

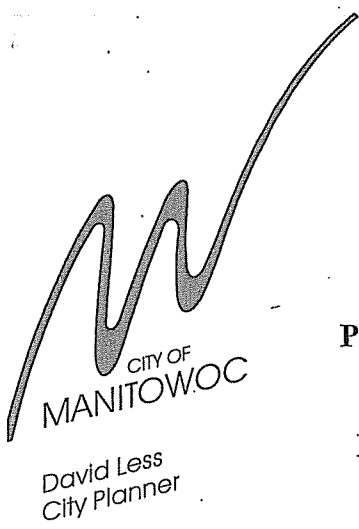
14-945

MINUTES

COMMUNITY DEVELOPMENT AUTHORITY

**PLAN COMMISSION OFFICES**

Regular Meeting  
Wednesday  
March 12, 2014



**I. CALL TO ORDER**

The meeting was called to order by Chairman John Stangel at 4:04 P.M.

**II. ROLL CALL**

Members Present  
John Stangel  
Gene Maloney  
Emil Roth  
Jill Hennessey  
Collin Braunel  
Dennis Tienor  
Chris Able

Members Excused

Staff Present  
David Less  
Pauline Haelfrisch

**III. APPROVAL OF MINUTES OF THE REGULAR FEBRUARY 12, 2014 MEETING**

Chairman Stangel asked if there were any corrections or additions to the minutes of the regular February 12, 2014 meeting.

Board member Collin Braunel asked for the spelling of his name be corrected as he has two ll's in his first name.

The following action was taken subject to the correction of spelling of name.

Motion by: Ms. Hennessey  
Moved that: the CDA approve the minutes  
of the February 12, 2014 regular meeting

Seconded by: Mr. Roth  
Upon vote: the motion was carried  
unanimously

**IV. MANITOWOC HOUSING AUTHORITY BUSINESS**

**A. Financial Report and Approval of Monthly Expenditures**

Pauline Haelfrisch reviewed the financial statements for March, 2014 with the Board members. She also distributed a list of expenses and reviewed these with the Board.

Pauline also explained to the Board members that Manitou Manor will be replacing all the rollers on the elevator. It is more cost efficient to change them out at the same time as the rollers are the same vintage and age.



OFFICE OF CITY PLANNING,  
CITY PLAN COMMISSION



After some discussion, the following action was taken.

Motion by: Mr. Maloney

Moved that: the CDA approve and authorize payment of the February, 2014 expenses

Seconded by: Mr. Braunel

Upon vote: the motion was carried unanimously

B. Board Approval for 2013 Capital Fund Project.

Pauline reported to the Board members that two bids were turned in for the flooring project: Bob's Carpets Plus - \$93,584 and Macco's Commercial Interiors - \$125,630. Kaeden backed out because they purchase their flooring for apartments from Bob's Carpets Plus. Jobelious called the architect the night before to say they weren't going to bid on the project. Dalton called right away to turn down the bid.

There was a question in regards to the bid spread. Pauline informed the members that Macco's was very concerned about the issue with the asbestos in the mastic that holds the tiles under the carpet. If the tiles come up with the carpet, there is a potential to release trace asbestos particles into the air. The bid contained wording in regards to the asbestos, so both parties were aware of the issues.

There will be a meeting tomorrow with the architect, contractor, painter and management to discuss the mechanics on how the project will carry out; and Pauline will have another meeting at 2:00 p.m. with the tenants that are undergoing the project.

The following action was taken.

Motion by: Ms. Hennessey

Moved that: The Board members approve the bid of \$93,584 from Bob's Carpets Plus for the 2013 Capital Fund Project

Seconded by: Mr. Maloney

Upon vote: the motion was carried unanimously

C. Tenant Grievance Update

Pauline spoke with the Board members in regards to the tenant she had issues with at the last board meeting. The decision was made at the last board meeting for Pauline to prepare a "Summary of Discussion" to give to the tenant. This Summary of Discussion had been e-mailed to all the Board members.

Pauline informed the Board members that the tenant was not granted the restraining order on the other tenant. Pauline continued having issues with the tenant and one morning shortly after the board meeting, the tenant's brother called to say she was picked up by the police and was taken to a treatment facility.

Pauline was able to find a place for the tenant's birds after receiving permission from the tenant through her caseworker. Her brother came to start cleaning out her apartment and had everything out by Saturday, March 8<sup>th</sup> (the tenant's eviction date). The brother had done some cleaning, but the apartment was already on the list for painting, flooring and drapes. Pauline was going to request HUD to take the unit offline until the necessary repairs were made to it. The brother returned all keys to the unit and building.

D. WIFI for Manitou Manor

Pauline explained to the Board members that at this time, the office is wired with AT&T U-Verse which is a wireless Internet connection. This link also provides internet to the surrounding area of the connection. This is how we can provide wireless to the recreation room computer.

After investigating how to provide wireless to the entire building, it was determined that if two more routers were added; the entire building would have WIFI. AT&T's offer was to install the routers and charge us \$40 a month per router along with the \$31.50 we are currently paying. This would bring our Internet bill to approximately \$111.50 per month. There would be an initial outlay of \$100 per router, but that would be reimbursed through a Visa gift card.

Some discussion was held with the Board members in regards to the WIFI being able to supply the whole building. The Board members approved Pauline installing two extra routers to provide WIFI to the entire building.

**V. HOUSING LOAN ACTIVITIES**

A. Review Division of Housing Regional Housing Update

David Less discussed with the Board members the packet he sent out. The DOH has regionalized the housing programs through CDBG to now run out of Green Bay. David explained that the memo basically states if you want to remain in the regional network, you do not have to take any action. David's recommendation is to remain in the regional network and do not fill out a letter of intent.

Some discussion was held and David stated that as long as the resource is available and we can direct people to Green Bay, we should continue in that direction.

The following action was taken.

Motion by: Mr. Able  
Moved that: the Board members approve the recommendation to remain in the regional network

Seconded by: Mr. Maloney  
Upon vote: the motion was carried unanimously

**VI. DOWNTOWN REDEVELOPMENT ACTIVITIES**

A. Financial Report – Revolving Loan Program, 3/06/2014

Mr. Less reviewed the financial reports with the Board members for the revolving loan program. As of March 6, 2014 a total of \$729,354.72 in loan funds was available.

David stated to the Board members that he is having problems with ABBA. He sent out a letter stating they would have to bring their account current by the deadline or David would claim them in default. If they don't cure the default, then the City has the reserve account at Bank First National for \$25,000 which is the City's unique form of collateral.

There was some discussion in regards to ABBA's payment history. David stated

that he would inform the Board members if he has to access the reserve account.

The following action was taken.

Motion by: Mr. Braunel  
Moved that: the CDA accept the 3/06/14  
financial reports and place on file

Seconded by: Mr. Roth  
Upon vote: the motion was carried  
unanimously

## VII. ADJOURNMENT

The meeting was adjourned at 4:45 P.M.

Respectfully submitted:



David Less,  
Executive Director

DL/pmh

## Crime Prevention Meeting Minutes April 3, 2014

Bruce Jacobs, Mary Schindler, and Chief Tony Dick present Lean Davis and Dean Lester the Crime Prevention of the Year Award. Dave Franz and Joan Davis were present along with Crime Prevention Members.

1. Roll Call- Ralph Kramer, June Kramer, Bob Dewane, Nancy Boeck, Wendy Smith, Charles Rasmussen, Amy Schoepp, Cooper Schmidt, Bruce Jacobs, Mary Schindler, Melia Prange, Vicki Wetenkamp. Jason Delsman, Rita Muench, Steve Kleinfeldt, and Al Schema.

2. Review Minutes- corrections, Rita Muench and Wendy Smith were present at February 6, 2014 meeting.

3. Treasure Report-

February= \$30,271.09

March= \$31,780.02

Charles motion to accept and Ralph second. Motion passed.

4. No Public input.

5. Membership Matters- three new members in progress.

6. Triad Update- Dave reported that they meet on the last Thursday every month at the Felician Village. They worked on getting housing numbers labeled, handicap parking, and scams on the public.

7. Retail/Financial Crime Prevention Task Force did not meet today. They meet at 1:30 every first Thursday at MPD and did not meet this month.

8. SRO Update- Jason Delsman gave an update. Lincoln High School has had 900 incidents reported this year and Washington and Wilson had 500 incidents each this year so far. Lincoln has a high amount of disorderly conducts, drugs, and thefts reported. If the school would lock the locker rooms the thefts could be reduced. Washington is working on finding an equal compromise with parents and students on Truancy issues. A safety plan for emergencies is being worked on.

9. Dick Weber Memorial was updated. June motioned to go forward on the bronze memorial and Cooper second the motion. Motion Passed.

10. Dates to Remember

-Next Meeting May 1st

Steve motioned to adjourn and Ralph second. Motion Passed.

Minutes submitted by Melia Prange

**MINUTES OF THE  
MANITOWOC PUBLIC UTILITIES COMMISSION MEETING  
MONDAY, MARCH 17, 2014**

The scheduled meeting of the Manitowoc Public Utilities Commission was called to order by Vice President Seidl at 4:05 p.m. on Monday, February 17, 2014. In attendance were Commissioners Diedrich, Hennessey, Luckow, Morrow, and Seidl. Also present were Nilaksh Kothari – General Manager; Attorney Andrew Steimle – Steimle Birschbach, LLC; Mark Leonhard; Cindy Carter, Business Services Manager, and Gina Sampe. Commissioner Hornung was absent. Commissioner Nickels arrived at the meeting at 4:05 p.m.

**INTERACTIVE VOICE RESPONSE DEMONSTRATION:** Cindy Carter provided a demonstration of the courtesy calls and past-due reminder calls that are made by the new IVR system as requested by the Commission.

**MRO NOTICE OF DISMISSAL:** A Notice of Dismissal and Notice of Completion of Enforcement Action of NERC Reliability Standard PRC-008-0 was received. This potential violation was alleged during the compliance audit in September 2013.

**MISO RESOURCE ADEQUACY UPDATE:** Resource Adequacy correspondence was received from MISO. MISO, for the last 12 months, has been concerned about potential retirements of generating facilities due to new environmental regulations. The correspondence indicates MISO is projecting a shortfall of capacity in Zone 2 (where MPU and most GLU Power Supply members are located) of approximately 0.5 GW based on reported retirements of 774 MW. Upon review of the data, it has been determined that MISO did not take into account the bilateral transaction between parties and therefore, the data will be updated in the future. Discussion ensued.

**STRATEGIC PLAN PROGRESS REPORT:** The Progress Report of the 2013 Work Plan of MPU's Strategic Plan was distributed for review and comments. There were 23 activities in the Work Plan including the following: (a) Rapids Road Substation was placed into service including the distribution system upgrade to back up Custer Substation; (b) contracted with Cogsdale for the replacement of the financial software; (c) completed the IT Master Plan that required the buy-in of the City; (d) electric rate case was filed to decrease rates; (e) Turbine/Generator 9 outage; (f) Boiler 8 fuel/air ratio changed to allow 100% biomass as a fuel source; (g) planned for HVAC and AMI projects and (h) updated GIS for the water distribution system. A 2014 Strategic Plan is being prepared.

**CONSULTANT FOR OFFICE HVAC AND ROOF REPLACEMENT:** The replacement of the main office HVAC and roof over the office portion of the building is included in the 2014 approved Capital Budget. The engineering studies were completed by Berners-Schober in 2013 and retained through a request for proposal process. The recommendation is to contract Berners-Schober Associates for design and needed construction administration services for roofing and HVAC replacement design for a cost not to exceed at \$41,500. MPU engineering department will be designing the steam line and will handle day-to-day administration of the construction of the projects.

**MOTION:** A Motion was made by Commissioner Diedrich and seconded by Commissioner Luckow to approve contracting with Berners-Schober Associates for the HVAC and Roof Replacement as recommended. Motion carried unanimously.

**CUSTOMERS FIRST! COALITION FERC FILING ON SSR:** WE Energy had requested a system support resource (SSR) for the Presque Isle Plant in Upper Michigan. MISO filed a tariff to authorize allocating the cost of \$52 million plus the variable costs to the footprint of ATC customers. In the filing, CFC is requesting that FERC not accept the filing and requesting that FERC direct MISO to consider an alternative method of cost allocation. A brief discussion ensued.

**CONSULTANT FOR IT MASTER PLAN IMPLEMENTATION:** In 2013, an assessment of the existing IT infrastructure serving MPU and the City of Manitowoc was completed and an IT Master Plan was developed. This Master Plan included a roadmap for the IT system for the next one- to five-years and lists specific projects to address the deficiencies of the existing IT infrastructure. The projects outlined in the IT Master Plan include: data center upgrades, network upgrades, MPU phone system upgrade, and endpoint management. The data center upgrades, network upgrades, and MPU phone system upgrade are all included in MPU and the City of Manitowoc's 2014 Capital budgets of \$925,275. A Request for Proposal (RFP) was issued on January 20, 2014 for an IT consultant to aid in the writing of the specifications and implementation of the budgeted projects. Two vendors then submitted responses to the RFP. These vendors are Elert & Associates and Tushaus. Both of these vendors provided presentations of their proposals to MPU staff during the first week of March. The recommendation is to hire Tushaus (Milwaukee, WI) to aid in the development and evaluation of an RFP for the equipment and installation services to complete the data center and network upgrades and the MPU phone system replacement for a cost not to exceed \$59,000.

**MOTION:** A Motion was made by Commissioner Nickels and seconded by Commissioner Diedrich to approve hiring Tushaus as recommended. Motion carried unanimously.

**GENERAL MANAGER'S REPORT:** N. Kothari updated the Commission on the following: Great Lakes Calcium has completed the outage to repair a cracked dryer sheet. They have been very difficult to get information from and have missed most of their scheduled production requests. N. Kothari provided a declaration on Chicago's rail transfer station to C. Reiss. A meeting was held with Evoqua Water Technologies LLC (p.k.a. Siemens) on February 27 to discuss the most recent draft of the SMF Settlement Agreement with MPU. MPU and Evoqua legal will be discussing the final language. MPU Corporate Credit Cards were blocked after Wells Fargo rejected two wire payments. A payment was taken down to the local branch and after discussion with the Wells Fargo manager, the cards immediately reinstated. We have researched alternatives and plan to select Associated Bank. Five additional frozen services were reported and thawed this past week. This brings the total to 110. Thirteen services were unable to be thawed and are on temporary water. The Industrial Customer Breakfast will be held on April 8, 2014. Energy Bank (Neal Verfuert) has requested that N. Kothari be a member of their Board. Mr. Leon Sigman, property owner adjacent to Collector C, and his attorney contacted MPU about completing a property appraisal and potentially sharing the cost. The Commission has approved this in the past. A brief discussion ensued on whether to consider purchasing the property.

**GLU UPDATE:** The Wind Project is operating. All 32 turbines at the Lakeswind project are now online. The project will be commercial as of mid-March.

**MINUTES:** The Minutes from the Regular Session Meeting on February 10, 2014 were presented for approval.

**APPROVAL OF CLAIMS:** Claims Lists dated February 25 and March 11, 2014 and Wire Transfers dated through March 12, 2014 were presented for approval.

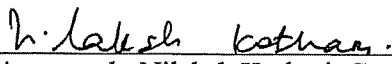
**QUARTERLY INVESTMENT PORTFOLIO REPORT:** The Quarterly Reports from ICM for the period ending December 31, 2013 were presented for review and comments. A brief discussion ensued on the returns that are lower than the Merrill Lynch Benchmark.

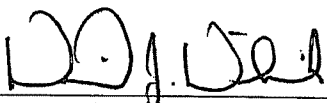
**QUOTATIONS/BIDS:** The following quotations/bids were presented for approval: Pick-Up Truck – Water Department \$22,852 – Maritime Ford; S10 and S20 COM Replacement \$58,063.00 – Cemtrex, Inc; and Backyard Digger Derrick \$150,863.00 (after trade-in) - Dueco.

**MOTION:** A Motion was made by Commissioner Diedrich and seconded by Commissioner Morrow to approve the Regular Session Minutes from February 10, 2014; the Claims List dated February 25, 2014 check nos. 71150 through 71276 totaling \$708,781.98; the Claims List dated March 11, 2014 check nos. 71277 through 71412 totaling \$787,451.13; Wire Transfers dated through March 12, 2014 totaling \$4,884,950.49; to place the Quarterly Investment Portfolio Report on file and to accept the quotations/bids: Pick-Up Truck – Water Department \$22,852 – Maritime Ford; S10 and S20 COM Replacement \$58,063.00 – Cemtrex, Inc; and Backyard Digger Derrick \$150,863.00 (after trade-in) – Dueco. Motion carried unanimously.

**NEXT MEETING:** Future meeting will be held on Monday, April 14, 2014 at 4:00 p.m.

**ADJOURN:** A Motion was made to adjourn the meeting by Commissioner Morrow and seconded by Commissioner Diedrich. Meeting adjourned at 5:04 p.m.

  
Approved: Nilaksh Kothari, General Manager

  
Approved: David Diedrich, Secretary



**MINUTES OF THE  
MANITOWOC PUBLIC UTILITIES COMMISSION MEETING  
MONDAY, APRIL 14, 2014**

The scheduled meeting of the Manitowoc Public Utilities Commission was called to order by President Hornung at 11:04 a.m. on Monday, April 14, 2014. In attendance were Commissioners Diedrich, Hennessey, Hornung, Luckow, Morrow, Nickels, and Seidl. Also present were Nilaksh Kothari – General Manager; Cindy Carter, Business Services Manager; and Tom Karman, Schenck SC.

**2013 AUDIT REPORT:** Tom Karman, Schenck SC, presented an overview of the previously distributed 2013 Audit Report. There was one change relating to how the ATC investment dividend distributions are recorded. Discussion ensued on the report.

**MOTION:** A Motion was made by Commissioner Nickels and seconded by Commissioner Diedrich to approve the report and to place it on file. Motion carried unanimously.

Tom Karman, Cindy Carter and Commissioner Nickels left the meeting at 11:30 a.m.

**EVOQUA CONTRACT AMENDMENT AGREEMENT:** MPU and Siemens (supplier of membranes for the submerged membrane plant) have been in discussions for the last four years trying to develop a Contract Amendment. In fall 2013, Siemens sold its water business line to Evoqua Water Technologies, LLC. Subsequently, for the past few months, a concerted effort has been made by both parties to resolve the outstanding issues. The Amendment Agreement retains that the original contract membrane warranty remains intact, which was critical to MPU. The recommendation is to approve the Agreement. A brief discussion ensued.

**MOTION:** A Motion was made by Commissioner Diedrich and seconded by Commissioner Morrow to approve the Amendment Agreement as presented. Motion carried unanimously.

**2013 PERFORMANCE INDICATORS:** The Performance Indicators from 2011, 2012 and 2013 were distributed and discussed. They represent items supporting MPU's Strategic Plan themes. Three issues that are relevant are utility supply, financial strength, and safety. The consensus of Commission was to accept the 2013 performance indicators and post them on MPU website.

**PRESQUE ISLE INVESTIGATION BY PSCW:** On April 3, 2014, the PSCW filed a complaint at FERC, that the SSR tariff assigns 92% of projected annual SSR fixed cost of \$52.23 million to Wisconsin and only 8% to Michigan rate payers. PSCW is requesting that FERC allocate 58% of costs to Michigan and 42% to Wisconsin based on MISO's load-shed study and additionally, a fast track processing of this complaint. Great Lakes Utilities and MPU will intervene at FERC on this issue. A lengthy discussion ensued on the impacts to MPU rate payers under different scenarios. The Commission requested to be updated on this issue as there are further developments.

**GENERAL MANAGER'S REPORT:** N. Kothari updated the Commission on the following: Boardman Clark Law Firm has indicated that the Broadband utility is not subject to PILOT. The annual impact to the City will be \$21,000. The City Finance Director will be informed of this change. A new bill print was designed to add a disconnection notice to the back of the bill, which will save over \$1,000 per month in processing separate notices. A brief discussion ensued

on the color of the font. The Commission recommended that the font color be changed so that it can be easily noticed. ATC transmission costs have increased significantly in the past decade mostly due to the increase in building of transmission. The police were called March 26 for a disorderly customer resulting in a written warning. The call was escalated to the City Attorney's office. An estimate was provided to City Engineering to install a watermain loop from Viebahn Street south to Silver Creek Road, west to CTH CR, and north back to Viebahn Street.

Commissioner Hennessey left the meeting at 11:50 a.m.

**MINUTES:** The Minutes from the Regular Session Meeting on March 17, 2014 were presented for approval.

**APPROVAL OF CLAIMS:** Claims Lists dated March 25 and April 15, 2014 and Wire Transfers dated through April 9, 2014 were presented for approval.

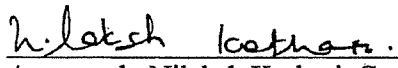
**FINANCIAL REPORTS FOR DECEMBER 2013, JANUARY AND FEBRUARY 2014:** The Financial Reports for December 2013, January and February 2014 were previously distributed to the Commission for review and discussion.

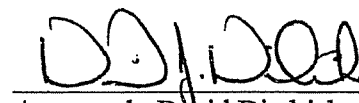
**QUOTATIONS/BIDS:** The following quotations/bids were presented for approval: Single Phase Transformer 50 KVA – \$3,897.91 – Wesco ABB; and WTP Roof Replacement – \$177,000 – Northeastern Roofing, Inc. (Seymour, WI).

**MOTION:** A Motion was made by Commissioner Diedrich and seconded by Commissioner Seidl to approve the Regular Session Minutes from March 17, 2014; the Claims List dated March 25, 2014 check nos. 71413 through 71569 totaling \$1,628,382.14; the Claims List dated April 15, 2014 check nos. 71578 through 71714 totaling \$1,114,714.11; Wire Transfers dated through April 9, 2014 totaling \$5,522,251.66; to place the Financial Reports for December 2013, January and February 2014 on file; and to accept the quotations/bids: Single Phase Transformer 50 KVA – \$3,897.91 – Wesco ABB; and WTP Roof Replacement – \$177,000 – Northeastern Roofing, Inc. (Seymour, WI). Motion carried unanimously.

**NEXT MEETING:** Future meeting will be held on Monday, April 28, 2014 at 4:00 p.m.

**ADJOURN:** A Motion was made to adjourn the meeting by Commissioner Morrow and seconded by Commissioner Diedrich. Meeting adjourned at 12:10 p.m.

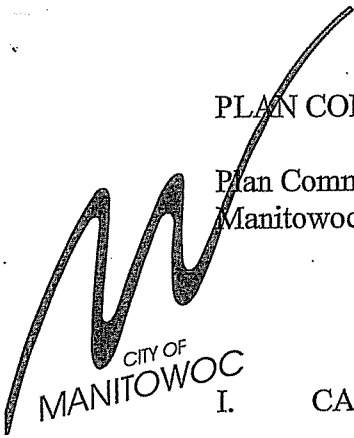
  
Approved: Nilaksh Kothari, General Manager

  
Approved: David Diedrich, Secretary

PLAN COMMISSION MINUTES - 3/12/2014

Plan Commission Offices  
Manitowoc City Hall

Regular Meeting  
Manitowoc City Plan Commission  
Wednesday  
March 12, 2014  
6:30 P.M.



CITY OF  
MANITOWOC

David Less  
City Planner

I. CALL TO ORDER

The meeting of the City Plan Commission was called to order by Acting Chairman Dan Hornung at 6:30 P.M.

II. ROLL CALL

Members Present

Dan Hornung  
Jim Brey arrived at 6:35 P.M.  
Maureen Stokes  
Steven Alpert  
Jim Muenzenmeyer  
Dan Koski

Members Excused

Justin Nickels  
David Diedrich

Staff Present

David Less  
Paul Braun

Others Present

See Attached Sign In Sheet



OFFICE OF CITY PLANNING,  
CITY PLAN COMMISSION III.

APPROVAL OF MINUTES of the Regular January 15, 2014 Meeting (Granicus #14-287).

Motion by: Ms. Stokes

Moved that: the minutes be approved as presented.

Seconded by: Mr. Alpert

Upon Vote: the motion was approved unanimously.

IV. PUBLIC INFORMATIONAL HEARINGS

- A. PC8-2014: Red Arrow Products Company, LLC; Request to Rezone Property located at 200 E. Waldo Blvd from "B-3" General Business to "C-1" Commercial District (Granicus #14-286)

Mr. Less explained that tonight's public informational hearing was in regard to a request from the Red Arrow Products Company LLC, the record owner of property located on the north side of Waldo Boulevard, and west of Memorial Drive, and that they were requesting that the portion of their property currently zoned "B-3" General Business District be rezoned to "C-1" Commercial. Mr. Less noted that this rezoning proposal was related to a planned redevelopment of the former Elk's clubhouse and "The Club" restaurant building into new corporate offices for Red Arrow, including laboratories.



PLAN COMMISSION MINUTES - 3/12/2014

Mr. Less added that the former golf course portion of the property was not impacted by this rezoning.

Mr. Less explained that the proposed rezoning area measured approximately 272,100sfs± or 6.24-acres including R/W, and added that this was the property upon which the former Elks Club, and then "The Club" restaurant building sat which had a footprint of 7,285sf, along with a cart shed, a blacktopped parking lot, and an access drive. Mr. Less added that the total acreage owned by Red Arrow was 57.3-acres, and that I & S Holdings, LLC acquired the property from the Elks Club in June, 2011, and subsequently sold the property to Red Arrow in May, 2013. Mr. Less added that the property acquired by Red Arrow was further identified as tax parcel #'s 817-404-010 and 817-404-020. Mr. Less noted that according to City Assessor records, tax parcel #817-404-010 had a land value at \$263,600 for 48.4-acres, and generated approximately \$5,500 in annual real estate taxes; tax parcel #817-404-020 had a total assessment of \$392,300 for 10.13-acres, and generated approximately \$8,300 in annual real estate taxes.

Mr. Less again stated that the redevelopment project occurring on the parcel currently zoned "B-3" involved a new corporate headquarters for Red Arrow, and then noted the following elements that were included in the proposed development:

1. Renovation of the existing 2-story, 14,200sf building.
2. New construction of a 1-story, 25,212sf building.
3. Establishment of parking areas for laboratory staff, visitor and overflow parking (approximately 113 spaces).

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4. The existing pool would be capped w/concrete.
5. A new monument sign would be installed to replace the existing sign.
6. Uses in the building would include offices, conference rooms, chemical lab, flavor lab, tasting areas, kitchen and culinary training areas.

Mr. Less noted that the estimated value of the project was \$5.5mm, based on a preliminary estimate, with the plan being to break ground in July, 2014, with full occupancy expected in 2015.

Mr. Less explained that the "B-3" portion of the property would need to be rezoned to "C-1" to permit the laboratories, explaining that the labs would be producing and fine tuning product in small batches, which would then be sent elsewhere for production. Mr. Less noted that laboratories weren't permitted in the current "B-3" district.

PLAN COMMISSION MINUTES - 3/12/2014

Mr. Less continued by noting that there were no improvements planned in the "P-1" area, and to the best of his knowledge, the golf operation would cease. Mr. Less added that the site designers would be working on transitioning the golf course landscaping to a different landscape theme.

Mr. Less explained that the existing "B-3" zoning district allowed office and professional uses, along with a variety of retail uses, and garages for storage; and that conditionally permitted uses included private clubs and lodges, homes for the elderly, amusement establishments, barber and beauty shops, and tattoo and body piercing establishments. Mr. Less added that under the proposed "C-1" zoning designation, permitted uses included virtually every professional, office and retail use, along with contractor offices, laboratories (excepting a physical testing laboratory), and motor vehicle sales. Mr. Less then explained the zoning and land uses surrounding the proposed rezoning area.

Mr. Less then noted that notices regarding tonight's informational hearing were mailed on March 5<sup>th</sup> to property owners within 200' of the proposed rezoning area, and added that there were no comments received in response to this mailing.

In closing, Mr. Less noted that this request for rezoning was consistent with the City's 2009, 20-year land use map as part of the Comprehensive Plan, in that it identified the proposed rezoning area as "General Business"; a land use category intended for commercial and retail uses at a neighborhood scale. Mr. Less continued that the recommended zoning for this land use category was "B-2", "B-3" and "C-1", and called ~~for developments featuring a higher level of design standards and building materials.~~ Mr. Less concluded that based on the City's Plan, the proposed rezoning would therefore be found to be consistent with the current Comprehensive Plan.

There was no public comment at the informational hearing.

Mr. Brey asked Mr. Less for his recommendation.

Mr. Less recommended that the Commission recommend to Council that it instruct the Clerk to call for a public hearing (April 7<sup>th</sup>), and further that the Council recommend adopting a rezoning ordinance upon completion of the public hearing.

Motion by: Mr. Hornung

Moved that: the Commission approve the Planner's recommendation above.

Seconded by: Ms. Stokes

Upon Vote: the motion was approved unanimously.

V. REFERRALS FROM COMMON COUNCIL

PLAN COMMISSION MINUTES - 3/12/2014

- A. PC1-2014: Maltby; Quit Claim Deed to the City of Manitowoc for .18-Acres for So. 26<sup>th</sup> Street Purposes (Granicus #14-288)

Mr. Less explained that this deed was related to a recently approved CSM by the Commission, and recommended that the Commission forward a recommendation to Council to approve and accept the deed, and to record the document at the Register of Deeds office.

Motion by: Mr. Hornung

Seconded by: Mr. Muenzenmeyer

Moved that: the Commission approve the Planner's recommendation above.

Upon Vote: the motion was approved unanimously.

VI. OLD BUSINESS

- A. PC33-2013: Bamco Real Estate LLC/Wisconsin Redevelopment, LLC – Update of Rezoning and Redevelopment Project in Block 200 of Original Plat, and Block Lettered “E” in Original Plat (Granicus #14-289)

Mr. Less provided an update to this planned redevelopment effort, noting that he was hopeful that in either April or May, the developers would know whether or not WHEDA Low Income Housing Tax Credits (LIHTC) were awarded to this project. Mr. Less then discussed certified historic tax credits from the State and federal levels, which were also needed to make this project move forward. Mr. Less emphasized that it appeared that the State Historic Preservation Officer (SHPO) would be supportive of the certified historic status of the former Mirro Plant #3, but noted that Wisconsin Redevelopment, as the contract purchaser of the property, would not be filing the Part I, Historic Preservation Certification Application with SHPO until the outcome of the LIHTC's was known. In closing, Mr. Less noted that this update was relevant to the Commission as the City had recently rezoned this property.

Mr. Muenzenmeyer asked who had researched the former Mirro Plant #3 property?

Mr. Less stated that some was done by City staff, but the majority was done by the historic consultant from Chicago that had been hired by Bob Lemke as Wisconsin Redevelopment.

No action was taken.

VII. NEW BUSINESS

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A. PC8-2014: Discussion Regarding Proposed Annexation at 2903 Viebahn Street (Granicus #14-290)

Mr. Braun explained a proposed annexation on the south side of Viebahn, west of So. 26<sup>th</sup> Street, and west and adjacent to the Canadian National RR trackage. Mr. Braun provided a document to Commission members summarizing the key points of the matter, and noted that the area to be considered was the Charlotte Sobel property which measured 2.31-acres. Mr. Braun continued that the owner had a non-resident water agreement with the City from many years ago. Mr. Braun continued that the owner had contacted him about a month ago, and wanted to make sure the property was positioned for future sale. Mr. Braun continued that Ms. Sobel was interested in annexation into the City as part of that process. Mr. Braun explained that this would not be a unanimous annexation because of the adjacent railroad property that would be included in the annexation, and so would have to go through the process including a Notice of Intent to Circulate an Annexation Petition as a first step. In closing, Mr. Braun noted that he anticipated that the temporary zoning would be set as "R-4", if the Council accepted the annexation.

Commission members did not take any formal action on this matter, but were supportive of moving forward with the annexation as described above, should it be filed with the City.

Additional discussion was held. No action was taken.

B. PC2-2014: Review of Community Living Arrangement Statute and 1% Provision in Wis. Stat § 62.23(7)(i)2. (Granicus #14-292)

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Mr. Less explained that this discussion emerged from recent discussions with Tim Frey of TLC Homes, the owner of several Community Based Residential Facilities (CBRF) in Manitowoc. Mr. Less noted that tonight's discussion was for informational purposes only. Mr. Less then reviewed a handout that had been provided to Commission members regarding a provision in the Community Living Arrangement (CLA) statute under Wis. Stat. § 62.23(7)(i)2. Mr. Less noted that the statute contained a 1% provision that stated that if the CLA population in a community was more than 1% of its current population, the community would not be required to approve a special exception for a CLA above this 1% threshold. Mr. Less continued that the issue was whether or not enforcement of this portion of the statute, much like the enforcement of the 2,500' separation requirement contained in the statute, was a violation of the federal Fair Housing Amendment Act (FHAA). Mr. Less questioned that as the City had accommodated CLA's to a point where their population exceeded the official 2013 population estimate for the City, hadn't the City provided an accommodation, or would the City be further limited by a similar argument on the 1% factor? Mr. Less noted that legal counsel for TLC Homes felt that a decision to deny based on the 1% factor would be a violation of the FHAA, that there wasn't any WI court precedence at this time. Mr. Less added that the legal counsel for TLC had been in contact with Kathleen McDaniel to

PLAN COMMISSION MINUTES - 3/12/2014

discuss the 1% matter. Mr. Less noted that he was not clear on how to proceed on this matter.

Mr. Muenzenmeyer asked how long the 1% provision had been in the law?

Mr. Less guessed that the 1% was in the law for at least 40 years. Mr. Less noted that other cities that had provided accommodations to CLA's would likely be encountering this 1% issue as well, but it was unclear as to the original legislative intent, or how to proceed when the next request for an exception was received by the City. Mr. Less added that should an issue arise of this nature in the future after he was gone, his suggestion would be for the Commission to err on the side of a more liberal interpretation of the statute; that denial on the 1% factor would be viewed as a discriminatory action.

Mr. Hornung commented that no problems had been identified during the Commission's annual review in January, and over the past several years.

Mr. Brey concurred with Mr. Hornung's comments.

After discussion, the Commission felt in the absence of more clarifying information, attempting to deny an accommodation to a proposed CLA by enforcing the 1% provision would not be appropriate and would be a violation of the FHAA, and as such, that would be their position going forward.

No action was taken.

C. GIS Shared Service Model – Discussion Regarding Potential Re-Alignment of GIS Services (Granicus #14-291)

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Mr. Less explained that he was still processing a second set of meeting notes on this topic, and noted that when Michelle Yanda left the City in December, the City effectively lost its GIS talent. Mr. Less noted that his plan was to prepare a request for GIS services to be centralized in Manitowoc County, so that the County could quantify for the City the cost to centralize these services.

Mr. Hornung asked where MPU was at with the GIS discussion?

Mr. Less replied that it appeared that MPU-Water was making inroads into GIS, but not MPU-Electric.

Mr. Braun added that MPU was just getting into GIS and would likely stay separate from the City, maintaining their own water information, and continuing to use City base mapping.

Mr. Brey commented that the City of Two Rivers had been involved in these discussions as well. Mr. Brey continued that he felt the Associate Planner position was needed in City Planning, and added that the City needed full access to GIS.



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Mr. Muenzenmeyer commented that the City was only hitting the tip of the iceberg in terms of what the City could do with GIS. Mr. Muenzenmeyer stated that he was concerned with the County's capacity to handle what he viewed as the City's increasing need into the future.

Cathy Delain, Manitowoc County, commented that she was a 1-person shop with no backup, and added that she hoped the City would generate enough work to justify the County hiring a second GIS person, which would also address redundancy for her position. Ms. Delain replied that she hadn't had any conversations with Two Rivers, and was not sure where that community was at in terms of GIS.

Mr. Hornung commented that this matter sounded more like a cost share arrangement with the County.

Mr. Less agreed, adding that he needed to reduce the City's needs to writing, so as to provide the County with a document to which they could respond back to the City.

Mr. Braun explained that while Elizabeth Werdermann was working for the City, she was responsible for taking GIS to a "next" level, but she was terminated at the end of 2012, with the GIS responsibilities transferred to Michelle Yanda, who recently left the City's employment in December, 2013. Mr. Braun noted that he didn't want to lose the long range goal of planning, but emphasized that a lot of the GIS usage in Planning was currently focused on getting ready for meetings.

~~Mr. Less noted that upcoming planning issues would not have available mapping inventory to rely upon, and was concerned with that problem which was coming to the forefront.~~

Additional discussion was held. No action was taken.

D. PC4-2014: City of Manitowoc – Annual Three (3) Year Harbor Assistance Statement of Intentions (Granicus #14-293)

Mr. Braun explained the City's proposed 3-year "Harbor Development, Statement of Intentions" for the term of 2014-2016. Mr. Braun continued that projects were just listed, and not ranked, and added that he had worked with the Harbor Commission to refine the "Statement" which was due to WisDOT by April 1<sup>st</sup>. Mr. Braun reviewed the projects contained in the "Statement".

Mr. Hornung asked about item #4 in the listing which was located at the Manitowoc Marina, and questioned what commercial transportation value there was at this location?

Mr. Braun noted that these projects were just a guess at this time.

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Mr. Less noted flexibility in the event an operation of a commercial nature would utilize the Marina in the future.

Mr. Braun added that the "Statement" was a wish list, and noted that everything in the "Statement" could be funded, but it would have to be in the listing to have any opportunity to receive funding in the future. Mr. Braun again stated that members of the Harbor Commission had provided him comments on the listing.

Mr. Less stated that the recommendation was for the Commission to recommend to Council approval of the "Statement", and added that there was a companion Resolution that the Council would be asked to introduce and adopt next Monday night.

Motion by: Mr. Muenzenmeyer  
Moved that: the Commission approve the Deputy Planner's recommendation above.

Seconded by: Mr. Alpert  
Upon Vote: the motion was approved unanimously.

E. PC5-2014: Discussion Regarding the Update of the 2009 Comprehensive Plan (Granicus #14-294)

Mr. Less advised the Commission that under Statute, the 2009 comprehensive plan required updating on or before 10 years after its initial adoption by Council. Mr. Less continued that there was no urgency on this matter, but noted that it was something that should be kept in mind by this Commission for future department budget requests, and noted that it might make sense to hire a consultant to update the plan, in light of current department staffing.

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Mr. Braun commented that regarding consistency, the 20-year land use map had been thoroughly prepared, and so there would only be minor changes to be made to that aspect of the plan.

Mr. Less felt that the update would be more demographic and policy oriented.

Additional discussion was held. No action was taken.

F. PC7-2014: Wergin – Release of Utility Easement West of North . 8<sup>th</sup> Street (Granicus #14-295)

Mr. Braun explained the situation surrounding an existing 1999, 100' wide utility easement previously granted to the City from Dennis and Kay Wergin, at their property on the west side of N. 8<sup>th</sup> Street, south of Albert Drive. Mr. Braun continued that a replacement easement for the same purpose at a different location on the Wergin property had been signed and recorded in 2001, and the 1999 easement had never been officially terminated. Mr. Braun noted that in advance of a new CSM for the property being recorded (which had been previously approved by the Commission), this was an opportune time to terminate the 1999 easement so as to not have to show it on the new

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CSM. Mr. Braun reviewed a termination document that had been prepared by Attorney Tim Salutz for this purpose.

Mr. Braun recommended that the Commission recommend to Council that it approve entering into an agreement to terminate the 1999 easement; authorize the Mayor and Clerk to sign the document at the call of the Deputy City Planner; with the document, upon full execution, to be recorded by the Salutz Law Offices, at no expense to the City.

Motion by: Mr. Hornung  
Moved that: the Commission approve the Deputy Planner's recommendation above.

Seconded by: Mr. Koski  
Upon Vote: the motion was approved unanimously.

- G. PC9-2014: Peltier/Autowerks Vehicle Maintenance Center, LLC/Sign Me Up; Proposed Fixed Animated Billboard at 1037 So. 26<sup>th</sup> Street Pursuant to Section 15.450(14)(h) and 15.450(18) of Manitowoc Municipal Code (Granicus #14-297)

Mr. Less explained a request for issuance of a Special Permit to authorize the construction of a fixed, animated, 12' x 23' billboard on the east side of So. 26<sup>th</sup> Street, at the Autowerks property, 1037 So. 26<sup>th</sup> Street. Mr. Less reviewed his staff write-up of the proposed billboard, including the recommendation to approve, and noted that he did not find anything out of compliance with this request. Mr. Less added that this property was currently zoned "C-1" Commercial District.

~~Mr. Less recommended that the Commission approve the issuance of a Special Permit for a fixed animated billboard at the location specified in the application, and to further authorize the Building Inspector to issue a permit for the billboard, with the sign to comply with all relevant sections of Section 15.450.~~

Mr. Koski advised that his engineering staff had reviewed the proposed animated billboard, and was satisfied that it would not be a traffic distraction. Mr. Koski added that if the sign was lower, there was a concern that the sign would conflict with traffic signals, but that was not the case. Mr. Koski added that he wanted the minutes to reflect the initial concern for the distraction issue.

Motion by: Ms. Stokes  
Moved that: the Commission approve the Planner's recommendation above.

Seconded by: Mr. Muenzenmeyer  
Upon Vote: the motion was approved unanimously.

VIII. MISCELLANEOUS

A. Manitowoc County Activities:

1. None

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B. Certified Survey Maps (CSM):

1. None

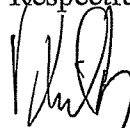
C. Summary of Site Plans 1/9/2014 – 3/5/2014:

1. SP1-2014: Manitowoc Pattern Manufacturing, 4315 Expo Drive – Building Expansion (approved) (Granicus #14-296).
2. SP2-2014: CR Mini Storage LLC, 2131 So. 26<sup>th</sup> Street (approved) (Granicus #14-298).

IX. ADJOURNMENT

The meeting was adjourned at 7:20 P.M.

Respectfully Submitted,



David Less  
City Planner

SIGN IN SHEET  
 MANITOWOC CITY PLAN COMMISSION  
 MEETING DATE: MARCH 12, 2014

NAME	ADDRESS	TELEPHONE
1. JEFF DEZEEUW	4529 ANDREA CT,	682-4772
2. Edward Wagner	1829 Pleasant St.	973-6589
3. Paul Radermacher	311 Forest Ave Sheb Falls	550-0009
4. BREAN DUNTON	311 Forest Ave. <sup>SHAB</sup> PAUS	550-0009
5. Beth Wagner	1829 Pleasant St	973-6588
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Maritime Metro Transit  
Transit Commission  
Minutes  
Wednesday , January 8, 2014

**Members and Advisory Staff Present** – Jim Muenzenmeyer/Transit/ Facilities Manager  
Linda Grider/ Mobility Manager, David Koenig, Janet Paszkewicz, Tom Keil,  
Marlo Kohlmann/Transportation Coordinator, Christopher Able/Alderman Representative.

**Members not present** – Neil Halonen, Claudia Halonen, Linda Schultz

**Meeting called to order** – Christopher called the meeting to order at 4:15 P.M.

**Approval of the minutes** - Janet made a motion to approve the minutes, Tom seconded it. All approved

**Public Input** – Christopher Able told the Commission about Maritime Metro Transit providing the Fire Department use of a bus to warm up in the cold temperatures while they were fighting a fire on Philippen. Jim stated how the city has a plan in effect with Maritime Metro Transit and Brandt buses if they need to move people out of an area or just need the uses of a bus in an emergency situation. Christopher stated what a great community we have to provide this great service.

**Update on personal changes-** On 12-26-2014 Jim had to let Terri Odle go. She had two incident of a no call no show for first shift. Jim will be hiring a new part-time driver.

**Passenger Behavior policy-** When the policy went to council one of the council members wanted to change the policy to allow properly permitted concealed carried weapons. One of the aldermen would like to allow long weapons on board. The Department of Public Infrastructure will be meeting about this issue July 13, 2014 at 6:30 if anyone of the Transit Commission would like to attend.

**Credit/debit cards now accepted at the Transfer building-** The Transfer Center now has a credit/debit card machine. There is a \$1.50 fee added to the price of the pass.

**Updated on Transit Development Program 2015-2020** – \$8,000 is the city portion to go ahead with the Transit Development Program. Jim doesn't believe we have that in the budget so this might have to be put off until next year.

**-Water damage to the new building-**Maritime Plumbing's insurance is paying for the plumbing leak damage to the Transfer Center and Hammond Construction is doing the work. They will starting next week

**Annual election of Chairman and Secretary per Municipal Code 3.210(3)-**Christopher Able accepted the position of Chairman and David Koenig accepted the position of secretary. All approved.

**-Next meeting** is scheduled for Wednesday, April 9, 2014.

**-Adjourned-** Meeting was adjourned at 4:30 P.M.