



City of Manitowoc

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

Meeting Agenda

Common Council

Monday, September 21, 2015

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

[15-913](#) Clerk swears in K9, Major.

E. PUBLIC HEARINGS

F. 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.

G. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

[15-915](#) Appointment of Nic Sparacio to Manitowoc Industrial Development Corporation in place of D. Less for an indefinite term.

[15-1018](#) Mayor to appoint Wayne Franz to Farmers Market Ad Hoc Committee for an indefinite term in place of Dave Meyer who resigned.

Attachments: [15-964.pdf](#)

[15-1017](#) Appointment of Matthew Sauer to the Police and Fire Commission, in place of K. Reynolds, for 5 year term expiring 4/30/20.

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

[15-981](#) Minutes of Common Council of Monday, August 17, 2015, recommending approval and place on file.

Attachments: [15-981.pdf](#)

[15-982](#) Minutes of Citizens Advisory Committee of 5/5/15; Crime Prevention Committee of 8/6/15; Municipal Tree Commission of 8/12/14 & 10/21/14; Plan commission of 6/3/15 & 7/29/15; Police & Fire Commission of 8/11/15; Manitowoc Public Utilities Commission of 7/13/15 & 8/10/15; TIF Joint Review Board of 7/16/15; recommending acceptance and place on file.

Attachments: [Citizens Advisory.pdf](#)
[Crime Prev.pdf](#)
[Municipal Tree.pdf](#)
[Plan Comm.pdf](#)
[Police Fire.pdf](#)
[MPU Comm.pdf](#)
[TIF Jt Rev.pdf](#)

[15-916](#) Public Notice of air pollution permit application review of Foster Needle Co., Inc., 4343 Expo Drive, recommending placing on file.

Attachments: [15-916.pdf](#)

[15-963](#) Communication from Wisconsin Dept. of Administration advising the Camomili Annexation has been reviewed and found to be in the public interest, recommending placing on file.

Attachments: [15-963.pdf](#)

3. Committee of the Whole (Consent)

[15-961](#) Communication from James G. Morrow, Sr. resigning from the MPU Commission effective 9/30/15, recommending acceptance and place on file.

Attachments: [15-961.pdf](#)

[15-983](#)

Report of Special Events Committee relative to approval of the following events: Manitowalker on 9/12/15; Harvestfest on 10/3/15; MDA Fill the Boot Waiver of Fees for 8/13/15; 1 to 1 Adult Literacy Partners Summer Family Zoo Tour Waiver of Fees on 8/8/15; Red Arrow Park Grand Re-Opening on 8/22/15; Halloween Zoo Boo on 10/31/15; Rubick Run on 10/10/15; Block Party 1600 Block of Elm Street on 9/6/15;l Manitowoc Garden Fair on 6/11/16; Pandamonium Discs Disc Golf Tournament on 10/31/15; Shanty Town on 10/17/15; Ugly Sweater Run on 11/14/15; Bike Ride for Hunger on 9/3/16; recommending acceptance of report and place on file.

Attachments:[MDA-ZooBoo-RedArrow.pdf](#)[BikeRideForHunger.pdf](#)[UglySweater.pdf](#)[ShantyTown.pdf](#)[DiscGolf.pdf](#)[GardenFair.pdf](#)[1600ElmBlock.pdf](#)[RubickRun.pdf](#)[ZooTourWaiver.pdf](#)[Harvestfest.pdf](#)[Manitowalker.pdf](#)[Report15-983.pdf](#)[15-984](#)

Report of Special Events Committee recommending approval of the following events subject to Council action: Metro Jam on 6/17/16 (waiver of rules for alcoholic beverages in park as well as street closures); Linebacker's Cruz-In Car Show on 9/12/15 (closure of Park Street); Courthouse Pub Annual Street Party on 9/10/15 (Closure of Washington Street as well as extension of licensed alcohol premise); recommending approvals per Committee's report.

Attachments:[Report15-984.pdf](#)[MetroJam.pdf](#)[Linebacker.pdf](#)[CourthousePub.pdf](#)

4. Finance Committee (Consent)

[15-169](#)

Assignment of the Maritime Hotel and Convention Center Associates Lease (Best Western Property)
Parcels 000-179-011 and 000-917-568, recommending placing on file.

Attachments:[Term Sheet-CLT Hotels_cleanDRAFT 1-30-15.pdf](#)[15-169 Recommendation.pdf](#)

[15-911](#) General City Claims in the amount of \$2,154,981.95 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: [201509171120.pdf](#)
[Claims092115.pdf](#)

[15-940](#) Manitowoc Public Utilities Investment Advisory and Management Services Agreement, recommending to accept.

Attachments: [Mayor and City Council for Investment Services](#)

5. Licensing, Permits and Inspections Committee (Consent)

[15-910](#) Request from Van's Bar and Grill to extend their alcohol premise to their parking lot for outdoor festivities being held on September 12, 2015, along with extension of noise ordinance to allow for band to play until 10:30 p.m., recommending approval.

Attachments: [Vans Bar.pdf](#)

[15-967](#) Report of City Plan Commission relative to review of Conditional Use Permit for The Haven, 1003 Marshall Street, with Commission recommending re-approval of the CUP with an amendment to remove condition G which is the annual review requirement, recommending acceptance of report.

Attachments: [15-967.pdf](#)

[15-986](#) Report of City Plan Commission relative to assignment of a conditional use permit from Harmony Living Centers LLC to Ensign Group, Inc. d/b/a Harbor View Assisted Living to operate a 43 bed community based residential facility at 2115 Cappaert Road subject to the attached conditions.

Attachments: [15-986.pdf](#)

6. Parks and Recreation Committee (Consent)

[15-903](#) Communication from the City of Manitowoc Municipal Tree Commission in support of the Tree Maintenance and Removal Priority Policy and in support of an increase in funding for forestry issues recommending to place on file for Consent Agenda.

Attachments: [15-903 Tree Commission Support](#)

[15-975](#) Report of Board of Public Works of September 9, 2015 for Hail Damaged Ball Field/Tennis Court Light Replacements for 3rd and Final Payment to Bodart Electric Service Inc. in the amount of \$820.00, recommending payment.

Attachments: [15-975.pdf](#)

[15-976](#) Report of Board of Public Works of September 9, 2015 for Zoo Education Center Update for 1st and Final Payment to Hamann Construction Company in the amount of \$5,544.00, recommending payment.

Attachments: [15-976.pdf](#)

7. Personnel Committee (Consent)

8. Public Infrastructure Committee (Consent)

[15-914](#) Contract with Manitowoc Heating & Refrigeration Services, Inc. for installation of three Calcana infrared heaters and removal and disposal of existing Co. Ray Vac System at the Department of Public Works Repair Garage at 2655 South 35th Street at a cost of \$15,890.00. The Committee recommended that this Contract be approved for consent agenda.

Attachments: [15-914.pdf](#)

[15-930](#) Quit Claim Deed for Sale of Cemetery Lot N1/7 of lot 8, block 35 of Section P (Sharon Morrow, Victoria Berres & Marlene Boyajian) The Committee recommended that this Deed be approved for consent agenda.

Attachments: [15-930.pdf](#)

[15-931](#) Quit Claim Deed for sale of Cemetery Lot N1/3 of S1/2 of lot 29, block 5 of section Y (Robert Raduenz) The Committee recommended that the Deed was approved for consent agenda.

Attachments: [15-931.pdf](#)

[15-935](#) Request for Street Closure on Washington Street (between S. 7th and S. 8th Street) for Courthouse Pub Annual Street Party which benefits the Domestic Violence Center and the Haven on September 20, 2015. The Committee recommended approval of the Request for Street Closure be approved for consent agenda

Attachments: [15-935.pdf](#)

[15-937](#) Street Closure Request for Park Street (N. 9th to N. 10th Street) for Linebacker's Cruz-In Car/Truck/Bike Show on September 12, 2015. The Committee recommended that the Request for Street Closure for Park Street be approved for consent agenda.

Attachments: [15-937.pdf](#)

[15-939](#) Noise Complaint on Waldo Boulevard between North 23rd and North 21st Streets. The Committee authorized hot mix asphalt patching of affected areas be approved for consent agenda and place correspondence on file

Attachments: [15-939.pdf](#)

[15-942](#) Installation of Parking Lot on Clay Pit Road for the Manitowoc Chief's Football Organization. The Committee recommended that the Chief's Parking lot be exempt from site plan requirements and action item be approved for consent agenda.

Attachments: [15-942.pdf](#)

[15-947](#) Out of State Request for FASTER Conference. The Committee approved the request for Consent Agenda.

Attachments: [15-947.pdf](#)

[15-949](#) Request from Heritage Real Estate to stripe parking spots along North 8th Street starting from Park Street to St. Claire Street. The Committee unanimously approved the Request for consent agenda with provisions that stalls be marked on both sides of N. 8th in this block.

Attachments: [15-949.pdf](#)

[15-950](#) Request from Manitowoc County Safety Commission for the City to review site obstructions (plantings and lighthouse) at the intersection of Dewey Street and Harbor Town Lane. The Committee recommended placing on file.

Attachments: [15-950.pdf](#)

[15-951](#) Maintenance Responsibility of Traffic Signals on Calumet Avenue at I-43 off-ramps and Dufek Drive. The Committee approved the transfer of maintenance responsibilities and that this Request be approved for consent agenda.

Attachments: [15-951.pdf](#)

[15-972](#) Report of Board of Public Works of September 9, 2015, of bids received for Last Court Drainage Ditch Re-Grading, Project WU-15-20, recommending awarding to low bidder, Vinton Construction Co. in the amount of \$19,674.25.

Attachments: [15-972.pdf](#)

[15-973](#) Report of Board of Public Works of September 9, 2015, of bids received for Miscellaneous Concrete Construction, Project WS-15-21, recommending awarding to low bidder, Vinton Construction Co. in the amount of \$36,296.70 with letter attached from Broadwind Towers confirming their intent to contribute \$10,000 toward the project.

Attachments: [15-973.pdf](#)

[15-974](#) Report of Board of Public Works of September 9, 2015 for WWTF Influent Screw Pump Improvement, WB-15-11, for 2nd and Final Payment to J. FG. Ahern Co. in the amount of \$62,448.87, recommending payment.

Attachments: [15-974.pdf](#)

[15-977](#) Report of Board of Public Works of September 9, 2015 for Exterior Painting of Rahr-West Museum for 1st and Final Payment to Hi-Tech Painting & Decorating in the amount of \$17,500.00, recommending payment.

Attachments: [15-977.pdf](#)

[15-1005](#) Sidewalk Privilege Agreement between City of Manitowoc and Audio Star, LLC d/b/a Extreme Audio for the purpose of installing and maintaining a lighted electronic sign to be placed in the City right-of-way adjacent to property located at 1104 So. 26th Street.

Attachments: [15-1005.pdf](#)

[15-1006](#) Permanent Easement by John and Becky Thompson to the City a perpetual utility easement and drainage ditch on and east of Last Court.

[15-1007](#) Temporary Construction Easement by John and Becky Thompson for the purpose of sloping, grading, restoration and operating construction equipment during the construction of a drainage ditch on the east of Last Court.

[15-1008](#) Report of Board of Public Works of September 9, 2015 for 2015 Curb Replacement, WS-15-10, for 2nd and Final Payment to Vinton Construction in the amount of \$6,303.95, recommending payment.

Attachments: [15-1008.pdf](#)

[15-1009](#) Report of Board of Public Works of September 9, 2015 for 2015 Asphaltic Concrete Paving Lincoln Park, WS-15-4, for 3rd and Final Payment to Vinton Construction in the amount of \$3,861.59, recommending payment.

Attachments: [15-1009.pdf](#)

9. Public Safety Committee (Consent)

[15-897](#) Communication from Matthew and Megan Fehrmann requesting the 2 hour parking law on the 800 block of Jay Street be moved to a 3 hour parking to accommodate their business (La Bella Capelli Salon) at 813 Jay Street, recommending denial and place on file.

Attachments: [15-897 Fehrmann](#)

[15-907](#) Communication from Judge Steve Olson regarding Municipal Court unpaid forfeitures, recommending acceptance and place on file.

Attachments: [Municipal Court 15-907](#)

[15-909](#) Ambulance Service Agreement between Roncalli, Lincoln High School and Manitowoc Fire Rescue, recommending entering into the agreement.

Attachments: [Ambulance Service Agreement between Roncalli and Manitowoc Fire and Resc](#)

I. STANDING COMMITTEE REPORTS

1. Committee of the Whole

[15-965](#) Ordinance to annex described herein territory from the Town of Manitowoc Rapids to the City of Manitowoc as part of the 9th Aldermanic District and the 26th Ward of the City.

Attachments: [15-956.pdf](#)

[15-966](#) Resolution creating Ward Number 26, population 0, for the Hecker #2 Annexation Area (Camomili) and providing the boundary description therein.

Attachments: [15-966.pdf](#)

[15-970](#) Report of City Plan Commission relative to Estate of Arland Lawrence petition for direct annexation from the Town of Manitowoc Rapids, 2410 Hecker Road with Commission recommending to approve the annexation petition and place a temporary zoning designation of B-2 Neighborhood Business on the property.

Attachments: [15-970.pdf](#)

2. Finance Committee

[15-815](#) Resolution to borrow \$184,713 for a 20 year period from the Board of Commissioners of Public Lands of Wisconsin (State Trust Fund Loan) to be used for financing affordable housing units as part of Mirro Plant #3 renovation.

Attachments: [20150806213657870](#)

[15-958](#) Resolution Authorizing and Designating Public Depositories

Attachments: [15-958.pdf](#)

[15-985](#) Report of City Plan Commission relative to creation of Tax Incremental Financing District No. 18 Project Plan and boundary in an area located east of the Little Manitowoc River to Memorial Drive and from E. Linden Ave. to the Little Manitowoc River including former Lakeview Center Mall and former Elks Club and golf course areas with Plan Commission recommending that Council approve the TIF.

Attachments: [tid 18.pdf](#)

[Revised TID 18.pdf](#)

[15-1002](#) Resolution creating the boundary and adopting a Project Plan for TIF District No. 18.

Attachments: [15-1002.pdf](#)

[Revised TID 18.pdf](#)

3. Licensing, Permits and Inspections Committee

[15-812](#) Proposal for full-time Electrical Inspector.

Attachments: [Electrical Inspector JD 4.2013.pdf](#)
[Memo-Electrical Inspector Proposal.pdf](#)
[Revised Memo.pdf](#)

[15-960](#) Memorandum from Deputy Chief Rob Barbier recommending denial of One Year Operator's license #OP1-150018 of Angela L. Oelhafen.

[15-962](#) Request for extension of alcohol licensed premise of Three T's Inc., Theodore Frisch, Agent, 2202 Marshall St., to parking lot on October 10, 2015.

Attachments: [15-962.pdf](#)

[15-968](#) Report of City Plan Commission relative to the creation of a deed restriction between the City and Manitowoc Public Utilities to refrain from conveying a 9.92 acre parcel on State Highway 310 owned by the City without prior approval of MPU, with Commission recommending that after review and approval by City Attorney, the Mayor and Clerk enter into the deed restriction.

Attachments: [15-968.pdf](#)

[15-969](#) Report of City Plan Commission relative to Midwest Assisted Living Partners II request for a Conditional Use Permit to operate a CBRF for up to 72 beds located west of CTH 42 and south of USH 151 with Commission approving the request pursuant to the conditions attached in their report.

Attachments: [15-969.pdf](#)

[15-987](#) Report of Licensing, Permits and Inspections Committee with the following licenses for granting: No. AMC-1507 Wal-Mart Stores East LP, Kent Abitz, Agent, 4115 Calumet Ave.; No. AMM-1502 Wal-Mart Stores East LP, change of agent to Kent Abitz, 4115 Calumet Ave.; No. TAV-1539 Blazin Wings, Inc., change of agent to Demetrius A. Lawson, 4140 Harbor Town Lane; No. TMP-1548 Temporary Class "B" Beer St. Francis of Assisi Parish, 2000 Mirro Dr.; No. TMPW-1513 Temporary "Class B" Wine St. Francis of Assisi Parish, 2000 Mirro Dr.

Attachments: [15-987.pdf](#)

4. Parks and Recreation Committee

[15-670](#) Silveridge Park options.

Attachments: [15-670 Silver Ridge Aerial](#)
[15-670 Silveridge playground examples](#)
[15-670 Silveridge Survey Results - 2015](#)

[15-761](#) Resolution creating parkland dedication fees leveraging policy.

Attachments: [15-761 Act 44 article](#)
[Res 15-761.pdf](#)

[15-771](#) Request for monies from the Parkland Dedication Fund for the Miracle League handicap accessible playground at Dewey Street Park.

Attachments: [15-771 Handicap Playground at Dewey](#)

[15-874](#) Request from James Van Lanen, Jr, Secretary/Treasurer of Discover Eastern Wisconsin Disc Golf, for monies from the Parkland Dedication Fund to expand the Silver Creek Park Disc Golf Course.

Attachments: [15-874 Request from DEWDG](#)

[15-875](#) Request from the City of Manitowoc Safety Committee for the donations from the Manitowoc Family Aquatic Center and Mini-Golf Course for prizes for the City of Manitowoc Employee Health Fair.

Attachments: [15-875 Employee Health Fair Request](#)

[15-1012](#) Resolution to obtain cost-share grant from Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects or urban forestry catastrophic storm projects.

Attachments: [15-1012.pdf](#)

5. Personnel Committee

[15-1014](#) Resolution relative to implementation of Participation Agreement with Anthem Blue Cross Health and Dental Insurance for 2016 as outlined therein.

Attachments: [TPA 1.pdf](#)
[TPA 2.pdf](#)
[15-1014.pdf](#)

[15-1015](#) Resolution implementing Participation Agreement with Aurora Medical Center in partnership with the Manitowoc Public School District for an employee and family clinic.

Attachments: [15-1015.pdf](#)
[City of Manitowoc OnSite Clinic Opts_Cost Summary_HFMvsAurora.pdf](#)

6. Public Infrastructure Committee

[15-831](#) Term Sheet relative to Forefront Dermatology Parking Project, 924 York Street. The Committee recommended authorizing staff to move forward toward Development Agreement incorporating City Design Standards and Financial Considerations. This Action Item be accepted and referred to Council.

[15-938](#) Plank Road Closure and Gates. The Committee recommended that the Action to initiate the vacation process be approved and referred to Council.

Attachments: [15-938.pdf](#)

[15-941](#) Additional Remedial Investigation and Groundwater Monitoring Activities at S. 18th and Flambeau Street. The Committee recommended entering into contract not to exceed \$30,000 and refer to council.

Attachments: [15-941.pdf](#)

[15-946](#) Resolution for Rebuilding Manitowoc Marina Dock "E".

Attachments: [15-946.pdf](#)

[15-1003](#) Ordinance to amend Chapters 7, 10 and 13 of the Manitowoc Municipal Code regulating fall brush and leaf pickup in the City of Manitowoc.

Attachments: [15-1003.pdf](#)

[15-1004](#) Temporary Access Easement Agreement with Jared Smith over a portion of the City's North Rapids Road Stormwater Detention Pond site for the purpose of obtaining access to property at 1436 North Rapids Road for brush cleanup and general yard maintenance.

Attachments: [15-1004.pdf](#)
[15-1004Map.pdf](#)

[15-1010](#) Report of Board of Public Works of September 9, 2015 for Sanitary Sewer Construction, WU-15-8, for 3rd and Final Payment to Vinton Construction Co. in the amount of \$42,060.92.

Attachments: [15-1010.pdf](#)

[15-1016](#) Memorandum of Understanding with Broadwind Energy Inc. for road damage repairs on Franklin street at South 21st and South 26th Streets from oversized truck loads hauling Broadwind towers.

Attachments: [15-1016.pdf](#)

7. Public Safety Committee

[15-842](#) Ordinance to amend Sections 10.390, 10.470 and 10.490 of the Manitowoc Municipal Code to revise no parking zones on portions of South 15th Street, South 16th Street and Washington Street.

Attachments: [15-842.pdf](#)

[15-843](#) Ordinance to amend portions of Section 10.390 of the Manitowoc Municipal Code to revise parking on Franklin Street from South 21st Street to South 26th Street.

Attachments: [15-843.pdf](#)

[15-959](#) Agency Fund Agreement with Lakeshore Community Foundation and the City of Manitowoc for K-9 Preservation Fund

Attachments: [AGENCY FUND AGREEMENT](#)
[ADDENDUM TO K-9 PRESERVATION FUND AGREEMENT](#)
[GROW-A-FUND ADDENDUM](#)

[15-1013](#) Resolution authorizing Mayor and Clerk to enter into Ambulance Service Agreements for events within the City limits if the event will be budget neutral due to being staffed by on-duty personnel.

Attachments: [15-1013.pdf](#)

J. OTHER BUSINESS

K. ADJOURN

1. Next Scheduled Common Council Meeting: Monday, October 19, 2015 at 6:30pm in the Common Council Chambers at City Hall. (Special Meeting of the Common Council on Monday, October 5, 2015, at 6:00 p.m.)

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