



# City of Manitowoc

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

## Meeting Agenda

### Common Council

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Monday, August 20, 2018

6:30 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 & INVOCATION

Invocation by Father Dave Pleier

#### D. PRESENTATIONS

[18-0800](#) City Clerk administers oath of office to Police Officer Alex Wanish, followed by badge pinning.

[18-0801](#) City Clerk administers oath of office and badge pinning for Firefighter/Paramedic Alex Pernice.

#### E. PUBLIC HEARINGS

[18-0802](#) 6:35 PM - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from "I-1" Light Industrial to "R-4" Single and Two Family Residential District for property located at 1912 S. 9th Street.

**Attachments:** [18-0802](#)

[18-0803](#) 6:38 PM - Public Hearing for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from "B-3" General Business to "C-1" Commercial for property located at 4101 Calumet Avenue.

**Attachments:** [18-0803](#)

## 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

## 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

[18-0804](#) Minutes of July 16, 2018 Common Council meeting, recommending approval and place on file.

**Attachments:** [7-16-18 CC Minutes](#)

[18-0805](#) Public Notice of an Air Pollution Control Permit Application Review for Manitowoc Public Utilities, 701 Columbus St., recommending placing on file.

**Attachments:** [18-0805](#)

[18-0806](#) Public Notice of an Air Pollution Control Permit Application Review for Manitowoc Public Utilities - Custer Street, 5740 West Custer St., recommending placing on file.

**Attachments:** [18-0806](#)

[18-0807](#) Communication from State of Wisconsin DNR relative to Water Main Extension Approval - Water main replacement on North Water Street, recommending placing on file.

**Attachments:** [18-0807](#)

### 3. Committee of the Whole (Consent)

[18-0851](#)

Report of Special Events Committee relative to approval of the following events: Manitowoc Cooperative Ministry Worship & Picnic on 7/29/18; FEE WAIVER: Izaak Walton League Appreciation Dinner on 9/5/18; Ride for Hunger on 9/15/18; Wedding Ceremony on 10/13/18; STAKE PERMIT: Celebration of Life on 8/4/18; Residential Block Party - sarah Miles Ln on 8/19/18; Fall into the Zoo on 9/15/18; Shaggy Shuffle 5K Run/2 Mile Dog Walk on 10/19/18; Residential Block Party - 2600 blk Knuell St on 8/18/18; Back to School Bash on 8/31/18; Residential Block Party - 1000 blk N 16th St on 9/2/18; Tailgate Party on 9/28/18; Pandamonium Discs Open on 9/30/18; Wisconsin Disc Golf Tour Finale - skins/doubles on 10/6/18; Cemetery of the Innocents on 8/25/18; recommending acceptance of report and place on file.

**Attachments:**[18-0851](#)[Outdoor Worship & Picnic](#)[Izaak Walton Dinner](#)[Ride for Hunger](#)[Wedding in Washington Park](#)[Celebration of Life](#)[Block Party - Sarah Miles Ln](#)[Fall into the Zoo](#)[Shaggy Shuffle](#)[Block Party - Knuell St](#)[Back to School Bash](#)[Block Party - 1000 Block of N 16th](#)[School Tailgate Party](#)[Pandamonium Discs Open](#)[WI Disc Golf Tour Finale](#)[Cemetery of Innocents](#)

#### 4. Finance Committee (Consent)

[18-0658](#)

Options for updated land rebate in the industrial park, recommend to place on file.

**Attachments:**[Signed Resolution 07-30-2015 Amend Land Rebate Policy 201604050739440.](#)[WB 13 vacant land offer form](#)[18-0671](#)

Equipment purchase (Z-Tracks and Wide Area Mower Rhino) for Parks Department, recommend to accept.

**Attachments:**[Detail of Mower Purchase](#)[18-0679](#)

Friends of Manitowoc Aquatic Center Fundraising Agreement update, recommend to place on file

[18-0730](#) Request for change of alcohol premise for Apple Hospitality Group LLC, Manuel Eloi Renteria, Agent, License #TAV-1844, for premise at 4435 Calumet Ave, recommend to place on file.

**Attachments:** [applebees premise.pdf](#)

[18-0754](#) Renew Assessor Services Contract with Accurate Appraisal, LLC for 2019 and 2020, recommend to enter into agreement.

**Attachments:** [Current Accurate Appraisal Contract](#)  
[City of Manitowoc Maintenance Contract 2019 - 2020](#)

[18-0755](#) Timeline for proposed 2018 Financing, recommend to place on file.

**Attachments:** [tl manitowoc cy GROB 2018](#)  
[prs capital financing plan manitowoc 08.07.18](#)

[18-0756](#) Funding Request from League of Wisconsin Municipalities to support the efforts regarding the Dark Store and Walgreens Tax Shift Legislation, recommend to place on file with intent that this item potentially be a referendum on the November 2018 ballot.

**Attachments:** [League Request for Marketing of Dark Store](#)

[18-0790](#) Judgment in a Civil Case for Jason Keck d/b/a Big Jay's Smoke Shop v. City of Manitowoc; Case No. 17-CV-99, recommend to accept and place on file.

**Attachments:** [Judgment](#)  
[Decision and Order](#)

[18-0791](#) Claims Report - January thru June, 2018 from City Attorney, recommend to accept and place on file.

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

[18-0792](#) Election Day & Polling Locations Contingency Plans, recommend to place on file

**Attachments:** [Election Day Contingency Plan](#)

[18-0793](#) Minutes of the Manitowoc Public Utilities Commission meetings of May 7, 2018 and May 29, 2018, recommend to accept and place on file.

**Attachments:** [MPU Commission Minutes 5-29-18](#)  
[MPU Commission Minutes 5-7-18](#)

[18-0794](#) Minutes of the July 2, 2018 Finance Committee meeting, recommend approval.

**Attachments:** [Finance Minutes 7-2-18](#)

[18-0795](#) Lowe's Home Centers, LLC Summons and Complaint 2018 Assessment, Case number 2018CV000291, recommend to accept and refer to the City Attorney.

**Attachments:** [Lowe's](#)

[18-0799](#) Request from Moore's Irish Pub for an extension of premise on September 15, 2018 for their Halfway to St. Patrick's Day Block Party, recommend to approve.

**Attachments:** [Moore's](#)

[18-0811](#) General City Claims in the amount of \$6,512,442.16 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:** [18-0811.pdf](#)  
[checks 8-17-18.pdf](#)  
[checks 8-10-17.pdf](#)  
[checks 8-20-18.pdf](#)  
[checks 7-27-18.pdf](#)  
[checks 7-20-18.pdf](#)

[18-0815](#) CAWG request to fund up to \$33,035 for Maritime Museum Sidewalk Replacement, recommend to approve the request.

**Attachments:** [Maritime Museum Sidewalk](#)

[18-0816](#) CAWG recommendation to deny funding up to \$54,296 for Waldo Blvd Westbound Bridge Overlay, recommend to accept and place on file.

**Attachments:** [Waldo Blvd Bridge Overlay](#)

[18-0873](#) 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, recommending acceptance.

**Attachments:** [18-0873](#)

## 5. Personnel Committee (Consent)

[18-0430](#) Business Relationships between Community Development Department and local businesses, recommend to place on file.

**Attachments:** [Gabriel Agenda Item Request.pdf](#)

[18-0774](#) Request for a 30-day extended unpaid leave for medical reason of a full-time transit driver, recommending approval of a 60 day extension.

[18-0812](#) Residency exception request from Police Officer Jacob Gardner. Recommending to approve 30 minute drive time per Google Maps from proposed site to the Public Safety Building.

**Attachments:** [Residency Request-signed.pdf](#)  
[Residency Language from 2018-2020 Police Contract.pdf](#)  
[Residency Request from J. Gardner 8.2018.pdf](#)

## 6. Public Infrastructure Committee (Consent)

[18-0574](#) Request from Bartow Builders to reditch in front of property of 32 Albert Drive for proper drainage, recommend to approve and place on file for Brandon Bartow to reditch and obtain ROW Excavation Permit with City Engineering Department.

**Attachments:** [18-0574\\_201806041528](#)

[18-0575](#) Designated Bike/Ped Lane on Menasha Avenue for School Route, recommending placing on file.

**Attachments:** [18-0575\\_201806041530](#)

[18-0577](#) Flooding Due to Sewer Issue on Ray Street, recommending to place on file.

**Attachments:** [18-0577\\_201806041608](#)  
[Ray Street Flooding Issue CAWG Request](#)

[18-0784](#) Waldo Blvd Overlay Proposal, recommending to deny the request.

**Attachments:** [18-0784\\_201807251613](#)  
[18-0784-1](#)  
[Waldo Blvd Overlay CAWG Request](#)

[18-0786](#) Unimproved Right-of-Way for Future South 34th Street from Dewey Street, recommending placing on file and Mr. Bennett is not to use weed killer and to get permission to use the right-of-way

**Attachments:** [18-0786\\_201807261453](#)

[18-0787](#) Street Light Request for alley between 954 and 948 N. 5th Street recommending to refer to Manitowoc Public Utilities for Proposal.

**Attachments:** [18-0787](#)

[18-0789](#) Duty Pay Discussion, recommending receiving more information from other Municipalities and placing through the budget process

[18-0796](#) Tree Removal at Evergreen Cemetery, recommending approval of removal of the trees using Perpetual Care Funding and replacing with two new trees.

**Attachments:** [Tree Removal at Evergreen Cemetery](#)

[18-0808](#) Report of Board of Public Works of July 25, 2018 of approval to enter into a contract with Camera Corner, Inc., AGMT-18-10, for equipment and labor for Playground Surveillance Cameras at Schuette Park for a contract sum of \$5,758.26, recommending acceptance and place on file.

**Attachments:** [AGMT-18-10](#)

[18-0809](#) Report of Board of Public Works of 7/25/18 of denial of request to reduce noxious weed charge for property located at parcel 000-314-030. Recommending acceptance and place on file.

**Attachments:** [18-0809](#)

[18-0810](#) Report of Board of Public Works of 7-25-18 for 2nd and Final payment of \$8,128.00 to Klein Asphalt Maintenance, Inc. for Manitowoc Senior Center Parking Lots, AGMT-17-12, recommending payment.

**Attachments:** [18-0810](#)

[18-0847](#) Report of Board of Public Works of August 8, 2018 that the street lighting assessments for the condominiums located at Ravenswood and Abbey Ridge Lane will be assessed fractionally among the twenty condominium owners with future assessments to be done the same way, recommending acceptance and place on file.

**Attachments:** [18-0847](#)

[18-0848](#) Report of Board of Public Works of August 8, 2018, of quotes received for ferric chloride for Wastewater Treatment Facility, recommending awarding to low quoter, Kemira Companies in the amount of \$597 per dry ton.

**Attachments:** [18-0848](#)  
[QM-18-5 Quote Tab](#)

[18-0849](#) Report of Board of Public Works of August 8, 2018 of approval to enter into a contract with Seiler Bros. Construction, Inc., AGMT-18-12, to furnish and install 15 inch storm sewer and re-ditching approximately 130 feet in the 4100 block of Ray Street for a contract sum of \$5,820.00, recommending acceptance and place on file.

**Attachments:** [AGMT-18-12](#)

[18-0861](#) Report of Board of Public Works of 8/8/2018, of bids received for Diesel Exhaust Tank Installation at Department of Public Works-REBID, Project WS-18-15R, recommending awarding to low bidder, U.S. Petroleum Equipment Division of US Venture in the amount of \$34,484.00.

**Attachments:** [WS-18-15R](#)

## 7. Public Safety Committee (Consent)

[18-0685](#) Citizen request regarding a safety concern when turning left out of McDonalds parking lot to head east on Calumet Avenue, recommending placing on file.

**Attachments:** [3500 - 3600 blk Calumet Ave](#)  
[Calumet Ave 1](#)  
[Calumet Ave 2](#)  
[Calumet Ave 3](#)  
[Calumet Ave Crash Information](#)  
[Copy of USH 151 between 35th and 36th 2013 to prel 2018](#)

[18-0828](#) Citizen request for lit pedestrian signage to be placed in the area of North 15th Street and Waldo Boulevard, recommending to place on file.

[18-0829](#) Citizen Request to reconstruct the turn lane at the intersection of Rapids Road and Wildwood Drive, recommending to place on file.

## 8. Plan Commission (Consent)

[18-0749](#) PC 28-2018: Rummele's / Pahmeier / Sign Me Up: Request for an Animated Billboard located at 4101 Calumet Avenue. Recommending issuance of the Special Permit for the Animated Billboard pursuant to all requirements of the Sign Ordinance with said permit being issued only after the zoning is changed to the C-1 Commercial District.

**Attachments:** [18-0749 PC Report Rummeles animated billboard](#)  
[18-0749 Report to Council Rummeles animated billboard](#)

[18-0751](#) PC 25-2018: Gerald Runnoe Request to Purchase City Owned Property Located between Michigan Avenue and Spring Street. Parcel # 181-001-041. Recommending selling the entirety of the property following the recommendations of the 2006 action of the Plan Commission.

**Attachments:** [18-0751 PC Report Runnoe Purchase City Property](#)  
[18-0751 Report to Council Runnoe request](#)

[18-0752](#) PC 23-2018: Release of Easement Lot 1 & Lot 2, Block 7, Manitowoc I-43 Industrial Park Subdivision No. 3, recommending to approve the release of the easement.

**Attachments:** [18-0752 PC Report Release of Easement](#)  
[18-0752 Report to Council Release of Easement](#)

[18-0753](#) PC 26-2018: Ledvina / Golding Interest in Acquiring a 20' Pedestrian Way adjacent to Whitewater Drive, recommending that the City retain ownership of the 20' pedestrian way and the letters from Mr. Ledvina and Golding be placed on file.

**Attachments:** [18-0753 PC Report Ledvina Golding Request to purchase city property](#)  
[18-0753 Report to Council Ledvina Golding Request](#)

## I. COMMITTEE REPORTS

### 1. Committee of the Whole



[18-0850](#) Report of Special Events Committee recommending approval for the following events subject to Council action: Balloon Glow on 8/17/18 (Street closure of Quay St. from S. 7th to S. 8th Sts.); Windigo Fest on 10/5-10/7/18 (Closure of Franklin St. from S. 6th to S. 8th, parking restrictions along parade route on Sat. on 8th St. from Washington to State St. & lift downtown parking restrictions; waiver of noise ordinance until midnight on Fri. & Sat.; permission for vendors to sell food & alcohol on City property); Halfway to St. Patrick's Day Block Party on 9/15/18 (Closure of Jay St. between S. 8th & S. 9th; extension of premise for alcohol license; waiver of noise ordinance until 11 p.m.).

**Attachments:** [18-0850](#)  
[Balloon Glow](#)  
[Windigo Fest](#)  
[Halfway to St. Patrick's Day](#)

[18-0857](#) Agreement for Transit Service between the City of Manitowoc and the Manitowoc Public School District.

**Attachments:** [Transit Agreement](#)

[18-0852](#) Resolution Regarding Industrial Park Land Sales

**Attachments:** [Resolution Land Rebate Policy Revisions 2018](#)

[18-0858](#) Follow up on parklet policy and design

**Attachments:** [Parklet Promo Insert](#)  
[Parklet Prototype](#)  
[Parklet Promo](#)

[18-0859](#) Resolution Urging the Manitowoc County Board to Override County Executive Bob Ziegelbauer's Veto of an Advisory Referendum on Closing the Dark Store Loophole

**Attachments:** [18-0859](#)

## 2. Finance Committee

[18-0606](#) Donation Policy for the Solicitation, Acceptance and Distribution of Monetary Contributions and Real or Personal Property

**Attachments:** [Donation Policy](#)

[18-0758](#) 2017 Comprehensive Annual Financial Report (CAFR) including auditors' reports

**Attachments:** [2017-City-of-Manitowoc-CAFR](#)

[18-0771](#) Resolution Providing for the Sale of Approximately \$8,750,000 General Obligation Refunding Bonds

**Attachments:** [Manitowoc C of - 2018 GORBs - Set Sale Resolution \(2\)](#)

[18-0853](#) Report of Industrial Development Corporation relative to Land Sale or Right of first Refusal for Parcel #449-006-031 to Red Line Plastics in the Manitowoc I-43 Industrial Park Subdivision No. 3

**Attachments:** [18-0853](#)

[18-0854](#) Report of Industrial Development Corporation relative to Land Sale of Parcel 449-007-022 to the Metal Ware Corp in the Manitowoc I-43 Industrial Park Subdivision No. 3

**Attachments:** [18-0854](#)

[18-0855](#) Report of Industrial Development Corporation relative to Option and Right of First Refusal with the Metal Ware Corp for Parcels 449-007-010 and 449-007-011 in the Manitowoc I-43 Industrial Park Subdivision No. 3

**Attachments:** [18-0855](#)

[18-0871](#) Request from Ted Frisch, Agent, Three T's, Inc. to extend his tavern license TAV-1836 on September 22nd to include a fenced-in area of his parking lot, for premise located at 2202 Marshall St.

**Attachments:** [Three T's Request](#)

### 3. Personnel Committee

[18-0773](#) Request to enter into 2019 DPW Wage Agreement with Local 662.

**Attachments:** [Manitowoc DPW 2019 proposed contract.pdf](#)  
[2019 Wage bargaining letter.pdf](#)  
[Manitowoc DPW 2019 agreement for Council approval](#)

### 4. Public Infrastructure Committee

[18-0862](#) Amendment No. 2 to Agreement with Strand Associates, Inc. dated April 11, 2013.

**Attachments:** [Amendment No. 2 Strand](#)  
[13-179](#)

[18-0874](#) Ordinance to amend Section 10.430 of the Manitowoc Municipal Code setting parking regulations for fall leaf pickup

**Attachments:** [18-0874](#)

### 5. Public Safety Committee

[18-0688](#) Citizen request for "No Truck" signs to be placed on Michigan Avenue at North 18th Street.

[18-0834](#) An Ordinance to amend Section 14.270 of the Manitowoc Municipal Code regulating Smoking and Tobacco Products and Section 8.230, Regulation of Park and Related Facilities.

**Attachments:** [Ord to Amend 14.270 Smoking and Tobacco Products](#)

[18-0835](#) An Ordinance to create Section 11.090 of the Manitowoc Municipal Code regulating Donation Collection Bins.

**Attachments:** [Donation Collection Bin Permit Application Form - Fillable](#)

[Ordinance 18-0835](#)

[Memo re Donation Bin Regulation](#)

[Judge Olson's Position on Bond](#)

[18-0875](#) Resolution to approve backfilling the position of Housing Enforcement Inspector, in the Fire Rescue Department, Life Safety Neighborhood Services Division

**Attachments:** [18-0875](#)

[18-0876](#) Ordinance to amend Section 10.490 of the Manitowoc Municipal Code regulating Two Hour Parking

**Attachments:** [18-0876](#)

## 6. Plan Commission

[18-0860](#) Ordinance amending the amended zone map of the City of Manitowoc from B-3 General Business to C-1 Commercial for the property located at 4101 Calumet Ave.

**Attachments:** [18-0860](#)

[18-0872](#) Ordinance amending the amended zone map of the City of Manitowoc from I-1 Light Industrial to R-4 Single and Two Family Residential for the property located at 1912 S. 9th St.

**Attachments:** [18-0872](#)

## J. OTHER BUSINESS

## K. ADJOURN

*1. Next Scheduled Common Council Meeting: Monday, September 17, 2018 at 6:30pm in the Common Council Chambers at City Hall.*

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Manitowoc will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call the City Clerk's office at 920-686-6950 or the City's ADA Coordinator at (920) 686-6990 or e-mail [cityattorney@manitowoc.org](mailto:cityattorney@manitowoc.org) at least 48 hours prior to the scheduled meeting or event to request an accommodation. For additional assistance, individuals with hearing or speech disabilities can call 711 and be connected to a telephone relay system.

**Deborah Neuser**  
**City Clerk**