-494](#) Report of the Board of Public Works of March 26, 2014 regarding bids received for 2014 Remove and Replace Existing Sidewalks & New Sidewalks, Project WS-14-3, recommending awarding to low bidder, Seiler Bros. Construction, Inc. in the amount of \$124,713.50.

[14-539](#) Communication from American Legion Auxiliary requesting permission to sell red handmade Veteran Memorial Poppies throughout the City of Manitowoc from May 16 to May 17, 2014, recommending granting request.

[14-547](#) Special Events Request from Brennan Seehafer Productions to hold Red Carpet Event on July 24, 2014 for Ultimate Tribute production at Capitol Civic Centre and partial closure of South 8th Street beginning on July 23, 2014, recommending request subject to City policy.

[14-590](#) Amended Special Events Request relative to Lakeshore Humane Society Run for Shelter 5k on May 3, 2014, attaching new route, recommending approval subject to City policy.

9. Public Safety Committee

[14-282](#) Communication from Mrs. Ann Landt regarding safety concerns on Wisconsin Ave and her request for traffic signs, recommending acceptance and placing on file.

[14-508](#) Ambulance Service Agreement with Eastern Wisconsin Stock Car, Inc. for term of May 2, 2014 through August 30, 2014 for races at Manitowoc County Expo, recommending entering into the agreement.

- [14-600](#) Ambulance Service Agreement with Holy Family Memorial Medical Center to provide service on June 22, 2014 for Holy Family Memorial Maritime Marathon, recommending entering into agreement.

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

- [14-522](#) Operator's License Applications. See attached list of operators.
- [14-602](#) License #1 for Stock Car Races, Racing Exhibitions of Eastern Wisconsin Stock Cars, Thomas N. Schnicke, Applicant, for races at Manitowoc County Expo on various dates per attached listing.
- [14-603](#) License #14 (Beer) and #8 (Wine) Class "B" Temporary applications of Roncalli High School Pierside Auction on April 26, 2014.
- [14-604](#) 6 month license #1 of Manitowoc Amateur Baseball, Inc., James Kaufmann, Agent, for Class "B" Retail Fermented Malt Beverage license at So. 23rd Street and Grand Avenue.
- [14-605](#) License #9 of T & L Endeavors LLC, Laurie Fettig, Applicant, for Secondhand Article Dealer license at 2217 S. 44th Street.

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

- [14-552](#) Resolution adopting the Carlson Dettmann Consulting Compensation Analysis and Wage Scale recommendations.

2. Finance Committee

- [14-070](#) Agreement for management of Farmers' Market with Mainly Manitowoc of the day-to-day operations of the Market for the term ending January 31, 2016.
- [14-075](#) Proposal from Sherrie Richards and Janet Zunker for Farmers' Market to be operated and administered in 2015 and beyond by the Friends of the Manitowoc Farmers' Market, or some other non-for-profit whose mission will be to sustain and grow a self-sufficient Market.
- [14-436](#) Summons and Complaint for foreclosure of the Manitowoc County Habitat for Humanity, Inc. v. Brian A. Peterman, Kelly A. Peterman, City of Manitowoc, et al, Case No. 14 CV 107.

3. Licensing, Permits and Inspections Committee

- [14-405](#) Ordinance amending the amended zone map of the City of Manitowoc for property located north of E. Waldo Blvd. and east of the Little Manitowoc River from "B-3" General Business District to "C-1" Commercial District, was referred to Licensing, Permits and Inspections Committee.
- [14-465](#) Communication from Tim Frey, owner of TLC Homes, Inc. requesting an exception to the 2500' rule for CBRF's for property on Paul Rd.
- [14-483](#) Communication from SMI as representatives of the Manitowoc Lakebreeze Apartments, LLC and WLC, LLC requesting a change to the Official Map eliminating two streets that run to the east off of Johnston Drive to accomodate an apartment project.
- [14-484](#) Communication from SMI as representatives of the Manitowoc Lakebreeze Apartments LLC and WLC, LLC requesting a vacation of a portion of two Official Map streets that run to the east off of Johnston Drive.
- [14-560](#) Request from Eastern Wisconsin Stock Cars for an extension of beer sales to 12:00 a.m. for their 2014 Friday night race seasons.
- [14-564](#) Petition of the Manitowoc Lakebreeze Apartments LLC and WLC, LLC requesting a vacation of a portion of two Official Map streets that run to the east off of Johnston Drive.

4. Parks and Recreation Committee

- [14-176](#) Proposal from the Manitowoc Public School District for 2014 ball diamond maintenance
- [14-463](#) Special Events Request from Kiwanis Club of Manitowoc to hold Kiwanis Car Show on August 10, 2014 in Washington Park, closing So. 11th and So. 12th Streets, serving alcohol in the park, as detailed therein, with waiver of fees request attached.
- [14-469](#) Proposal from Michael Pearson summarizing Union Park Community Garden project.
- [14-481](#) Request from Amvets Post 99 for waiver of fees for use of Wenger Bandwagon on May 26, 2014.
- [14-490](#) Special Events Request from Fox's Piggly Wiggly - Manitowoc to hold 8th Annual Pig to Pig Walk on Saturday, September 13, 2014 from Manitowoc to Two Rivers and also utilizing Mariner's Trail. (copy to Public Infrastructure Committee).
- [14-521](#) Request from O'Connor's Concessions to do concession business in Manitowoc for 2014 season.

- [14-538](#) Animal Loan Agreement with Manitowoc County Farm Bureau for the loan of farm animals from its member farmers for the Big Red Barn exhibit for the period May 26, 2014 through September 1, 2014.
- [14-557](#) Vendor Agreement with H P Enterprises (Tim F. Becker) on April 19, 2014, for bounce house and games at Citizen Park.
- [14-572](#) Request from Heart of the Lakeshore/NewLife Ministries to waive fees for rental of Washington Park MetroStage on May 1, 2014 for National Day of Prayer.
- [14-580](#) Special Events Request from Worldwide Missionary Outreach to hold Missionary Rummage Sale in Cabin 1 at Lincoln Park and waiver of fee request for same.
- [14-601](#) Special Events Request from Child Abuse Prevention Task Force of Manitowoc County to hold Kids Superhero 5k walk along Mariner's Trail on April 26, 2014.

5. Personnel Committee

- [14-553](#) Resolution promoting Interim City Attorney Kathleen McDaniel to City Attorney.
- [14-554](#) Resolution to approve the filling of the vacant Human Resources Generalist position with a Human Resources Director.
- [14-555](#) Resolution to authorize the filling of the vacant Associate Planner position with an Associate Planner/Project Expeditor.

6. Public Infrastructure Committee

- [13-120](#) Ordinance to amend Section 7.210 of the Manitowoc Municipal Code regulating snow removal and deposits.
- [13-214](#) Request from SMI as representatives of Manitowoc Cinema LLC for approval of a conditional use permit and site plan for a commercial development in an area located south of the south end of So. 44th Street, east of I-43, north of Viebahn St. and west of a lowland area in the vicinity.
- [13-606](#) Ordinance amending Sections 10.290 and 10.730 of the Municipal Code to designate a portion of Park Street as a one-way street and to add angle parking.
- [14-618](#) Memo from Director of Public Infrastructure Dan Koski relative to failure of Red Jacket Electronic Leak Detection for the fuel system at DPW with recommendation to accept proposal of Walt's Petroleum Service, Inc. who was the low quoter.

- [13-658](#) Ordinance to amend Section 10.410 (1) to remove South 16th Street from Washington Street to 650 feet north of Wollmer Street from the winter parking ban.
- [14-073](#) Request from Chuck and Kathy Behnke, 5126 Sunset Road, for a temporary access agreement for the purpose of planting a vegetable/herb garden in the un-improved right-of-way of Remiker Road.
- [14-464](#) Agreement with Town of Manitowoc Rapids to compensate the town for the use of its roads by vehicles which transport biosolids as a byproduct of its Wastewater Treatment Facility to farms in the town, for the period January 1, 2013 to Decemer 31, 2017.
- [14-470](#) Contract with Klein Asphalt Maintenance, Inc. to crackfill, sealcoat and re-paint lines at Lincoln Park Fieldhouse Parking Lot.
- [14-471](#) Communication from Building & Grounds Team Leader Jim Muenzenmeyer requesting replacement of concrete steps at Jay Street employee entrance to Police Department with two quotes attached.
- [14-493](#) Report of Board of Public Works of March 26, 2014, regarding bids received for 2014 Epoxy Painting - Pavement Marking Program, Project WS-14-9.
- [14-551](#) Proposal for photogrammetric services from Surdex Corporation.

7. Public Safety Committee

- [14-090](#) Communication from Jodi Teesch relative to concerns at uncontrolled intersection of 19th and Columbus Streets.
- [14-277](#) Communication from Kent Reeves requesting restricted Winter Parking on Windiate Street.
- [14-284](#) Communication from Municipal Judge Steve Olson concerning Municipal Court Staffing.
- [14-468](#) Communication from Amanda Stewart to practice Falconry in the City of Manitowoc.
- [14-509](#) Request from Eastern Wisconsin Stock Cars for an extension of the noise ordinance from 10 p.m. to 10:45 p.m. with a grace period of 15 minutes with all excessive noise to cease no later than 11 p.m. for the 2014 race season at the Manitowoc County Expo.
- [14-519](#) Professional Service Agreement with Tarlton Inspections, Inc. for storage tank review and inspection for the period July 1, 2014 through June 30, 2016.

[14-556](#)

Ordinance to create Section 14.210 to the Municipal Code prohibiting individuals from passing worthless checks.

8. Licenses

M. OTHER BUSINESS

N. ADJOURN

1. Next Scheduled Common Council Meeting: Monday, April 21, 2014 at 7:00pm in the Common Council Chambers at City Hall.

If you need accommodations for this meeting, please notify the City Clerk's office at least 48 hours in advance of the meeting (or as soon as possible after the meeting is posted, if posted less than 48 hours prior to the meeting time) at 686-6950. For additional assistance, individuals with hearing or speech disabilities can call 711 and be connected to a telephone relay system.

Jennifer Hudon
City Clerk