



City of Manitowoc

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

Meeting Agenda

Common Council

Monday, September 19, 2016

6:30 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

C. PLEDGE OF ALLEGIANCE & INVOCATION

D. PRESENTATIONS

[16-0885](#) Proclamation that the week of October 9 - 15, 2016 is Fire Prevention Week throughout the City.

Attachments: [16-0885.pdf](#)

E. PUBLIC HEARINGS

[16-0858](#) Public Hearing to be held at 6:35 p.m. for the purpose of hearing any and all interested parties in the matter of a proposed change to the Official Map south of Homestead Road and north of N. Rapids Road.

Attachments: [16-0858.pdf](#)

F. PUBLIC INPUT

Members of the public will be permitted to speak at the Common Council meeting 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.

G. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

[16-0871](#) Communication from Mayor Justin M. Nickels submitting his veto of Ordinance 16-0708 creating section 10.580 of the Municipal Code creating a parking time limit exemption permit.

Attachments: [16-0871.pdf](#)

[16-0868](#) ELECTION by Common Council of Manitowoc Public Utilities Commissioner for a term of five (5) years, pursuant to Municipal Code, as the following term will expire: David Diedrich, term expires September 30, 2016.

Attachments: [16-0868.pdf](#)

H. 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

[16-0856](#) Minutes of Common Council of August 15, 2016, recommending acceptance and place on file.

Attachments: [16-0856.pdf](#)

[16-0840](#) Thank you from The Salvation Army for City's donation of basketball hoops and poles, recommending placing on file.

Attachments: [16-0840.pdf](#)

[16-0854](#) Resignation of Steven T. Brunner from Wastewater Treatment Facility Board effective September 6, 2016, recommending acceptance and place on file.

Attachments: [16-0854.pdf](#)

[16-0861](#) Communication from Governor Walker thanking the City for sharing our resolution, recommending placing on file.

Attachments: [16-0861.pdf](#)

[16-0876](#) Communication from Wisconsin Dept. of Natural Resources with notice of intent to reissue a pollutant discharge elimination system permit to Manitowoc Public Utilities, recommending placing on file.

Attachments: [16-0876.pdf](#)

3. Committee of the Whole (Consent)

[16-0860](#) Communication from Wisconsin Department of Administration advising that the Adam Backus et al annexation was reviewed and found to be in the public interest, recommending acceptance and place on file.

Attachments: [16-0860.pdf](#)

[16-0865](#) Report of Special Events Committee relative to approval of the following events: A & W K9 Fundraiser and Free Float Day on 8/5 - 8/6/16; Lakeshore Rising Stars Red Carpet Event on 8/20/16; Hammill Block Party on 8-20-16; Ecumenical Worship on 8/28/16; Lincoln High Street Closure during football games; Broadwind Picnic on 9/5/16; Fall in the Zoo on 9/24/16; Silver Creek Disc Golf on 10/8/16; Gospel Singing and Preaching on 9/16/16; QPS Stake Permit on 8/29/16; Stockman Block Party on 9/4/16; Paddling Event and Bonfire on 9/16/16; Brutal Wear Open Tennis Tournament on 8/12 - 8/14/17; Garden Fair on 6/10/17; Ugly Sweater Run on 11/12/16; Waiver of Fees for Healthy Living Class during Sept. - November, 2016; recommending acceptance of report and place on file.

Attachments: [aw k9.pdf](#)
[red carpet.pdf](#)
[Hammill Block Party.pdf](#)
[ecumenical worship.pdf](#)
[lincoln high.pdf](#)
[broadwind.pdf](#)
[Fall in the Zoo.pdf](#)
[silver creek disc golf.pdf](#)
[gospel singing.pdf](#)
[gps stake.pdf](#)
[stockman block party.pdf](#)
[paddling.pdf](#)
[brutal.pdf](#)
[garden fair.pdf](#)
[ugly sweater.pdf](#)
[waiver mckinley.pdf](#)

[16-0891](#) Report of Special Events Committee recommending approval of the following events subject to Council action: Lincoln Homecoming Parade & Fireworks on 9/30/16 (street closure of Grand Ave. to S. 9th); Festival Foods Turkey Trot on 9/6/16 (waiver of noise ordinance from 7 am to 8 am); Harvest Fest on 10/1/16 (street closure of Quay St. from S. 6th to S. 8th), recommending approvals.

Attachments: [report 16-0891.pdf](#)
[LincolnHomecoming.pdf](#)
[turkey trot.pdf](#)
[HarvestFest.pdf](#)

4. Finance Committee (Consent)

[16-0813](#) Report of Finance Committee with recommendation of David Diedrich to serve as a member of the Manitowoc Public Utilities Commission for a five year term, October 1, 2016 through September 30, 2021, recommend for election.

Attachments: [16-0813.pdf](#)

[16-0814](#) Request to extend Liquor License #TAV-1662 on September 24, 2016 from 7am to 6pm, to their fenced in parking lot for Three T's Inc., Theodore J. Frisch, Agent, 2202 Marshall Street, recommending to accept and approve.

Attachments: [16-0814.pdf](#)

[16-0838](#) General City Claims in the amount of \$2,905,198.26 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: [16-0838.pdf](#)
[checks 9-16-16.pdf](#)
[checks 9-9-16.pdf](#)
[checks 9-2-16.pdf](#)
[checks 8-26-16.pdf](#)
[checks 8-20-16.pdf](#)

5. Personnel Committee (Consent)

6. Public Infrastructure Committee (Consent)

[16-0762](#) Public Works Petition from Lori Popple, Executor Willow Spruce Trust, to cause permanent paving, sidewalks, storm and sanitary sewers and other public utilities to be installed on N. 8th Street as described therein and shown on the attached map, recommending acceptance of petition with copy to be sent to Director of Public Works.

Attachments: [16-0762.pdf](#)

[16-0831](#) Cemetery Commission By-Laws approved at the August 25, 2016 Cemetery Commission and the Public Infrastructure Committee, recommending acceptance.

Attachments: [16-0831.pdf](#)

[16-0835](#) Notification of Continuing Obligations and Residual Contamination at 2402 Franklin Street was accepted and placed on file.

Attachments: [16-0835.pdf](#)

[16-0846](#) Report of Board of Public Works of August 24, 2016 for Seal Coating and Prep Work Various Streets, WS-16-6, for 1st and Final Payment to Scott Construction in the amount of \$141,011.44, recommending payment.

Attachments: [16-0846.pdf](#)

[16-0847](#) Report of Board of Public Works of August 24, 2016 for Underwater Bridge Inspections, QO-16-2, for 1st and Final Payment to Westbrook Associated Engineers in the amount of \$6,750.00, recommending payment.

Attachments: [2016_09_07_14_48_37.pdf](#)
[16-0847.pdf](#)

[16-0849](#) Report of Board of Public Works of August 24, 2016 for Dewey Street Park Pour-in-Place Playground Safety Surfacing, WS-16-2R, for 2nd and Final Payment to Seiler Bros Construction in the amount of \$18,967.34, recommending payment.

Attachments: [16-0849.pdf](#)

[16-0850](#) Progress Invoice from Wisconsin Dept. of Transportation in the amount of \$11,293.78 for Waldo Blvd., 8th Street - Maritime Dr., Project No. 4570-12-00, recommending payment.

Attachments: [16-0850.pdf](#)

[16-0853](#) Progress Invoice from Wisconsin Dept. of Transportation in the amount of \$17,315.31 for Waldo Blvd., CTH R - 8th Street, Project No. 1500-37-00, recommending payment.

Attachments: [16-0853.pdf](#)

[16-0855](#) Report of Board of Public Works of September 7, 2016 for Re-Lining Sanitary Sewer, WU-16-7 for 1st and Final Payment to Terra Engineering & Construction in the amount of \$309,551.69, recommending payment.

Attachments: [16-0855.pdf](#)

[16-0862](#) Report of Board of Public Works of August 24, 2016, of quotes received for one new 2017 3/4 ton single rear wheel, regular cab 4 x 4 pickup truck for Parks Dept., QE-16-6, recommending awarding to low bidder, Ewald Hartford Ford for the Ford in the amount of \$24,315.00.

Attachments: [16-0862.pdf](#)

[16-0872](#) Approval of Minutes from the September 6, 2016 Wastwater Treatment Facility Board, recommending approval and place on file.

Attachments: [20160909102658877.pdf](#)

7. Public Safety Committee (Consent)

- [16-0728](#) Fire Department Division of Life Safety report for May, 2016, recommending placing on file.
Attachments: [Fire Department Division of Life Safety May, 2016](#)
- [16-0729](#) Fire Department Division of Life Safety Report for June, 2016, recommending placing on file.
Attachments: [Fire Department Division of Life Safety June, 2016](#)
- [16-0751](#) Police Department Monthly Report July, 2016, recommending placing on file.
Attachments: [Police Department Monthly Report July, 2016](#)
- [16-0789](#) Request by the Artist Lofts Apartments to remove a No Parking Zone on the south side of the 2400 block of Franklin Street, west of S. 24th Street, recommending placing on file.
Attachments: [Artist Lofts Parking Request 8-29-16](#)
- [16-0795](#) Public Safety Minutes July 25, 2016, recommending approval..
Attachments: [16-0795 Public Safety Minutes 7-25-16.pdf](#)
- [16-0796](#) Police and Fire Commission August Meeting Minutes, recommending approval and place on file.
Attachments: [Police and Fire Minutes 8-9-16](#)
- [16-0804](#) Fire Monthly Report for July, recommending placing on file.
Attachments: [Fire Monthly Report-07-2016](#)

I. STANDING COMMITTEE REPORTS

1. Committee of the Whole

- [16-0866](#) City of Manitowoc Strategic Plan.
Attachments: [16-0866.pdf](#)
- [16-0878](#) Communication from Tim Ewen expressing concerns relative to manufacturing jobs being lost and bringing good paying jobs to the City.
Attachments: [16-0878.pdf](#)
- [16-0886](#) Discussion and Possible Action on all vehicular parking / traffic routes / designated bus drop-off location on: N. 9th Street (between Waldo blvd. and School Street), School Street (between N. 9th and N. 11th), and N. 11th Street (between Waldo Blvd. and School Street) and appropriate signage if adopted.

[16-0892](#) Report of City Plan Commission relative to Custer #5 Annexation (Backus) recommending that Council accept the petition from the Backus' for direct annexation and zoning the subject property as "R-4" Single and Two Family Residential.

Attachments: [16-0892.pdf](#)

[16-0893](#) Ordinance to annex territory from the Town of Manitowoc Rapids to the City of Manitowoc, being part of District 9, Ward 28.

Attachments: [16-0893.pdf](#)

[16-0894](#) Resolution creating Ward 28, population 0, for the Custer #5 Annexation Area and that Ward 28 be combined with Wards 17, 18, 21, 23, 24, 25 and 26 (District 9) for voting purposes.

Attachments: [16-0894.pdf](#)

2. Finance Committee

[14-299](#) Summons and Complaint received March 7, 2014, of CitiMortgage, Inc. vs. Bonnie Rebarck et al, Case No. 14 CV 063, with Report from Staff Attorney Majerus recommending acceptance of report and placing on file.

Attachments: [14-299.pdf](#)
[Atty Memo to Close Case.pdf](#)

[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, with Report of Staff Attorney recommending acceptance of report and place on file.

Attachments: [14-436.pdf](#)
[Attorney Report 14-436.pdf](#)

[14-1402](#) Amended Summons and Complaint for foreclosure of the Shoreline Credit Union v. Christopher J. Seefeldt, Jennifer L. Seefeldt, City of Manitowoc, et al, Case No. 14 CV 147, with Report from Staff Attorney Majerus recommending acceptance of report and place on file.

Attachments: [14-1402.pdf](#)
[Attorney Report 14-1402.pdf](#)

[14-2373](#) Summons and Complaint - TCF National Bank vs. Koch and Doe and City of Manitowoc, Case No. 14 CV 482, with Report from Staff Attorney Majerus recommending acceptance of report and place on file.

Attachments: [FN14-2373.pdf](#)
[Atty Report 14-2373.pdf](#)

- [15-049](#) Amended Summons and Complaint of Flagstar Bank vs. Goertz and City of Manitowoc, adding City as defendant, Case No. 14 CV 467, with Report of Staff Attorney recommending acceptance of report and place on file.
- Attachments:** [FN 15-049.pdf](#)
- [16-0889](#) Summons and Complaint of BMO Harris Bank vs. Arlette A. DeBaere, City of Manitowoc, et al, Case No. 12 CV 672, with Report of Staff Attorney Majerus recommending acceptance of report and place on file.
- Attachments:** [Attorney Report 16-0889.pdf](#)
[16-0889.pdf](#)
- [16-0890](#) Summons and Complaint of Wisconsin Housing and Economic Development Authority vs. Vansay Vang, Yer Vang, City of Manitowoc et al, Case No. 11 CV 615, with Report of Staff Attorney Majerus recommending acceptance of report and place on file.
- Attachments:** [Attorney Report 16-0890.pdf](#)
[16-0890.pdf](#)
- [16-0673](#) Tourism Services Agreement with the Manitowoc Area Visitor and Convention Bureau and the City of Two Rivers.
- Attachments:** [00027006.pdf](#)
[00027005.pdf](#)
- [16-0771](#) Ordinance to amend the Official Map of the City of Manitowoc in an area located South of Homestead Road and north of North Union Rd.
- Attachments:** [16-0771.pdf](#)
- [16-0810](#) Contract with Stantec for project management of demolition located at 1512 Washington St (Mirro).
- Attachments:** [16-0810.pdf](#)
- [16-0887](#) Memorandum from Community Development Director Nicolas Sparacio with proposals attached for delineating the wetlands in high priority locations within the I-43 Tech Park.
- Attachments:** [16-0887.pdf](#)
- [16-0888](#) Ordinance to amend Section 7.285 of the Municipal Code to increase the threshold amount for special assessments qualifying for a five-year installment plan.
- Attachments:** [16-0888.pdf](#)
- [16-0895](#) Resolution to vacate a portion of unimproved Edgewood Road of .1 acres of land more or less.
- Attachments:** [16-0895.pdf](#)

[16-0896](#) Report of City Plan Commission relative to Street Vacation and Official Map Amendment for a portion of dedicated but unimproved Edgewood Road.

Attachments: [16-0896.pdf](#)

16-0897 Non Disturbance, Subordination and Attornment Agreement between Lessor, Manitowoc Place, LLC and Lender, City of Manitowoc to allow Verizon to place some additional antennas on the Manitowoc Place apartments on N. 8th Street.

Attachments: Memo from Nic S.pdf
Agreement.pdf
Draft Verizon Manitowoc Place Lease.pdf

3. Personnel Committee

[16-0879](#) Ordinance to increase the Alderpersons' compensation.

Attachments: [16-0879.pdf](#)

[16-0880](#) Ordinance to increase the Mayoral salary for the 4-year term beginning in April 2017.

Attachments: [16-0880.pdf](#)

[16-0881](#) Resolution to amend the Employee Policy Manual to provide for a 90 day separation bonus.

Attachments: [16-0881.pdf](#)

[16-0882](#) Resolution to hire an electrical inspector at a higher compensation step plan.

Attachments: [16-0882.pdf](#)

[16-0884](#) Resolution to approve filling replacement Administrative Assistant due to a vacancy at Grade G.

Attachments: [16-0884.pdf](#)

4. Public Infrastructure Committee

[16-0832](#) Metal Detecting in City Parks Policy.

Attachments: [16-0832.pdf](#)

[16-0834](#) Kwik Trip Driveway Width variance at N. 24th and Menasha Avenue.

Attachments: [16-0834.pdf](#)
[16-0834-1.pdf](#)

[16-0839](#) Memorandum of Understanding with IMF Holdings LLC relative to repair of two areas on Franklin Street at S. 21st St. and S. 26th St. intersections due to damage as a result of oversized loads.

Attachments: [16-0839.pdf](#)

[16-0841](#) Evergreen Cemetery Rules & Regulations as approved at the 8/25/16 Cemetery Commission meeting.

Attachments: [16-0841.pdf](#)

[16-0842](#) Manitowoc and Two Rivers joining as an Ice Age Trail Community.

Attachments: [16-0842.pdf](#)

[16-0864](#) Ordinance to amend Sections 8.230, 11.010 and 14.480 of the Manitowoc Municipal Code regulating parks and related facilities.

Attachments: [16-0864.pdf](#)

[16-0869](#) Assignment of Stormwater Management Facility Maintenance Agreement with Manitowoc Cinema LLC (Assignor) and Cinema Square Owners' Association, Inc. (Assignee) with consent of the City of Manitowoc as required by the Maintenance Agreement.

Attachments: [16-0869.pdf](#)

[16-0873](#) Agreement (AGMT 16-10) with Quality Building Restoration Co., Inc. for tuck pointing the east abutment of the Mill Road Bridge at a cost of \$8,500.00.

Attachments: [16-0873.pdf](#)

5. Public Safety Committee

[15-1099](#) Ordinance amending Section 10.730 of the Municipal Code to designate two handicap parking stalls on a portion of Jay Street to accommodate Manitowoc County Human Services clients. (Currently tabled).

Attachments: [15-1099.pdf](#)

[16-0352](#) Ordinance to amend portions of Section 10.490 of the Municipal Code regulating two-hour parking in the City of Manitowoc. (Currently tabled).

Attachments: [16-0352.pdf](#)

[16-0682](#) Ordinance to amend Section 14.440 of the Manitowoc Municipal Code regulating Trespassing.

Attachments: [ITEM# 16-0682](#)
[final ord 16-0682.pdf](#)

- [16-0787](#) An Ordinance to amend Section 16.350 of the Manitowoc Municipal Code regulating Fences and Hedges.
- Attachments:** [ord 16-0787.pdf](#)
[16-0787 16.350 Fence Ordinance.pdf](#)
- [16-0790](#) Proposed parking sublease by Forefront Dermatology of 50 spaces at 720 Quay Street (Farmers Market Parking Lot).
- Attachments:** [Forefront Dermatology Lease Request](#)
- [16-0791](#) Appeal for Ambulance Charge - Call #182A-16-1692 (Service ID: AMB182A).
- [16-0794](#) Capital Project Request -Unbudgeted - CAWG - Folder/Inserter for Police Dept. for a cost of \$5,654.00.
- Attachments:** [16-0794 Capital Project PD Folder-Inserter.pdf](#)
- [16-0857](#) Ordinance to amend Section 14.300 of the Municipal Code regulating drug paraphernalia.
- Attachments:** [16-0857.pdf](#)
- [16-0859](#) Request from Mayor Nickels to purchase pedestrian safety lights for Waldo Blvd. crosswalk with funds from the Room Tax undesignated reserve fund.
- Attachments:** [16-0859.pdf](#)
- [16-0863](#) Pedestrian Sign Installation and Maintenance Agreement with Kerry Inc. (Red Arrow) to install pedestrian crossing signs on South Water Street with Red Arrow to pay the entire cost of the signs as well as maintenance.
- Attachments:** [16-0863.pdf](#)

J. OTHER BUSINESS

K. ADJOURN

1. Next Scheduled Common Council Meeting: Monday, October 3, 2016 at 5:30pm in the Common Council Chambers at City Hall. (Adjourned from September 19th Council meeting).

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