



# City of Manitowoc

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

## Meeting Agenda

### Common Council

---

Monday, February 20, 2017

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

#### E. PUBLIC HEARINGS

#### 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

[17-0161](#)

Appointment of Dr. Danielle McKeithen, Silver Lake College, to the Brownfields Advisory Committee in place of Dr. Erik Hoyer for an indefinite term.

Attachments:

[17-0161.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: None.

*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

[17-0177](#) Minutes of Common Council meeting of 1/23/17, recommending approval and place on file.

**Attachments:** [minutes.pdf](#)

[17-0178](#) Minutes of February 13, 2017 Common Council meeting, recommending acceptance and place on file.

**Attachments:** [17-0178.pdf](#)

[17-0179](#) Public Notice of an Air Pollution Control Permit Application Review for R2H Flavor Technology, 6260 Vits Drive, recommending placing on file.

**Attachments:** [17-0179.pdf](#)

[17-0180](#) Public Notice of an Air Pollution Control Permit Application Review of Natural Ovens Bakery, 4300 County Rd. CR, recommending placing on file.

**Attachments:** [17-0180.pdf](#)

[17-0181](#) Congratulations from Congressman Glenn Grothman on receiving the Governor's 2016 Exemplary Award from the state Division of Vocational Rehabilitation for the City's commitment to hiring individuals with disabilities, recommending placing on file.

**Attachments:** [17-0181.pdf](#)

## 3. Committee of the Whole (Consent)

[17-0184](#) Report of Special Event Committee relative to approval of the following events: Ice on 8th on 2/11/17; Manitowoc County Fair Bandwagon Rental on 8/23-27/2017; Nething wedding & reception on 6/23/17; 3 on 3 Basketball Tournament on 7/28-30/2017; recommending acceptance of report and place on file.

**Attachments:** [17-0184 report.pdf](#)  
[ice on 8th.pdf](#)  
[Fair Bandwagon rental.pdf](#)  
[Nething Weddidng.pdf](#)  
[3 on 3 Basketball.pdf](#)

[17-0185](#) Report of Special Events Committee recommending approval of the following event subject to Council action: St. Patrick's Day Parade (street closure for parade on S. 8th St. from Washington to Chicago Sts., no parking on parade route during parade, recommending approval.

**Attachments:** [17-0185.pdf](#)

## 4. Finance Committee (Consent)

[17-0100](#) Adjust Tax Amounts for 2016 Personal Property Tax due to palpable error on the following parcels:, recommend approval.

Parcel No.	Tax Amt.	Assessed Value)
000-315-705	\$52.50	(\$2,500)
000-918-635	\$20.96	(\$1,000)
000-918-180	\$224.28	(\$10,700)
000-120-048	\$329.08	(\$15,700)

**Attachments:** [Palpable Error Letters](#)

[17-0101](#) Notice of Closure Approval with Continuing Obligations for Rights-of-Way for Franklin St and South 24th Street, Manitowoc, WI  
Final Case Closure for Former Mirro #3, 2402 Franklin St,  
DNR BRRTS Activity #: 02-36-563442, recommend to place on file.

**Attachments:** [DNR Letter DNR BRRTS 02-36-563442](#)

[17-0104](#) City Attorney Claims Report, recommend to accept and place on file

**Attachments:** [2016 Claims Report](#)

[17-0114](#) Notice of Intent to Retire - Hudon, recommend to accept the notice and place on file.

**Attachments:** [Intent to Retire Hudon](#)

[17-0160](#) General City Claims in the amount of \$9,135,307.86 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:** [report 17-0160.pdf](#)

[1-20-17.pdf](#)

[1-27-17.pdf](#)

[2-3-17.pdf](#)

[2-10-17.pdf](#)

[2-14-17.pdf](#)

[2-14-17a.pdf](#)

[2-17-17.pdf](#)

[17-0182](#) Report from Wisconsin DNR relative to 2016 sanitary survey report for the water supply serving the City of Manitowoc, recommending acceptance and place on file.

**Attachments:** [17-0182.pdf](#)

## 5. Personnel Committee (Consent)

**6. Public Infrastructure Committee (Consent)**

[17-0009](#) Request from SMI and Representatives of VanHorn for a Letter of Understanding from the City that the private sewer exists in the easement and is allowed at 4611 Expo Drive, recommending approval of request.

**Attachments:** [17-0009.pdf](#)  
[17-0009-1.pdf](#)  
[17-0009-2.pdf](#)

[17-0031](#) Report of Board of Public Works of January 11, 2017, of bids received for Wastewater Treatment Facility Improvements, Project WB-17-2, recommending awarding to low bidder, CD Smith Construction, in the amount of \$8,966,000.00.

**Attachments:** [17-0031.pdf](#)  
[17-0031bid tab.pdf](#)  
[strand.pdf](#)

[17-0116](#) Agreement between the United Methodist Church and the Aging & Disability Resource Center of the Lakeshore Senior Nutrition Program regarding the dining site, recommending entering into the agreement.

**Attachments:** [17-0116.pdf](#)

[17-0117](#) Request for phase 2 of the renovation plan for the downstairs of the Education Center at the Zoo, with funding to be from the zoo donation tube, recommending approval of the request.

**Attachments:** [17-0117.pdf](#)

[17-0132](#) Proposed Intersection changes at Calumet Avenue and South 41st Street, recommending approval of the request.

**Attachments:** [17-0132.pdf](#)  
[17-0132-1.pdf](#)

[17-0135](#) 2017 AECOM Services Supplemental Task Order - Town of Newton Gravel Pit, recommending enter into agreement for the Task Order

**Attachments:** [17-0135.pdf](#)

[17-0150](#) Capital Works 5 Year Plan 2016-2021, recommending approval and posting to City Website.

**Attachments:** [17-0150.pdf](#)

[17-0163](#) Report of Board of Public Works of 2/8/17 for 1st and Final payment of \$10,500.00 to Ayres Associates, Inc. for 8th and 10th Street Bridge Inspections, Invoice 167266, recommending payment.

**Attachments:** [17-0163.pdf](#)

[17-0164](#) Report of Board of Public Works of 2/8/17 for 2nd and Final payment of \$4,395.31 to Northern Pipe Equipment, Inc. for 2016 Televising Miscellaneous Sewers II, WU-16-14, recommending payment.

**Attachments:** [17-0164.pdf](#)

[17-0169](#) Report of Board of Public Works of 1/25/17 for 3rd and Final payment of \$29,074.10 to De Groot, Inc. for 2015 Horseshoe Drive Lift Station Construction, WU-15-2, recommending payment.

**Attachments:** [201702131300.pdf](#)

[17-0176](#) Report of Board of Public Works of January 25, 2017, of bids received for 2017 Sewer Re-Lining, Project WU-17-7, recommending awarding to low bidder, Michels Corporation in the amount of \$403,998.25.

**Attachments:** [17-0176.pdf](#)  
[17-0176 bid tab.pdf](#)

## 7. Public Safety Committee (Consent)

[17-0060](#) Fire/Rescue Division of Life Safety Report November 2016, recommending approval.

**Attachments:** [Fire/Rescue Life Safety 11Nov. Report](#)

[17-0061](#) Fire/Rescue Monthly Report December 2016, recommending approval.

**Attachments:** [Fire/Rescue December Report](#)

[17-0062](#) Police Department Monthly Report, December 2016, recommending approval.

**Attachments:** [Police December Report](#)

[17-0071](#) Fire/Rescue Life Safety December 2016 Report, recommending approval.

**Attachments:** [Fire Rescue Life Safety December Report](#)

[17-0083](#) Fire/Rescue Key Performance 4th Quarter Report, recommending approval.

**Attachments:** [2016 MFD Key Performance 4th Qtr](#)

[17-0086](#) Village of Cleveland agreement for ambulance services, recommending approval as consistent with policy for service agreements with no additional costs to Fire and Safety.

**Attachments:** [Village of Cleveland agreement for ambulance services](#)

## I. STANDING COMMITTEE REPORTS

### 1. Committee of the Whole

[17-0143](#) Ordinance to amend Section 11.010(10)(d) of the Municipal Code regulating "Class A" license regulations relative to intoxicating liquor sales only.

**Attachments:** [17-0143.pdf](#)

[17-0147](#) Request for Proposal for parking consultants downtown.

**Attachments:** [17-0147.pdf](#)

[17-0165](#) Resolution in support of the proposed Wisconsin-Lake Michigan National Marine Sanctuary.

**Attachments:** [17-0165.pdf](#)

## 2. Finance Committee

[17-0099](#) 2017 Weights and Measures Assessments

**Attachments:** [20170201004634374](#)

[17-0103](#) Revocation Hearing for 2016-17 "Class B" Intoxicating Liquor and Fermented Malt Beverage license No. TAV-1665 of Scorpion Bar and Grill LLC, Jorge Ibarra, Agent, 214 N. 8th Street.

**Attachments:** [17 0103 Revocation Hearing TAV 1665 Scorpions Bar and Grill](#)

[17-0105](#) Mark W. Jens, Claim for Excessive Assessment Under Wis. Stat. 74.37

**Attachments:** [Claim Excessive Assessment Mark Jens](#)

[17-0107](#) Request for authorization to Sole Source purchase of Power Cots for the Manitowoc Fire Dept EMS with Stryker Medical

**Attachments:** [Power-PRO XT Sole Source Letter 2015](#)  
[Stryker Purchase Agreement](#)

[17-0108](#) Discussion and possible action on request from Manitowoc Youth Baseball Association to discuss funding options to complete project at Citizen Park

**Attachments:** [2017\\_02\\_10\\_11\\_01\\_54.pdf](#)

[17-0109](#) Request for authorization to execute updated development agreement related to Community Development Investment grant for renovation of 804 Jay Street and 914 S 8th Street (The Schuette Building).

**Attachments:** [17-0109 DA 2-1-17 Draft](#)

[17-0110](#) Request for authorization to contract with the Farmers Market Manager for additional services including marketing and planning for the 2017 season.

**Attachments:** [Marketing and Planning Services Agreement 2017\\_2-20-17.pdf](#)

- [17-0115](#) Ordinance amending section 11.060 Regarding Taxicab Vehicle License and Taxicab Driver's Licenses.
- Attachments:** [17-0115.pdf](#)
- [17-0148](#) Write off of Personal Property Tax in the amount of \$4,053.83 due to palpable error on parcel #000-307-596
- Attachments:** [20170210205509287](#)
- [17-0162](#) Findings of Fact Conclusions of Law and Recommendation relative to Scorpion Bar and Grill LLC, Jorge A. Ibarra, Agent, 214 N. 8th Street, with recommendation to revoke their alcohol license.
- Attachments:** [17-0162.pdf](#)
- [17-0167](#) Quit Claim Deed from Woodland Shadows LLC for Virginia Drive purposes with Plan Commission Report attached recommending acceptance of deed with Clerk, after confirmation from Community Development Department, to record the deed.
- Attachments:** [17-0167.pdf](#)
- [17-0168](#) Report of City Plan Commission relative to annual review of Community Living Arrangements in the City of Manitowoc recommending Council approve the licenses for these facilities for 2017.
- Attachments:** [17-0168.pdf](#)
- [17-0171](#) Annual Report of Great Lakes Utilities for the year ending 12/31/15 along with highlights for 2016.
- Attachments:** [glu.pdf](#)
- [17-0172](#) Report of City Plan Commission relative to request to amend a Conditional Use Permit for trans-loading product over property located at 1615 - 1311 Spring Street to Trans-Link Services.
- Attachments:** [17-0172.pdf](#)
- [17-0173](#) Report of City Plan Commission relative to request from KCG Development for an adaptive reuse conditional use permit for Clarkbridge Apartments, 1402 Clark St, with Plan Commission recommending approval subject to the attached conditions.
- Attachments:** [201702131453.pdf](#)
- [17-0174](#) Report of City Plan Commission relative to Fieldcrest Manor request for a conditional use permit at 1510 S. 30th St. for the continuation of a community based residential facility for up to 20 beds.
- Attachments:** [17-0174.pdf](#)

[17-0183](#) Report of City Plan Commission relative to request for conditional use permit for an open sales lot at 2020 Dufek Drive, recommending approval subject to the attached conditions.

**Attachments:** [17-0183.pdf](#)

[17-0197](#) Report of Finance Committee to grant the various licenses subject to approvals, inspections, insurance, payment of license fees and meeting State Statute requirements, as detailed therein.

**Attachments:** [17-0197.pdf](#)

[17-0102](#) Two Year Operator's license #160303 of Tara Michelle Swetlik, 901 Huron St. with recommendation from Assistant Chief Scott Luchterhand to deny the license.

### 3. Personnel Committee

[17-0191](#) Resolution to adopt a Hearing Conservation Program Policy.

**Attachments:** [17-0191.pdf](#)

[17-0192](#) Resolution to approve backfilling of a Rahr-West Art Museum Security Guard.

**Attachments:** [17-0192.pdf](#)

[17-0193](#) Resolution revising the Seasonal Employment Policy.

**Attachments:** [resolution.pdf](#)  
[policy.pdf](#)  
[attachments.pdf](#)

[17-0194](#) Resolution to approve the hiring of budgeted vacant part-time and full-time Transit Driver positions through the end of 2017.

**Attachments:** [transit drivers.pdf](#)

[17-0196](#) Resolution adding the Wisconsin Bone Marrow and Organ Donation Leave Act Policy to the Employee Policy Manual.

**Attachments:** [17-0196.pdf](#)

[17-0198](#) Resolution revising job descriptions of Operations Division Manager (Parks-Cemetery-Bridges-Electrician), Operations Division Manager (Streets and Sanitation) and Parks Laborer, shifting all grass and weed cutting duties, including the Weed Commissioner title, from Public Works Division to Parks Division.

**Attachments:** [res 17-0198.pdf](#)  
[job 1.pdf](#)  
[job 2.pdf](#)  
[job 3.pdf](#)



#### 4. Public Infrastructure Committee

[15-954](#) Railroad Crossings throughout the City of Manitowoc.

**Attachments:** [15-954.pdf](#)  
[15-0954.pdf](#)

[16-0958](#) Outdoor Exercise Equipment

**Attachments:** [16-0958.pdf](#)  
[16-0958-2.pdf](#)

[17-0067](#) Request to revise job descriptions-Weed Commissioner

**Attachments:** [Operations Division Manager- Streets and Sanitation JD 1.2017](#)  
[Operations Division Manager-Parks-Cemetery-Bridges-Electrician JD 1.2017](#)  
[Parks Laborer JD 1.2017](#)

[17-0123](#) Water Issue on Dale Street - 815 Forest Circle.

**Attachments:** [17-0123.pdf](#)

[17-0149](#) Manitowoc Bandit's Request for Rent Reduction

**Attachments:** [17-0149.pdf](#)

[17-0158](#) Request from Zoo Society for a major upgrade to the Zoo Education Center to be done by Spring.

**Attachments:** [17-0158.pdf](#)

[17-0166](#) Report of Plan Commission relative to Harbor Assistance Program - Annual 3 Year Statement of Intentions, with Plan Commission recommending to support the 2017-19 Wisconsin DOT Harbor Assistance Program's Annual 3 Year Statement of Intentions.

**Attachments:** [17-0166.pdf](#)

[17-0175](#) Contract with Friends of the Manitowoc River Watershed to construct an approach to the kayak launch, benches and a kayak storage rack to donate to the City of Manitowoc.

**Attachments:** [17-0175.pdf](#)

[17-0195](#) Contract (AGMT-17-03) with A.C.E. Building Service to furnish labor, equipment and material required to replace existing storefront at "Old County Shops", 1105 Fleetwood Drive with insulated 3070 steel door and steel siding.

**Attachments:** [17-0195.pdf](#)

#### 5. Public Safety Committee

- [17-0040](#) Citizen request for pedestrian signs at the intersection of S 23rd St and Western Ave.
- Attachments:** [S. 23rd and Western Avenue](#)
- [17-0043](#) Ordinance to amend Section 14.600 and 14.640 of the Manitowoc Municipal Code regulating Retail Theft and Retail Fraud.
- Attachments:** [Retail Theft and Retail Fraud Ordinance](#)
- [17-0063](#) An Ordinance to amend Section 14.560 of the Manitowoc Municipal Code regulating Public Nuisance Properties.
- Attachments:** [Public Nuisance Ordinance Section 14.560](#)
- [17-0064](#) An Ordinance to amend Section 14.040 of the Manitowoc Municipal Code regulating Social Host.
- Attachments:** [Social Host Ordinance Amendment](#)
- [17-0072](#) Request to backfill vacant Clerk Typist position at the Police Department.
- Attachments:** [Clerk Typist JD 4-2014](#)
- [17-0159](#) Agreement for Ambulance Services with Town of Kossuth thru December 31, 2021.
- Attachments:** [17-0159.pdf](#)

## J. OTHER BUSINESS

## K. ADJOURN

*1. Next Scheduled Common Council Meeting: Monday, March 20, 2017 at 6:30pm 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**