



City of Manitowoc

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

Meeting Agenda

Common Council

Monday, November 17, 2014

7:00 PM

Council Chambers - City Hall

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

[14-2251](#)

7:05 p.m. - for the purpose of hearing any citizen or taxpayer on the proposed budget for the upcoming year.

Attachments:

[BudgetHearing.pdf](#)

[14-2252](#)

7:15 p.m. - for the purpose of hearing any and all interested persons in the matter of a proposed change to the Official Map to (1) remove the Official Map cul-de-sac at the southeast end of South 36th Street and (2) to remove the Official Map cul-de-sac at the southwest end of South 37th Street.

Attachments:

[Official Map Hearing.pdf](#)

[14-2261](#)

7:20 p.m. - for the purpose of hearing objections to proposed assessments to property owners for abatement of nuisance Parks Forestry Assessments.

Attachments:

[AbatementNuisance.pdf](#)

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

[14-2279](#) Appointments to Zoological Board: Douglas Koch, Al Hrudka, Edward Vetting and Brian Schultz for one year term ending 6/1/15; and Richard Krumel (I. Walton League) for two year term ending 6/1/16.

Attachments: [14-2279.pdf](#)

[14-2288](#) Appointment of Alderman Christopher Able to Municipal Tree Commission in place of Alderperson Allan Schema, for the term ending 4/20/15.

Attachments: [14-2288.pdf](#)

[14-2300](#) Appointments to Board of Ethics: Doris Hartman, Jim Muenzenmeyer and Kerry Trask for 3 year terms ending 6/1/17.

Attachments: [14-2300.pdf](#)

[14-2311](#) Appointment of Jacalyn LeBre to Crime Prevention Committee for indefinite term

Attachments: [14-2311.pdf](#)

[14-2319](#) Appointment of Deputy Chief Scott Luchterhand to Manitowoc County Joint Dispatch Board in place of Oscar Dick for an indefinite term.

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

[14-2269](#) Minutes of Common Council meeting of 10/20/14, recommending acceptance and place on file.

Attachments: [14-2269.pdf](#)

[14-2434](#) Minutes of Community Development Authority of 9/10/14; Crime Prevention Committee of 10/7/14; Great Lakes Utilities Board of 5/20/14, 8/12/14, 10/7/14; Municipal Tree Commission of 2/11/14; Police and Fire Commission of 1/14/14, 2/11/14, 3/11/14, 7/8/14, 9/9/14, 10/14/14; Public Utilities Commission of 10/13/14; Manitowoc Sustainability Committee of 10/23/14, recommending acceptance and place on file.

Attachments: [14-2434.pdf](#)

3. Committee of the Whole

[14-2247](#) General City Claims enumerated on list thereof, recommending that the claims be allowed and ordered paid and Mayor, Clerk and Finance Director/Treasurer are instructed to issue the necessary order.

Attachments: [20141114140652029.pdf](#)

4. Finance Committee

[13-592](#) Summons and Complaint Nationstar Mortgage LLC vs. Matthew M. Kouba, TCF National Bank and City of Manitowoc, Case No. 13 CV 526, recommending placing on file.

[14-2395](#) Summons and Complaint (08-044), Case No. 06 CV 329 of Candice A. Alex v. Augustine et al, recommending placing on file.

Attachments: [20141106100519224.pdf](#)

[14-2396](#) Notice of Motion and Motion to Reopen Case (10-092), Case No. 06 CV 329 of Candice Alex v. Augustine, et al, recommending placing on file.

Attachments: [20141106100519224.pdf](#)

[14-2397](#) Memorandum of City Attorney Kathleen McDaniel as to outstanding foreclosures being resolved, recommending acceptance and placing these foreclosure documents on file.

Attachments: [FN14-2397.pdf](#)

[14-2422](#) Communication from Manitowoc Public School District advising that the 2014 tax levy amount for the City of Manitowoc is \$14,870,026.00, recommending acceptance and place on file.

Attachments: [FN14-2422.pdf](#)

[14-2380](#) Report from Lakeshore Technical College advising that the 2014 tax levy amount for the City of Manitowoc is \$1,383,298.45, recommending acceptance and place on file.

Attachments: [FN14-2380.pdf](#)

[14-2394](#) Memorandum from City Attorney Kathleen McDaniel with Notice of Entry of Order Confirming Sheriff's Sale ending Case No. 13 CV 526, Nationstar Mortgage vs. Kouba et al, recommending acceptance of report and place on file.

Attachments: [FN14-2394.pdf](#)

5. Licensing, Permits and Inspections Committee

[14-2064](#) Communication from Manitowoc Baptist Church, Inc. requesting a Conditional Use Permit to use educational building at 2411 Wollmer Street for a Day Care for up to 72 children, recommending placing on file.

Attachments: [14-2064.pdf](#)
[pc 27-2014 2411 wollmer cup](#)

[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, recommending placing on file.

Attachments: [14-2150.pdf](#)
[pc 28-2014 1615 spring cup](#)

[14-2424](#) Report of City Planner Paul Braun of Annual Compliance Review for special permit issued to Jonathan and Cheryl Saunders for parking lot noting the Plan Commission has extended the project completion date to July 1, 2015, recommending acceptance of report and place on file.

Attachments: [LPI14-2424.pdf](#)

6. Parks and Recreation Committee

7. Personnel Committee

8. Public Infrastructure Committee

[14-2250](#) Contract with Certified Builders, LLC for replacement of cedar shingles and fascia due to hail damage as detailed therein, recommending acceptance of the contract and place on file.

Attachments: [14-2250.pdf](#)

[14-2327](#) Contract with Ellerman Glass LLC to repair hail damage screens and windows at various locations, recommending acceptance and place on file.

Attachments: [PI14-2327.pdf](#)

[14-2500](#) Report of Board of Public Works of November 12, 2014 for 7th and final payment to AECOM for Manitowoc River Sheet Wall and River Walk Study, recommending payment of \$16,800.00.

Attachments: [PI14-2500.pdf](#)

[14-2507](#) Report of Board of Public Works of November 12, 2014 for 2nd and final payment to Schaus Roofing & Mechanical for Miscellaneous HVAC - Hail Damage Repairs, recommending payment of \$5,403.00.

Attachments: [PI14-2507.pdf](#)

9. Public Safety Committee

[14-1973](#) Communication from Carl Black, 1611 Miriam Rd., relative to request for a "No Outlet" or "Dead End" sign to be placed at the entrance to the Miriam cul-de-sac for safety reasons, recommending placing on file.

Attachments: [14-1973.pdf](#)

[14-1974](#) Communication from Mayor Nickels on behalf of residents near Emma Radandt Park asking for the placement of a stop sign due to increased traffic in the neighborhood, recommending placing on file.

Attachments: [14-1974.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, recommending placing on file.

Attachments: [14-2143.pdf](#)

[14-2485](#) Agreement with Lifequest to provide EMS billing services.

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

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

[14-2450](#) Resignation letter from Alderperson Keith Shaw, District 5, effective December 1, 2014.

Attachments: [COW14-2450.pdf](#)

[14-2493](#) Request from Mayor Justin M. Nickels to add a fiscal impact note to all Ordinances and Resolutions.

Attachments: [COW14-2493.pdf](#)

2. Finance Committee

[14-1658](#) Guidebook for Purchasing, Budget and Accounting Policies

Attachments: [Guide Book Policy Manual DRAFT.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](#)

[14-2373](#) Summons and Complaint - TCF National Bank vs. Koch and Doe and City of Manitowoc, Case No. 14 CV 482.

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

[14-2398](#) Communication from Mainly Manitowoc requesting to forego requirement to speak before Council per the City Services Agreement and allow the current 2015 matching to lapse.

Attachments: [FN14-2398.pdf](#)

[14-2402](#) Resolution rescinding appointment of Associated Trust Company, National Association as fiscal agent for the \$5,890,000 Electric Power System Revenue Refunding Bonds, Series 2014.

Attachments: [FN14-2402.pdf](#)

[14-2420](#) Memorandum from City Clerk Jennifer Hudon relative to manufacturing real estate assessment of Great Lakes Energy Technologies' settlement with Dept. of Revenue which was reduced by \$1,875,900, requesting to rescind tax in the amount of \$39,567.08.

Attachments: [FN14-2420.pdf](#)

[14-2515](#) Request for letter of support and authorization to proceed with a grant application under the Wisconsin Economic Development Corporation Idle Industrial Sites program for redevelopment of 828 Memorial Drive.

Attachments: [FN14-2515 \(2\).pdf](#)

3. Licensing, Permits and Inspections Committee

[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](#)

[14-2172](#) 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](#)

[14-2249](#) Communication from Phoolfoz Properties LLC, Allan Erickson, Agent, to amend their licensed alcohol premise for license number 24 for "Class B" Retail intoxicating liquor and fermented malt beverage license.

Attachments: [14-2249.pdf](#)

[14-2346](#) Resolution to hold a primary election on February 17, 2015 if three or more candidates file nomination papers for a City office.

Attachments: [LPI14-2346.pdf](#)

[14-2357](#) Resolution setting Election Board salaries for elections held in 2015.

Attachments: [LPI14-2357.pdf](#)

[14-2399](#) Communication from Manitowoc County Public Works Department notifying the City of tax deed properties that will be offered for sale.

Attachments: [LPI14-2399.pdf](#)

[14-2423](#) Report of City Planner Paul Braun relative to request from Rev. Ronald O'Bryon, Manitowoc Baptist Church, to operate a 72 child daycare facility at 2411 Wollmer Street, recommending that Council approve the Conditional Use Permit subject to attached conditions.

Attachments: [LPI14-2423.pdf](#)

[14-2431](#) Report of City Planner Paul Braun with Annual Compliance Review for conditional use permit for The Salvation Army for the operation of a church in Block 115 of the Original Plat, recommending that Council continue the CUP with one modification as detailed therein.

Attachments: [LPI14-2431.pdf](#)

[14-2432](#) Report of City Plan Commission relative to request by 1515 Spring, LLC for a conditional use permit for the storage in bulk or transloading activities of materials at 1615 Spring Street, recommending Council issue the CUP subject to the attached conditions.

Attachments: [LPI14-2432.pdf](#)

[14-2525](#) Agreement with Vandewalle & Associates Inc. for Sign Code Rewrite Services.

Attachments: [LPI14-2525.pdf](#)

[14-2594](#) Sidewalk Privilege Agreement with the Cawley Company.

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](#)

[14-2127](#) Request for proposed Community Garden at South 14th St. Parkland

Attachments: [14-2127 S 14th St Community Garden map](#)
[PK14-2127 \(2\).pdf](#)
[20141104140213757.pdf](#)

[14-2320](#) Communication from Izaak Walton League requesting the use of Cabin #1 in Lincoln Park for their 2015 monthly meetings at the rate of \$300.00.

Attachments: [PK14-2320.pdf](#)

[14-2321](#) Report of Municipal Tree Commission of 2014 assessments for abatement of nuisances per Municipal Code Section 8.190 (6).

Attachments: [PK14-2321.pdf](#)

[14-2326](#) Communication from Salutz & Salutz on behalf of Manitowoc American Legion Baseball requesting the City to provide coupons for free or reduced admission to participants for the Aquatic Center and/or Mini Golf for their tournament in July of 2015.

Attachments: [PK14-2326.pdf](#)

[14-2365](#) Special Events Requests from Debbie Seehafer for multiple tennis tournaments to be held at Lincoln Park courts along with waiver of fee requests for each. Dates of tournaments are June 27-29, July 4-8, August 7-9 and August 22-24, 2015.

Attachments: [PK14-2365.pdf](#)

[14-2400](#) Special Events Request from Tom Chermak requesting the use of Washington Park for Metro Jam Weekend, June 19 & 20, 2015, the use of the Metro Stage, a waiver of rules prohibiting alcohol beverages to be consumed in the park for the weekend, closing So. 12th Street for a portion of the weekend, as detailed therein, with request for waiver of fees attached. (Copies to Public Infrastructure and Licensing, Permits & Inspections).

Attachments: [PK14-2400.pdf](#)

[14-2475](#) 2015 Proposal for Aquatic Center/Mini Golf pricing.

Attachments: [PK14-2475.pdf](#)

5. Personnel Committee

[14-2461](#) Resolution to hire a replacement full-time Fleet Mechanic in Department of Public Infrastructure due to a resignation.

Attachments: [PL14-2461.pdf](#)

[14-2559](#) Resolution to approve the revised Associate Planner/Economic Expeditor job description.

Attachments: [PL14-2559.pdf](#)

[14-2566](#) Resolution to approve the replacement of a vacant Custodian position.

Attachments: [PL14-2566.pdf](#)

[14-2577](#) Resolution to approve the replacement of a vacant Wastewater Treatment Facility Operator position.

Attachments: [PL14-2577.pdf](#)

[14-2584](#) Resolution to contract with Associated Financial Group as our health insurance benefit broker.

Attachments: [PL14-2584.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](#)
- [14-2168](#) 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](#)
- [14-2322](#) Communication from Manitowoc Symphony Orchestra outlining various requests for the City to assist with the Symphony Tour of Homes on Saturday, December 6, 2014.
Attachments: [PI14-2322.pdf](#)
- [14-2401](#) Communication from Event Toyz to sell children's toys and christmas related items at the 2014 Christmas Parade.
Attachments: [PI14-2401.pdf](#)
- [14-2444](#) Stormwater Management Facility Maintenance Agreement with CR Mini Storage LLC for maintenance of stormwater facilities at 2131 S. 26th Street.
Attachments: [PI14-2444.pdf](#)

7. Public Safety Committee

- [14-2165](#) Memorandum from Manitowoc County Planning & Zoning Department relative to adopting and developing an All Hazard Mitigation Plan Update.
Attachments: [14-2165.pdf](#)
- [14-2169](#) 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](#)

[14-2248](#) Communication from Jacob Schnell relative to ambulance bill for service on June 27, 2014.

Attachments: [PS14-2248.pdf](#)
[ambulance bill.pdf](#)

[14-2328](#) Memorandum from Engineering Division Manager Greg Minikel relative to proposed changes to parking restrictions on South 15th Street from Wollmer to Washington Street.

Attachments: [PS14-2328.pdf](#)

[14-2329](#) Memorandum from Engineering Division Manager Greg Minikel relative to proposed parking restrictions on South 16th and Washington Street to assist the turning movements for oversized loads.

Attachments: [PS14-2329.pdf](#)

[14-2421](#) Communication from CESA 7 Head Start requesting a "No Parking During School Hours" sign to be posted on the 700 block of State Street to allow buses to pick up and drop off children safely in front of school.

Attachments: [PS14-2421.pdf](#)

[14-2468](#) 2014 Rate Survey of Fire Department Emergency Medical Service Rates.

Attachments: [PS14-2468.pdf](#)

[14-2533](#) Special Event Request from Wisconsin Maritime Museum to hold Glitz & Glam New Year's Eve Bash on December 31, 2014, and allowing fireworks.

Attachments: [PS14-2533.pdf](#)

8. Licenses

[14-2534](#) Operator License Applications. See attached list of operators.

Attachments: [Licenses.pdf](#)

[14-2542](#) #8 Class "B" Fermented Malt Beverage license of Apple Tree Archery, LLC, Eric Caylor, Agent, 3009 Menasha Avenue.

[14-2550](#) #1 Mobile Home Park License of Trail's End Park, Inc., 2000 Johnston Drive.

[14-2558](#)

#1 Class "A" Beer license of Progreso Mexicano, LLC, Jorge Ibarra, Agent, transfer of premise from 3949 Calumet Avenue to 1533 S. 41st Street.

M. OTHER BUSINESS**N. ADJOURN**

1. Next Scheduled Common Council Meeting: Monday, December 1, 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