



City of Manitowoc

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

Meeting Agenda

Common Council

Monday, October 15, 2018

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

[18-1059](#)

Presentation from Mayor Nickels on the 2019 Executive Budget

E. PUBLIC HEARINGS

[18-1073](#)

6:35 p.m. Public Hearing regarding the following proposed amendment to the City of Manitowoc Comprehensive Plan (PC 25-2016): to revise the Map of Future Land Use in two areas (in the vicinity of the former Elks Club and golf course) generally located at 250 Waldo Boulevard and west of the intersection of Memorial and Johnston Drives. The proposed revision is to change the future land use classification from "Public Parks and Open Space," "General Business," and "Environmental Corridor" to "Planned Mixed Use" and "Environmental Corridor."

[18-1074](#)

6:38 p.m. Public Hearing for the purpose of hearing objections to proposed assessments to property owners for abatement of nuisance Parks Forestry Assessments.

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

[18-1085](#) Mayor to appoint Patrick Neuenfeldt to Manitowoc Public Library Board for unexpired term ending June 1, 2019

Attachments: [Bio_PatrickNeuenfeldt_II](#)

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

[18-1068](#) Order from Public Service Commission of Wisconsin of current refunds ordered by the Federal Energy Regulatory Commission in Docket FA16-1 by Wisconsin's electric public utilities, recommending to place on file.

Attachments: [18-1068](#)

[18-1069](#) Minutes of September 17, 2018 Common Council meeting, recommending approval and place on file.

Attachments: [18-1069](#)

[18-1071](#) Communication from the Office of the Commissioner of Railroads relative to the Notice of Investigation to consider the adequacy of warning devices at two grade crossings of the WCL tracks with Custer St.; recommending acceptance and place on file.

Attachments: [18-1071](#)

3. Committee of the Whole (Consent)

[18-0856](#) Discussion on Big Jay's litigation and drug paraphernalia ordinance, recommending to place on file.

[18-1080](#) Report of Special Events Committee relative to approval of the following event: Waiver of Fees: Cardboard City on Oct. 12-14, 2018; recommending acceptance and place on file.

Attachments: [18-1080](#)
[Cardboard City](#)

4. Finance Committee (Consent)

[18-0901](#) Review of Capital Allocation Working Group (CAWG) procedures, recommend to approve and accept procedures.

Attachments: [REsolution establishing CAWG](#)
[Operating Procedures for CAWG Finance Approved 130520](#)
[Criteria - BUILDINGS](#)
[Criteria Mandated Assets](#)
[Criteria Neighborhood assets](#)
[Criteria Public Safety Assets](#)
[Criteria Transportation Assets](#)
[Criteria Equipment](#)

[18-0999](#) Request from Bridgeview Bar, TAV-1842 for an extension of premise for a fundraiser for the Manitowoc Skate Park expansion project on October 6, 2018, recommend to approve the request.

Attachments: [Bridgeview Bar](#)

[18-1001](#) Minutes of 8/27/18 MPU Commission meeting and various Great Lakes Utilities meetings, recommending acceptance and place on file.

Attachments: [MPU Commission Minutes 8-27-18](#)
[GLU Meeting Minutes](#)

[18-1002](#) Request from H&C Elbow Room, TAV-1855 for an extension of premise to include the back of the Elbow Room outside and the garage on Saturday, October 13, recommend approval and to include the street closure in the extension request contingent upon the Special Events committee approval.

Attachments: [Elbow Room Request](#)

[18-1006](#) Request to accept donated Prize (Honda CB350 Motorcycle) and to hold a raffle to support the Skatepark Expansion Project, recommend to accept the donation and proceed with a raffle to support the Skate Park project.

Attachments: [18-1006](#)

[18-1007](#) 3rd Quarter Capital Allocation Working Group (CAWG) Report, recommend to accept and place on file.

Attachments: [3rd Quarter CAWG Report](#)

[18-1013](#) Minutes of September 4, 2018 Finance Committee meeting, recommend approval.

Attachments: [MeetingMinutes 04-Sept-2018](#)

[18-1025](#) Third quarter claims report from City Attorney, recommend to accept and place on file.

Attachments: [Claims Report to Finance Committee 1 to 9 2018](#)

[18-1040](#) Unbudgeted CAWG request to replace #491 - 2016 John Deere Z920 ZTrak, recommend to accept CAWG denial to fund.

Attachments: [CAWG - ZTrak](#)

[18-1070](#) General City Claims in the amount of \$3,524,375.73 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: [18-1070](#)

[9-28-18](#)

[10-5-18](#)

[10-12-18](#)

[9-21-18](#)

[18-1083](#) 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: [October Licenses](#)

5. Personnel Committee (Consent)

6. Public Infrastructure Committee (Consent)

[18-0119](#) Safety on Mariner's Trail across from former Mid City Mall's Site, recommend placing on file.

Attachments: [18-0119-2018_10_02_10_09_11](#)

[18-0406](#) Tree Removal at 716 New York Avenue, recommending to place on file.

[18-0665](#) Water Issues at 5012 Cypress Court, recommending to direct City Attorney to contact property owner to remove tree or City to remove the tree and assess each property owner 1/2 the cost.

Attachments: [18-0665_201806261118](#)

[18-0665 2018_10_02_10_05_30](#)

[18-0681](#) Request from Cheryl and Jon Saunders for painted street parking lines on both sides of their business located at 1201 South 13th Street, recommending to place on file.

Attachments: [18-0681](#)

[18-0788](#) Purchase of 4 new pieces of equipment from the Perpetual Care Fund, recommend to approve the request consistent with Finance Committee approval.

Attachments: [18-0788](#)

- [18-1010](#) Student Services Project at Evergreen Cemetery, recommend approving the request
Attachments: [2018_09_27_10_10_13](#)
- [18-1014](#) Request for reimbursement of monies from the Friends of the Community Built Playground for playground equipment, recommend approval.
Attachments: [18-1014 2018](#)
- [18-1017](#) Union Park Canon Project, recommend approval of installing a flag pole
Attachments: [18-1017](#)
- [18-1018](#) Street Sweeper Purchase, recommend approval
Attachments: [18-1018](#)
- [18-1019](#) Air Compressor Purchase, recommend to accept CAWG's approval of up to \$17,865 unbudgeted request.
Attachments: [18-1019 2018 air compressor scan0147](#)
[CAWG - Air Compressor](#)
- [18-1020](#) Lawn Mower Purchase, recommend to accept CAWG's approval of up to \$6,850 unbudgeted request.
Attachments: [18-1020](#)
[CAWG - Lawn Mower](#)
- [18-1023](#) Request to Place Flags in the Right-of-Way on Lakeside Boulevard, recommend approval for flags that will be removed in winter.
Attachments: [18-1023](#)
- [18-1024](#) Lakeside Foods Request for Wider Driveway Approach on South 30th Street, recommended approving the widening of the driveway
Attachments: [18-1024 201809271158](#)
[201809271158](#)
- [18-1026](#) Public Works Petition for property abutting Virginia Drive, recommend accepting and placing on file
Attachments: [18-1026 2018](#)
- [18-1028](#) Approval to extend the time the Capital Civic Center Banners are hanging up Downtown, recommend approval
- [18-1037](#) Council Leadership Volunteering, recommend placing on file

[18-1039](#) CAWG Request for Additional Funds to Replace #24 One Ton Dually, recommend to accept CAWG's approval of up to \$34,740 unbudgeted request and recommendation made by Finance Committee.

Attachments: [CAWG - Dually](#)
[201809281620](#)

[18-1065](#) Report of Board of Public Works of 10/10/18 of adoption of Resolution Authorizing Emergency Repairs to Manitowoc Aquatic Center Pool, recommending acceptance and place on file.

Attachments: [Emergency Repairs - Aquatic Center Pool](#)

[18-1086](#) Report of Board of Public Works of 10/10/18 for 2nd and Final payment of \$22,586.25 to Powell Roofing for Lincoln Park Fieldhouse Re-Roofing, WB-18-16, recommending payment.

Attachments: [18-1086](#)

[18-1087](#) Report of Board of Public Works of 10/10/18 for 4th and Final payment of \$51,150.56 to Seiler Bros for 2018 Remove & Replace Existing Sidewalks, WS-18-3, recommending payment.

Attachments: [18-1087](#)

[18-1088](#) Report of Board of Public Works of 10/10/18, of bids received for Washington Park Playground Equipment Replacement, Project WB-18-19, recommending awarding to low bidder, Miller & Associates in the amount of \$35,060.00.

Attachments: [WB-18-19](#)
[Signed Bid Tab WB-18-19](#)

[18-1089](#) Report of Board of Public Works of 10/10/18 of denial of request to rescind noxious weed charge for property located at 1213 Hamilton St. Recommending acceptance and place on file.

Attachments: [1213 Hamilton St](#)

[18-1090](#) Report of Board of Public Works of 10/10/18 of denial of request to rescind noxious weed charge for property located at 1795 Nagle Ave. Recommending acceptance and place on file.

Attachments: [1795 Nagle Ave](#)

7. Public Safety Committee (Consent)

8. Plan Commission (Consent)

[18-0978](#) PC 25-2016: Ordinance Regarding a Comprehensive Plan Amendment to Modify the Map of Future Land Use in the Area of 200 East Waldo Blvd; also known as the Former Elks Club and Golf Course Property

Attachments: [18-0978 PC Report 25-2016 future land use map amendment](#)
[18-0978 Report to Council Future Land Use Elks Club Property](#)

[18-0980](#) PC 24-2018: Metal Ware Inc.; Request to Purchase Land and a Right of First Refusal - Lots 1, 2, & 3 of a Certified Survey Volume 33, Page 201 Manitowoc I-43 Industrial Park. Recommending to approve the right of first refusal and to approve any subsequent land sale that may occur in the future.

Attachments: [18-0980 PC Report 24-2018 Metal Ware](#)
[18-0980 Report to Council Metal Ware Purchase Option](#)

[18-0981](#) PC 21-2018: Red Line Plastics, LLC; Request to either Purchase or obtain a Right of First Refusal - Lot 2 of a Certified Survey Volume 33, Page 199 Manitowoc I-43 Industrial Park. Recommending to approve the right of first refusal and to approve any subsequent land sale that may occur in the future.

Attachments: [18-0981 PC Report 21-2018 Red Line Plastics](#)
[18-0981 Report to Council Red Line Plastics Purchase Option](#)

I. COMMITTEE REPORTS

1. Committee of the Whole

[18-1078](#) Discussion on Newton Gravel Pit

Attachments: [COW - Council Recommendations 10-15-18 Final](#)

[18-0966](#) Agreement with Amanda Brusky for Vendor Management Services for 2019 Fourth on the Shore Event

Attachments: [Vendor Agreement - Fourth on the Shore](#)

[18-0992](#) Discussion on contract management of Wastewater Treatment Facility by Manitowoc Public Utilities

Attachments: [2018-08-24 Attach Potential Contract Management by MPU of WWTF](#)

[18-0993](#) Ordinance 16.150 on property maintenance standards

Attachments: [Memo re 16.150 Minimum Property Maintenance Standards](#)
[16.150 Bond Schedule](#)
[Ord to Amend 16.150 Minimum Housing Standards](#)
[Memo to Council re Post - COW Changes to 16.150](#)

[18-1081](#) Report of Special Events Committee recommending approval for the following events subject to Council action: Lincoln High School Homecoming Parade & Tailgating on 10/5/18 (Closure of streets from Lincoln High School to Ron Rubick Field for parade & closure of Grand Ave. from S 21st to S 23rd St until 10 pm); Metro Jam on 6/14-15/19 (Waiver of r rules prohibiting alcohol in the park; closure of S 12th between Washington & Marshall Sts.); H&C Elbow Room Grand Opening on 10/13/18 (Street & sidewalk closure on N 7th St. from Buffalo St. to the north, ending before driveway of adjoining property).

Attachments: [18-1081](#)
[Lincoln Homecoming](#)
[Metro Jam](#)
[Elbow Room Grand Opening](#)

[18-1091](#) Review of offer from Riverview Diversified LLC for Riverview Apartments

Attachments: [Commercial Offer to Purchase-Riverview Dr.-Executed](#)
[Restoration Remodeling and-or New Construction Agreement](#)
[jen russ - nov](#)
[jen russ - dec](#)
[jen russ - jan](#)
[jen russ - feb](#)
[jen russ - march](#)
[jen russ - april](#)
[314-316 E Riverview Dr Bid](#)
[Riverview Diversified Plan](#)

2. Finance Committee

[18-1008](#) Request from Lake Michigan Trans Lake Shortcut, Inc. d/b/a/ Lake Michigan Carferry (LMC) to grant a pass through loan from WISDOT State Infrastructure Bank Program to LMC

Attachments: [18-1008](#)

[18-1029](#) Resolution to hold Primary Election on February 19, 2019 if there are three or more candidates who file nomination papers for a City office at the April 2, 2019 Spring Election.

Attachments: [Resolution - Primary Election February 19 2019](#)

[18-1060](#) Resolution Awarding the Sale of Approximately \$8,755,000 General Obligation Refunding Bonds

Attachments: [Manitowoc C of - 2018 GORBs - Resolution](#)

- [18-1072](#) Scope of Engagement relative to Proposed Issuance of \$8,750,000 City of Manitowoc General Obligation Refunding Bonds
- Attachments:** [Scope of Engagement](#)
- [18-1061](#) Report of Industrial Development Corporation meeting of September 26, 2018 of discussion and possible action on a land sale for parcel #449-006-0030 to Jagemann Stamping Company in the Manitowoc I-43 Industrial Park.
- Attachments:** [IDC Report - Jagemann](#)
- [18-1062](#) Report of Industrial Development Corporation of September 26, 2018 of request from MTM (Manitowoc Tool and Machining) for a right of first refusal for property located at southwest corner of Vits Dr. and S. 59th St. in the Manitowoc I-43 Industrial Park Subdivision.
- Attachments:** [IDC Report - MTM](#)
- [18-1063](#) Report of Industrial Development Corporation of September 26, 2018 of amendment to the Manitowoc I-43 Industrial Park option & right of first refusal policy
- Attachments:** [IDC Report - Amendment](#)
- [18-1084](#) Resolution Creating Tax Increment District No. 21 of the City of Manitowoc
- Attachments:** [TID 21 Resolution for Council October 2018](#)
- [18-1092](#) Cost-Sharing and Construction Agreement Between Lake Michigan Carferry and the City of Manitowoc
- Attachments:** [City and LMC Costsharing Agreement](#)

3. Personnel Committee

- [18-0985](#) Self-Funded Workers' Compensation Plan Intent and Agreement Resolution for 2019-2021.
- Attachments:** [18-0985](#)
- [18-0991](#) Law Enforcement Employee Relations Division of the Wisconsin Professional Police Association Contract Memo of Understanding
- Attachments:** [PD MOU Union Dues 10.2018](#)
- [18-0995](#) Update to Electronic Communications Policy
- Attachments:** [Proposed New Policy.pdf](#)
[Current Electronic Communications Policy.pdf](#)
- [18-1004](#) Workers Compensation Claims Policy
- Attachments:** [2018 Workers' Compensation Claim Policy.pdf](#)

[18-1009](#) Manty Health and Wellness Clinic Renewal for 2019 and 2020.

Attachments: [_Manty clinic v7 FINAL fully executed updated 9.2017.pdf](#)
[Amendment - Manty Clinic Agreement - 9-28-18.v1.pdf](#)

4. Public Infrastructure Committee

[18-0677](#) Recommendation on a feasibility study for the Bridge Connection from Lower Schuette Park to Manitou Park

Attachments: [201807311414](#)

[18-0998](#) Report of the Municipal Tree Commission of 2018 assessments for abatement of nuisances per Municipal Code Section 8.190(6).

Attachments: [Parks Forestry Assessments - 2018](#)
[Issue #6671 - Ash Tree Behind 3104 Lindbergh Dr.](#)
[Issue #6336 - 3610 Meadow Lane](#)
[Issue #7198 - 820 Redfin Ct](#)
[Issue #7171 - 1409 S 38TH ST](#)

[18-1030](#) Zoo Board Ordinance

Attachments: [Ord to Amend 3.170 Zoological Board.pdf](#)

[18-1064](#) Miracles Park Maintenance Fund Agreement

Attachments: [18-1064](#)

[18-1066](#) State/Municipal Finance Agreement for a State-Let Highway Project - Waldo Blvd., Cth R to 8th St.

Attachments: [SMA - Waldo Blvd - Cth R to 8th](#)

[18-1067](#) State/Municipal Finance Agreement for a State-Let Highway Project - Waldo Blvd., 8th St. to Maritime Dr.

Attachments: [SMA - Waldo Blvd - 8th to Maritime](#)

5. Public Safety Committee

[18-1052](#) Manitowoc Sex Offender Residency Board Appeal for Sher Khang.

[18-1057](#) Ordinance to amend Manitowoc Municipal Code 14.575, Sex Offender Residency Restrictions.

Attachments: [Ord to amend 14.575 Sexual Offender Residency Restrictions](#)

[18-1058](#) Ordinance to amend Manitowoc Municipal Code 8.110, Offenses Within Cemeteries.

Attachments: [Ord to Amend 8.110 Offenses \(within cemeteries\) \(2\)](#)

6. Plan Commission

- [18-0979](#) PC 32-2015: The Crossing of Manitowoc County, 419 Park Street Request to Amend a 2015 Conditional Use Permit
- Attachments:** [18-0979 PC Report 32-2015 The Crossing CUP Amendment](#)
[18-0979 Report to Council The Crossing](#)
- [18-0982](#) PC 32-2018: Manitowoc Tool and Machining (MTM); Request for a Right of First Refusal for an area at the southwest of corner of S. 59th Street and Vits Drive.
- Attachments:** [18-0982 PC Report 32-2018 MTM land option purchase](#)
[18-0982 Report to Council MTM Land Option Purchase](#)
- [18-0983](#) PC 33-2018: Jagemann Stamping; Request to Purchase Lot 1 of a Certified Survey Volume 33, Page 199 Manitowoc I-43 Industrial Park.
- Attachments:** [18-0983 PC Report 33-2018 Jagemann land purchase](#)
[18-0983 Report to Council Jagemann Stamping](#)
- [18-1003](#) Discussion and possible action on TIF 15, 19, and 22.
- Attachments:** [18-1003 Report to Council TID 22 Creation](#)
- [18-1082](#) Ordinance to Amend the City of Manitowoc Comprehensive Plan Modifying the Map of Future Land Use in the Area of 200 East Waldo Blvd.
- Attachments:** [Ord - Comprehensive Plan Amendment](#)
[Existing Comp Plan 2018](#)
[Proposed Comp Plan Changes 2018](#)

J. OTHER BUSINESS

- [18-1075](#) Call for Public Hearing on General City budget to be held at 6:35 p.m. on Monday, November 19, 2018.

K. ADJOURN

1. Next Scheduled Common Council Meeting: Monday, November 19, 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 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