



# City of Manitowoc

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

## Meeting Agenda

### Common Council

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Monday, October 20, 2014

7:00 PM

Council Chambers

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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

#### D. INVOCATION

*Council President Scott McMeans*

#### E. PRESENTATIONS

#### F. PUBLIC HEARINGS

#### 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 Scott McMeans)
2. Finance (Chairman Eric Sitkiewitz)
3. Licensing, Permits and Inspections (Chair Jim Brey)
4. Parks and Recreation (Chair Jason Sladky)

5. Personnel (Chair Jill Hennessey)
6. Public Infrastructure (Chair Dave Soeldner)
7. Public Safety (Chair Christopher Able)

## I. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

[14-2153](#) Reappointments to Plan Commission: Dave Diedrich for a 3 year term expiring 5/1/17; Dan Hornung for a 3 year term expiring 5/1/17; Steve Alpert for a 3 year term expiring 5/1/16.

**Attachments:** [14-2153.pdf](#)

## 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

[14-2132](#) Minutes of Common Council of October 6, 2014, recommending acceptance and place on file.

**Attachments:** [14-2132.pdf](#)

[14-2166](#) Minutes of Crime Prevention of 9/4/14; Industrial Development Corporation of 9/18/14; International Relations Association of 1/23/14; Plan Commission of 9/3/14; Public Utilities Commission of 9/8/14; Transit Commission of 7/2/14; Wastewater Treatment Facility Board of 8/12/14, recommending placing on file.

**Attachments:** [14-2166.pdf](#)

[14-2117](#) Communication from Collin Braunel resigning as a member of the Community Development Authority, recommending acceptance and placing on file.

**Attachments:** [14-2117.pdf](#)

[14-2145](#) Communication from City of Two Rivers of Amendment No. 7 to Two Rivers Comprehensive Plan passed on 10/5/14, recommending placing on file.

**Attachments:** [14-2145.pdf](#)

[14-2157](#) Police Department Monthly Report for September 2014, recommending acceptance and placing on file.

**Attachments:** [14-2157.pdf](#)

### **3. Committee of the Whole**

[14-2105](#) General City Claims in the amount of \$705,204.65 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:** [14-2105.pdf](#)

### **4. Finance Committee**

### **5. Licensing, Permits and Inspections Committee**

[14-1253](#) Communication from iMG Development, representing Sprint, to modify equipment at 736 Revere Dr. per antenna lease agreement, recommending authorizing the Mayor and Clerk to sign the agreement.

**Attachments:** [14-1253.pdf](#)

### **6. Parks and Recreation Committee**

[14-2163](#) Report of Board of Public Works of October 15, 2014 of Patriot Fence & Construction for Furnish & Install Fence and Gates at Lincoln Park Zoo, recommending payment.

**Attachments:** [14-2163.pdf](#)

### **7. Personnel Committee**

### **8. Public Infrastructure Committee**

[14-2160](#) Contract with Certified Builders to replace cedar shingles and fascia at Rahr-West Art Museum and Municipal Field Storage Building (hail damage), recommending acceptance and placing on file.

**Attachments:** [14-2160.pdf](#)

[14-2161](#) Report of Board of Public Works of October 15, 2014 of Powell Roofing Services, Inc. for Hail Damaged Roof Replacements Standard, WB-14-16 in the amount of \$3,700.00, recommending payment.

**Attachments:** [14-2161.pdf](#)

[14-2162](#) Report of Board of Public Works of October 15, 2014 of Ayres Associates, Inc. for 8th and 10th Street Bridge Inspections in the amount of \$4,400.00, recommending payment.

**Attachments:** [14-2162.pdf](#)

[14-2164](#) Report of Board of Public Works of October 15, 2014 of Powell Roofing Services, Inc. for Hail Damaged Roof Replacements Complex, WB-14-15 in the amount of \$9,446.93, recommending payment.

**Attachments:** [14-2164.pdf](#)

## 9. Public Safety Committee

### 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

#### 2. Finance Committee

[14-2119](#) Resolution authorizing reporting under the Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative.

**Attachments:** [14-2119.pdf](#)

[14-2120](#) Resolution authorizing the issuance and sale of \$5,890,000 City of Manitowoc Electric Power System Revenue Refunding Bonds, Series 2014.

**Attachments:** [14-2120.pdf](#)

[14-2152](#) Communication from Quarles & Brady LLP relative to Scope of Engagement re: proposed issuance of \$5,890,000 City of Manitowoc Electric Power System Revenue Refunding Bonds, Series 2014.

**Attachments:** [14-2152.pdf](#)

[14-2156](#) Communication from Elizabeth Behnke supporting funding the Library with an increase to maintain the current level of service and hours of operation.

**Attachments:** [14-2156.pdf](#)

[14-2176](#) Ordinance amending Section 3.460 of the Municipal Code updating the City's purchasing policy.

**Attachments:** [14-2176.pdf](#)

[14-2207](#) Partial Release of Mortgage for commercial units at 2 North 8th Street.

### 3. Licensing, Permits and Inspections Committee

[14-1859](#) Ordinance to amend Chapter 12 of the Municipal Code to increase the water main assessment.

**Attachments:** [14-1859.pdf](#)

[14-2118](#) Report of City Plan Commission relative to proposed land sale in Manitowoc I-43 Industrial Park to Only C Good, LLC/Americollect.

**Attachments:** [14-2118.pdf](#)

[14-2121](#) Ordinance amending Section 22.010 of the Municipal Code removing an area from the Official Map south of Division and north of Dewey between S. 36th and S. 37th Streets.

**Attachments:** [14-2121.pdf](#)

[14-2140](#) Report of City Plan Commission of request from Ramirez Auto Repair and Towing to operate a wrecker service in a "C-1" Commercial Zoning District, recommending granting the CUP subject to compliance conditions attached.

**Attachments:** [14-2140.pdf](#)

[14-2142](#) Report of City Plan Commission relative to proposed Official Map Amendment request from Kent and Sara Keil at the southeast end of S. 36th Street adjacent to land owned by the Manitowoc Public School District.

**Attachments:** [14-2142.pdf](#)

[14-2150](#) Request from Peninsula Logistics, LLC for a Conditional Use Permit to conduct transloading and storage activities of bulk, break-bulk and project cargo from and onto vessels entering the Manitowoc River.

**Attachments:** [14-2150.pdf](#)

[14-2172](#) Ordinance amending Section 11.010 of the Municipal Code allowing the City Clerk to issue One and Two Year Operator's licenses if the Police Department has approved.

**Attachments:** [14-2172.pdf](#)

[14-2173](#) Ordinance repealing Section 11.220 of the Municipal Code relating to Soda Licenses.

**Attachments:** [14-2173.pdf](#)

#### 4. Parks and Recreation Committee

[14-1586](#) Communication from Joseph Van Ells relative to Dale Street Park water issues primarily effecting his residence at 815 Forest Circle. (Copy to Public Infrastructure Committee).

**Attachments:** [14-1586.pdf](#)

[14-1959](#) Special Events Request from Marion Parworth to hold Garden Fair in Washington Park on June 13, 2015.

**Attachments:** [14-1959.pdf](#)

[14-1961](#) Special Events Request from David Mueller, Roncalli High School, to hold 48th Annual Cross Country Invite at and around Lincoln Park on September 12, 2015, with waiver of fee request attached.

**Attachments:** [14-1961.pdf](#)

[14-1998](#) Special Events Request from Manitowoc County Miracles Special Olympics to hold tournament at Citizen Park on June 13, 2015 (rain date June 14, 2015) and the use of Westfield Park and Halverson Park baseball diamonds for practice sessions and sports assessment testing on various dates during the summer of 2015.

**Attachments:** [14-1998 \(3\).pdf](#)

[14-2114](#) Special Events Request from Lakeshore Humane Society for use of sidewalks and streets in and near Lincoln Park for 29th Annual Walk for Kindness event on September 5, 2015 on the route detailed herein. Also referred to Public Infrastructure Committee.

**Attachments:** [14-2114.pdf](#)  
[Kindness Map.pdf](#)

[14-2115](#) Special Events Request from Autism Society of the Lakeshore to hold 1st Annual Ugly Sweater 5k Run on November 15, 2014 utilizing sidewalks and Mariner's Trail as outlined therein.

**Attachments:** [14-2115.pdf](#)

[14-2125](#) Zoological Board By-Laws

**Attachments:** [BY-LAWS - 2014](#)

[14-2144](#) Request from Manitowoc Police Department for waiver of fees for rental of Lincoln Park Fieldhouse along with equipment on December 12, 2014 for Christmas Party for the children.

**Attachments:** [14-2144.pdf](#)

[14-2148](#) Request from Prevent Suicide WI - Manitowoc County for use of Mariner's Trail on September 20, 2015 for 4th Annual 5k walk/run.

**Attachments:** [14-2148.pdf](#)

[14-2149](#) Request from The Salvation Army to utilize Mariner's Trail on September 5, 2015 for Ride for Hunger.

**Attachments:** [14-2149.pdf](#)

[14-2159](#) Contract with Camera Corner, Inc. to install surveillance cameras and equipment at Silver Creek Park.

**Attachments:** [14-2159.pdf](#)

**14-2170** Bill of Sale from the Goodwill Industries of Wisconsin, Inc. NCW/Miracle League Field at Dewey Street Park transfer of ownership to City of Manitowoc.

**Attachments:** 14-2170  
FYI - MOU.pdf

[14-2197](#) Special Events Request from G. Herrera to hold Halloween Party at Lincoln Park Fieldhouse on November 2, 2014 with said party being open to the public and also charging for admission.

**Attachments:** [14-2197.pdf](#)

## 5. Personnel Committee

[14-2122](#) Resolution to approve interim pay for City Planner Paul Braun for the period 8/1/14 through 10/20/14.

**Attachments:** [14-2122.pdf](#)

[14-2158](#) Special Pay 401a and Medical Documents and FICA Alternative Plan Documents: 1) FICA Alternative Retirement Plan; 2) Governmental 401(a) Special Pay Plan Volume Submitter Basic Plan Document; 3) 401a Administrative Service Agreement; 4) Trust Agreement for Post Retirement Incurred Medical Expense Plan and Trust (Prime Plan); 5) Adoption Agreement for Post Retirement Incurred Medical Expense Plan and Trust (Prime Plan); 6) FICA Alternative Retirement Plan Adoption Agreement; 7) Volume Submitter Basic Trust Document for Gov. 401(a) Special Pay Plan; 8) Volume Submitter Adoption Agreement for Governmental 401(a) Special Pay Plan; 9) Communication from Dept. of Treasury accepting form of plan (Volume Submitter Profit Sharing Plan).

**Attachments:** [Dept of Treas Comm.pdf](#)  
[Vol Sub Adoption Agree.pdf](#)  
[Vol Submit Basic Trust Doc.pdf](#)  
[FICA Alt Retire Plan Adopt Agree.pdf](#)  
[Adopt Agree Post Retire Med Exp.pdf](#)  
[Trust Agree Post Retire Med Exp.pdf](#)  
[401a Adm Service Agree.pdf](#)  
[Gov 401a Special Pay Plan.pdf](#)  
[FICA Alt.pdf](#)

## 6. Public Infrastructure Committee

[13-120](#) Ordinance to amend Section 7.210 of the Manitowoc Municipal Code regulating snow removal and deposits.

**Attachments:** [13-120.pdf](#)

[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.

**Attachments:** [13-606.pdf](#)

[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.

**Attachments:** [13-658.pdf](#)



- [14-1447](#) 5 Year Capital Improvement Plan (CIP) 2015-2019
- Attachments:** [20140710084614076.pdf](#)
- [14-1745](#) Ordinance to amend Section 10.430, parking regulations for street sweeping.
- Attachments:** [20140818154037491.pdf](#)
- [14-2113](#) Special Events Request from Lakeshore Humane Society for 2nd Annual Run for Shelter 5k on May 2, 2015, utilizing streets, sidewalks and Lincoln Park, with route attached. (Copy to Parks and Recreation Committee).
- Attachments:** [20141014105838442.pdf](#)  
[Shelter Map.pdf](#)
- [14-2116](#) Stormwater Management Facility Maintenance Agreement with Manitowoc Cinema LLC for pond constructed as part of Cinema Square at 2555 S. 44th Street.
- Attachments:** [14-2116.pdf](#)
- [14-2143](#) Communication from Jim Muenzenmeyer, Transit/Buildings & Grounds Division Manager, requesting a "No Parking Here to Corner" sign be placed per attached drawing at N. 10th and Chicago Streets per action at Transit Commission meeting.
- Attachments:** [14-2143.pdf](#)
- [14-2146](#) Request from Midwest LLC to sell balloons and Christmas novelties along the Christmas Parade route on November 26, 2014.
- Attachments:** [14-2146.pdf](#)
- [14-2147](#) Request from Ron Kehl Suburban Sports to sell family oriented novelties along the parade route for Christmas Parade and St. Patrick's Day Parade.
- Attachments:** [14-2147.pdf](#)
- [14-2151](#) Request from Operations Division Manager Chad Scheinoha to place propeller donated by McMullen and Pitz Construction Company on Marina/City property.
- Attachments:** [14-2151.pdf](#)
- [14-2155](#) Ordinance to amend Section 7.285 of the Municipal Code, Installment Payment of Special Assessments.
- Attachments:** [14-2155.pdf](#)

[14-2168](#) Ordinance to amend Section 10.440 of the Municipal Code relative to parking regulations for spring clean-up and fall brush pick-up.

**Attachments:** [14-2168.pdf](#)

[14-2171](#) Ordinance creating Section 21.080 of the Municipal Code relating to City takeover of stormwater ponds constructed after January 1, 2015.

**Attachments:** [14-2171.pdf](#)

[14-2174](#) Ordinance amending Section 10.410 of the Municipal Code establishing a winter parking ban on various streets.

**Attachments:** [14-2174.pdf](#)

[14-2187](#) Resolution to allow five-year installment plans for 2014 seal coating assessments.

**Attachments:** [14-2187.pdf](#)

## 7. Public Safety Committee

[14-1981](#) Ordinance to amend Section 14.270(3) of the Municipal Code to prohibit the use of electronic cigarettes on school property.

**Attachments:** [14-1981.pdf](#)

[14-2165](#) Memorandum from Manitowoc County Planning & Zoning Department relative to adopting and developing an All Hazard Mitigation Plan Update.

**Attachments:** [14-2165.pdf](#)

**14-2167** Agreement for Ambulance Services with Town of Newton.

**Attachments:** 14-2167.pdf

[14-2169](#) Ordinance to amend Section 10.390 of the Municipal Code prohibiting parking on a portion of Washington Street.

**Attachments:** [14-2169.pdf](#)

[14-2175](#) Ordinance amending Section 10.170 of the Municipal Code establishing stop signs on South 21st Street at Flambeau Street.

**Attachments:** [14-2175.pdf](#)

## 8. Licenses

[14-2177](#) #7 (Beer) for Class "B" Fermented Malt Beverage license and #4 (Wine) for "Class C" Wine license of Jovial Coffee Company, LLC. - 202 N. 8th Street.

[14-2178](#) #61 for Class "B" Temporary Beer license and #11 for Class "B" Temporary Wine license of St. Francis of Assissi Parish - 2000 Mirro Drive.

[14-2179](#) Operator's License Applications. See attached list of operators.

**Attachments:** [14-2179.pdf](#)

## M. OTHER BUSINESS

## N. ADJOURN

*1. Next Scheduled Common Council Meeting: Monday, November 17, 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