



City of Manitowoc

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

Meeting Agenda Common Council

Monday, April 21, 2014

7:00 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

D. INVOCATION

Council President Jill Hennessey

E. PRESENTATIONS

[14-671](#)

City Clerk administers oath of office to Firefighter/Paramedics Travis Gunderson, Chad Haucke, Mark Kuchenbecker, Brent MacDonald and Jordan Olson followed by a badge ceremony.

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 Jill Hennessey)
2. Finance (Chairman Scott McMeans)

3. Licensing, Permits and Inspections (Chair Jim Brey)
4. Parks and Recreation (Chair Jason Sladky)
5. Personnel (Chair Chris Able)
6. Public Infrastructure (Chair Dave Soeldner)
7. Public Safety (Chair Eric Sitkiewitz)

I. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

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

[14-679](#) Common Council Minutes of 4/7/14 recommending approval and place on file.

Attachments: [14-679.pdf](#)

[14-701](#) Communication from Burger Boat notifying of Notice of Pending Application for Proposed Pier from the Wis. Dept. of Natural Resources, recommending placing on file.

Attachments: [14-701.pdf](#)

3. Committee of the Whole

[14-808](#) 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: [14-808.pdf](#)

4. Finance Committee

5. Licensing, Permits and Inspections Committee

[14-317](#) Home Occupation Accessory Building Application of Michael Miller, Manitowoc Small Engine, 954 S. 29th Street for a detached garage, recommending placing on file.

Attachments: [14-317.pdf](#)

[14-323](#) Quit Claim Deed from Daniel E. and Dorothy Holsen, for .49 acres of land for Goodwin Road purposes, recommending acceptance and place on file.

Attachments: [14-323.pdf](#)

[14-465](#) Communication from Tim Frey, owner of TLC Homes, Inc. requesting an exception to the 2500' rule for CBRF's for property on Paul Rd., recommending placing on file.

Attachments: [14-465.pdf](#)
[PC 13-2014 JHA Properties CBRF Exception](#)

[14-483](#) Communication from SMI as representatives of the Manitowoc Lakebreeze Apartments, LLC and WLC, LLC requesting a change to the Official Map eliminating two streets that run to the east off of Johnston Drive to accommodate an apartment project, recommending placing on file.

Attachments: [14-483.pdf](#)
[PC 14-2014 & PC 3-2014 Lake Breeze Apts](#)

[14-484](#) Communication from SMI as representatives of the Manitowoc Lakebreeze Apartments LLC and WLC, LLC requesting a vacation of a portion of two Official Map streets that run to the east off of Johnston Drive, recommending placing on file.

Attachments: [14-484.pdf](#)
[PC 14-2014 & PC 3-2014 Lake Breeze Apts](#)

[14-564](#) Petition of the Manitowoc Lakebreeze Apartments LLC and WLC, LLC requesting a vacation of a portion of two Official Map streets that run to the east off of Johnston Drive, recommending placing on file.

Attachments: [14-564.pdf](#)
[PC 14-2014 & PC 3-2014 Lake Breeze Apts](#)

[14-698](#) Communication from City of Two Rivers with copies of Amendments 5 and 6 to the Two Rivers Comprehensive Plan, recommending placing on file.

Attachments: [14-698.pdf](#)

[14-700](#) Statement of Board of Canvassers of the City of Manitowoc for the April 1, 2014 Spring Election, recommending acceptance and place on file.

Attachments: [14-700.pdf](#)

[14-874](#) Report of City Plan Commission recommending Council approve and accept Quit Claim Deed of Holsen for .49 acres for Goodwin Road purposes.

Attachments: [14-874.pdf](#)

6. Parks and Recreation Committee

[14-838](#) Report of the Board of Public Works of April 16, 2014 recommending 1st and final payment to Franz Electric in the amount of \$5,240.00 for Lincoln Park Zoo electrical service.

Attachments: [14-838.pdf](#)

[14-873](#) Report of City Plan Commission relative to their review of the location and architectural design for proposed miniature golf course at Citizen Park, recommending Council approve the project.

Attachments: [14-873.pdf](#)

7. Personnel Committee

8. Public Infrastructure Committee

9. Public Safety Committee

[14-810](#) Contract with Bartolotta Fireworks Company for fireworks display on July 4, 2014.

Attachments: [14-810.pdf](#)

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

[14-710](#) Operator's License Applications. See attached list of operators.

Attachments: [14-710.pdf](#)

[14-713](#) #31 Temporary Class "B" Beer license of Eastern Wisconsin Stock Cars, 4921 Expo Drive for August 19-24, 2014.

[14-714](#) #4 Mobile Home Park license of Lakeland Manor Mobile Home Park, 3910 Waldo Blvd.

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

3. Licensing, Permits and Inspections Committee

[14-696](#) Sidewalk Encroachment Permit for temporary sidewalk sales during the Farmers' Market.

Attachments: [14-696.pdf](#)

[14-707](#) Request from Manitowoc County Expo/Fair entertainment pavilion purveyors to extend live band music performance until 11:30 p.m. with beer sales ending at midnight on Friday and Saturday of the County Fair and to have music performances until 11:00 p.m. with beer sales ending at 11:30 p.m. for the remaining nights of the County Fair. (Copy to Public Safety Committee).

Attachments: [14-707.pdf](#)

[14-709](#) Request from Manitowoc Lutheran High School Federation, Inc. and A T & T for change in zone from R-2 to I-1 for property at 4045 Lancer Circle.

Attachments: [14-709.pdf](#)

[14-855](#) Ordinance to amend Section 22.010 of the Municipal Code relative to a street vacation and Official Map change in an area located east of Johnston Drive and south of the City Limits.

Attachments: [14-855.pdf](#)

[14-862](#) Resolution to vacate portions of two unnamed streets east of Johnston Drive.

Attachments: [14-862.pdf](#)

[14-875](#) Report of City Plan Commission relative to request from Michael Miller for conditional use permit for home occupation accessory building at 954 S. 29th Street, recommending that Council grant the CUP subject to conditions outlined in Plan Commission report.

Attachments: [14-875.pdf](#)

[14-876](#) Report of City Plan Commission relative to request from WLC, LLC and Manitowoc Lake Breeze Apartments, LLC for street vacations and Official Map changes for property east of Johnston Drive, west of Zimmer Drive, and to the north of E. Charles Lane for proposed development.

Attachments: [14-876.pdf](#)

[14-877](#) Report of City Plan Commission relative to request from Tim Frey, TLC Homes, Inc., for exception to 2,500' separation requirement for establishment of an 8-person Community Based Residential Facility at 2213 Paul Rd., recommending that Council grant the exception, as detailed in their report.

Attachments: [14-877.pdf](#)

4. Parks and Recreation Committee

[14-176](#) Proposal from the Manitowoc Public School District for 2014 ball diamond maintenance

Attachments: [03-03-14 Baseball Softball Rec Proposal 2014](#)

[14-463](#) Special Events Request from Kiwanis Club of Manitowoc to hold Kiwanis Car Show on August 10, 2014 in Washington Park, closing So. 11th and So. 12th Streets, serving alcohol in the park, as detailed therein, with waiver of fees request attached.

Attachments: [14-463.pdf](#)

[14-469](#) Proposal from Michael Pearson summarizing Union Park Community Garden project.

Attachments: [14-469.pdf](#)

[14-538](#) Animal Loan Agreement with Manitowoc County Farm Bureau for the loan of farm animals from its member farmers for the Big Red Barn exhibit for the period May 26, 2014 through September 1, 2014.

Attachments: [14-538.pdf](#)

[14-572](#) Request from Heart of the Lakeshore/NewLife Ministries to waive fees for rental of Washington Park MetroStage on May 1, 2014 for National Day of Prayer.

Attachments: [14-572.pdf](#)

[14-580](#) Special Events Request from Worldwide Missionary Outreach to hold Missionary Rummage Sale in Cabin 1 at Lincoln Park and waiver of fee request for same.

Attachments: [14-580-1.pdf](#)

[14-693](#) Request from The Crossing to use Mariner's Trail on Saturday, August 16, 2014, for their fifth annual Walk for Life fundraiser.

Attachments: [14-693.pdf](#)

[14-703](#) Special Events Request from Rhienna Gabriel relative to Camp Vits Tree Project on April 25, 2014, for planting of trees along the southern border of the park entrance.

Attachments: [14-703.pdf](#)

[14-704](#) Special Events Request from Lincoln Park Zoological Society to hold Lights in Lincoln Park from December 5 through December 31, 2014, with waiver of fee request attached.

Attachments: [14-704.pdf](#)

[14-705](#) Special Events Request from Lincoln Park Zoological Society to hold Movie Nights at Lincoln Park on July 17 and August 14, 2014.

Attachments: [14-705.pdf](#)

[14-706](#) Special Events Request from Lincoln Park Zoological Society to hold Summer Kick-Off/Grand Reopening at Lincoln Park Zoo on June 14, 2014.

Attachments: [14-706.pdf](#)

[14-809](#) Resolution proclaiming May 10, 2014 as International Migratory Bird Day in the City of Manitowoc supporting efforts to protect and conserve migratory birds and their habitats in our community.

Attachments: [14-809.pdf](#)

[14-821](#) Request by Manitowoc Heat Baseball to keep the 2013 season fees for 2014

Attachments: [04-21-14 Heat fee reduction request](#)

[14-822](#) Fundraising for Senior Center pull tabs

Attachments: [Pull-tab Sales](#)

[14-823](#) Lincoln Park campground rules

Attachments: [14-823 LP Campground Rules](#)

5. Personnel Committee

- [14-811](#) Resolution to approve the revised job description and set wage classification for City Attorney.
- Attachments:** [14-811.pdf](#)
- [14-812](#) Labor Agreement with City of Manitowoc Transit Employees, Teamsters Local No. 662 for 2013-2016.
- Attachments:** [14-812.pdf](#)
- [14-813](#) Resolution to approve revised job descriptions within the Department of Public Infrastructure - Operations Division (Cemetery Worker I, Cemetery Worker II, Administrative Assistant, Operations Assistant, Skilled Laborer, Fleet Mechanic, Operations Team Leader, Forester/Arborist, Parks Worker II, Zoo Curator of Animals and Zoo Curator of Education - Special Events.
- Attachments:** [14-813.pdf](#)
- [14-814](#) Resolution to approve revised job description for Patrol Lieutenant within the Police Department.
- Attachments:** [14-814.pdf](#)
- [14-815](#) Participation Agreement and Application Form with The Hartford Employer Group Insurance Trust health plan for retirees 65+ for the City of Manitowoc.
- Attachments:** [14-815.pdf](#)
- [14-816](#) City of Manitowoc Wellness Steering Team Exercise Facility Rules and Release of Liability.
- Attachments:** [14-816.pdf](#)
- [14-817](#) Revised Seasonal Employment Policy.
- Attachments:** [14-817-1.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](#)

[14-073](#) Request from Chuck and Kathy Behnke, 5126 Sunset Road, for a temporary access agreement for the purpose of planting a vegetable/herb garden in the un-improved right-of-way of Remiker Road.

Attachments: [14-073.pdf](#)

[14-156](#) Recycling Agreement with Manitowoc County to develop, implement and operate a comprehensive recycling program and to operate a solid waste Materials Recycling Facility for the period May 1, 2014 through April 30, 2019.

Attachments: [14-156-1.pdf](#)

[14-162](#) Solid Waste Disposal Agreement with Manitowoc County pertaining to waste disposal at the Ridgeview Landfill Site and other locations determined by the County for the period May 1, 2014 through April 30, 2019.

Attachments: [14-162-1.pdf](#)

[14-493](#) Report of Board of Public Works of March 26, 2014, regarding bids received for 2014 Epoxy Painting - Pavement Marking Program, Project WS-14-9.

Attachments: [14-493.pdf](#)

[14-692](#) Special Events Request from The Fat Seagull for closure of Quay Street on June 14 and July 26, 2014, along with bands in their parking lot on various dates during the summer and extension of their liquor license to accommodate those dates. (Also referred to Licensing, Permits & Inspections and Public Safety Committees).

Attachments: [14-692.pdf](#)

[14-695](#) Special Events Request from Northeastern Wisconsin Great Lakes Sport Fishermen to hold the annual Salmon Derby at the Manitowoc Marina from Friday, July 4 through Sunday, July 6, 2014, use of various City equipment, permission to sell fermented beverages until 11:30 p.m. and extension of the noise ordinance until 11:30 p.m. on Friday and Saturday nights, as detailed therein. (Also referred to Licensing, Permits & Inspections and Public Safety Committees.)

Attachments: [14-695.pdf](#)

[14-697](#) Contract with Lakeshore Cleaners, Inc. for prairie seeding, tree planting and herbiciding 5 acres outside of prairie area at Dewey Street Stormwater Detention Pond at a cost of \$24,855.86.

Attachments: [14-697.pdf](#)

[14-820](#) Memo from Director of Public Infrastructure Dan Koski requesting \$300.00 snow shoveling assessment be rescinded for parcel no. 320-001-030 because property owner did not have proper notification.

Attachments: [14-820.pdf](#)

[14-845](#) Report of Board of Public Works of April 16, 2014 regarding bids for 2014 Concrete Paving, Project WS-14-1.

Attachments: [14-845.pdf](#)

[14-878](#) Title VI Plan Agreement between the Federal Transit Administration (FTA) of the Wisconsin Dept. of Transportation and the City of Manitowoc Maritime Metro Transit.

Attachments: [14-878.pdf](#)

7. Public Safety Committee

[14-277](#) Communication from Kent Reeves requesting restricted Winter Parking on Windiate Street.

Attachments: [14-277.pdf](#)

[14-284](#) Communication from Municipal Judge Steve Olson concerning Municipal Court Staffing.

Attachments: [14-284.pdf](#)

[14-468](#) Communication from Amanda Stewart to practice Falconry in the City of Manitowoc.

Attachments: [14-468.pdf](#)

[14-556](#) Ordinance to create Section 14.210 to the Municipal Code prohibiting individuals from passing worthless checks.

Attachments: [14-556.pdf](#)

[14-642](#) Communication from Judge Olson updating the Committee on Municipal Court staffing issues.

Attachments: [14-642.pdf](#)

8. Licenses

[14-711](#) #68 "Class B" Retail Intoxicating & Fermented Malt Beverage license of Eastwynn Theatres, Inc., Paul Reynolds, Agent, 2555 S. 44th Street.

[14-712](#) #69 "Class B" Retail Intoxicating Liquor & Fermented Malt Beverage license of HSNBRGWW, LLC, Thomas Albright, Agent, 1228 Memorial Drive.

[14-819](#) #67 "Class B" Retail Intoxicating Liquor and Fermented Malt Beverage license of Amanda Sue Freidenberger, 214 N. 8th Street, for period ending June 30, 2014.

M. OTHER BUSINESS

N. ADJOURN

1. Next Scheduled Common Council Meeting: Monday May 5, 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**