



# City of Manitowoc

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

## Meeting Agenda

### Common Council

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Monday, November 20, 2023

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.

This meeting is being conducted both in Council Chambers at City Hall and via Zoom to maximize opportunities for residents to attend. Those attending the meeting via Zoom who wish to give public input are asked to keep their microphone muted until public input is opened to improve audio quality for all attendees. Those using their phone to call in may hit \*6 to mute and unmute themselves. Members of the public may call to listen in at 888 475 4499 US Toll-free, Meeting ID: 876 5989 6130 Password: 204623.

Public input will be accepted at the meeting. Those wishing to make public comment in advance of the meeting should email [jswokowski@manitowoc.org](mailto:jswokowski@manitowoc.org) or call 920-686-6952 with their comment no later than 12:00 p.m. central the day of the meeting. Emailed public input will be attached to the agenda and made part of the public record.

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

- [23-0982](#) Presentation of Valor Award to Officer Andre St. Pierre
- [23-0980](#) City Clerk administers Oath of Office for Police Officer Bethany Johnson followed by Badge Pinning Ceremony
- [23-0981](#) City Clerk administers Oath of Office for Police Officer Andre St. Pierre followed by Badge Pinning Ceremony
- [23-0979](#) City Clerk administers Oath of Office for Assistant Chief of Fire Rescue Benjamin Kraynek followed by Badge Pinning Ceremony

#### E. PUBLIC HEARINGS

[23-1017](#) Previously submitted public input

**Attachments:**

[Public Input submitted by J Patterson](#)

[Public Input submitted by A Krizizke](#)

[Public Input submitted by K Kelly](#)

[Public Input submitted by K Qualman](#)

[Public Input submitted by J Neeb](#)

[Public Input submitted by L Gauthier](#)

[Public Input submitted by B Snyder](#)

[Public Input submitted by S Spencer](#)

[Public Input submitted by K Have!](#)

[Public Input submitted by R Dewane](#)

[Public Input submitted by T Dewane](#)

[Public Input submitted by C Rusch](#)

[Public Input submitted by Lotus Recovery Homes](#)

[Public Input submitted by J Meisner](#)

[Public Input submitted by C Tease](#)

[Public Input submitted by M Rohrer](#)

[23-0985](#) Public Hearing to be held at 6:30 p.m. for the purpose of hearing any citizen or taxpayer on the proposed budget for the upcoming year

[23-0986](#) Public Hearing to be held at 6:31 p.m. for the purpose of hearing any and all interested parties in the matter of a proposed change in zone from P-1 Conservancy to R-5 Low Density Multiple Family for property located at Bay Shore Drive and E. Park View Lane

[23-0987](#) Public Hearing to be held at 6:32 p.m. for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit located at 1111 Marshall Street for the Operation of a Transitional Housing Use

[23-0988](#) Public Hearing to be held at 6:33 p.m. for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit located at 404/406/408 N. Lake Street for the Operation of a Transitional Housing Use

[23-0989](#) Public Hearing to be held at 6:34 p.m. for the purpose of hearing any and all interested parties in the matter of a proposed Conditional Use Permit located at 826 S. 19th Street for the Operation of a Transitional Housing Use

## 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

[23-0977](#) Mayor makes the following appointments: Al Chizek to Committee on Aging, in place of R. VonDrachek, term ending 6/1/2024; Emily Longmeyer-Wolf to Crime Prevention, in place of C. Engelbrecht, term ending 6/1/2025

**Attachments:** [Appointments - November](#)

## 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

[23-0978](#) Resignation from Ron VonDrachek from Committee on Aging, effective immediately; recommending acceptance and place on file

**Attachments:** [RON VONDRACHEK RESIGNATION](#)

[23-0983](#) Minutes of October 16, 2023 Common Council meeting; recommending approval and place on file

**Attachments:** [Meeting Minutes 10-16-2023](#)

[23-0984](#) Minutes of the October 24, 2023 Common Council meeting; recommending approval and place on file

**Attachments:** [Meeting Minutes 10-24-2023](#)

[23-0991](#) Resignation from Brittany Boyer from Crime Prevention Committee, effective immediately; recommending acceptance and place on file

**Attachments:** [BOYER RESIGNATION](#)

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

[23-1009](#) Report of Special Events Committee relative to approval of the following events: Manitowoc 10k on 9/21/2024; Shelltrack on 12/16/2023; Wingz Winter Revenge on 4/27/2024; recommending approval

**Attachments:** [SEC Acted On - 2023-10-12 to 2023-11-15](#)

[SE Manitowoc 10k](#)

[SE Shelltrack](#)

[SE Wingz Winter Revenge](#)

**4. Finance Committee (Consent)**

- [23-0841](#) L23-00143 - PHAJIT Claim for vehicle damage >\$5,000 due to fallen tree during storm on 8/3/2023; recommending to deny the claim
- [23-0946](#) 3rd Quarter 2023 Investment Report; recommending to accept and place on file
- Attachments:** [3rd Qtr 2023 Investment Reconciliation](#)
- [23-0947](#) 3rd Quarter 2023 Budget Exceptions Report; recommending to accept and place on file
- Attachments:** [1-Q3 2023 Budget Exception Report for Fin Comm](#)
- [23-0948](#) 3rd Quarter 2023 CAWG Requests Report - Revised; recommending to accept and place on file
- Attachments:** [3rd Qtr 2023 Log of CAWG Requests - REVISED](#)
- [23-0949](#) 3rd Quarter 2023 Internal Controls to Prevent and Detect Fraud Report; recommending to accept and place on file
- Attachments:** [2023\\_03 Check List for Finance Committee](#)
- [23-0956](#) L23-00115 Shaw Claim for damages >\$5,000 due to storm on August 3, 2023; recommending to refer to the City Attorney's Office
- [23-0957](#) L23-00168 Lakeshore Mall LLC/Lakeside Improvement LLC Claim >\$5,000; recommending to refer to the City Attorney's Office to authorize the City Attorney to investigate and deny the claim at his discretion
- [23-0958](#) 3rd Quarter 2023 Claims Report from City Attorney's Office; recommending to accept and place on file
- Attachments:** [Jan-Sept 2023 Claims Report to Finance Committee](#)
- [23-0959](#) Tax Levy Certification from Manitowoc Public School District for Fiscal Year 2023-2024; recommending to accept and place on file
- Attachments:** [MPSD Tax Levy Certification](#)
- [23-0960](#) Tax Levy Certification from Lakeshore Technical College for Fiscal Year 2023-2024; recommending to accept and place on file
- Attachments:** [LTC City of Manitowoc Tax Levy Portion Apportionment 23-24](#)  
[LTC Tax Levy Apportionment 23-24](#)
- [23-0962](#) Fiscal Impact Process Discussion; recommending to place on file
- [23-0992](#) General City Claims in the amount of \$2,759,015.58 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:**     [Claim Report](#)  
[10-13-2023](#)  
[10-13-2023b](#)  
[10-20-2023](#)  
[10-27-2023](#)  
[11-3-2023](#)  
[11-10-2023](#)

[23-1008](#)     Report of Finance Committee to grant the various licenses subject to approvals, inspections, insurance, payment of license fees and meeting State Statute requirement, as detailed therein

**Attachments:**     [LPI Licensing Report](#)

## 5. Personnel Committee (Consent)

## 6. Public Infrastructure Committee (Consent)

[23-0932](#)     Facility Use Agreement with the Manitowoc County ADRC Senior Nutrition Program, recommending to enter into agreement

**Attachments:**     [Facility Use Agreement with the Manitowoc County ADRC Senior Nutrition Prog](#)

[23-0934](#)     Request for Temp Access Easement Agreement over Unimproved Right of Way on S 12th Street - S of Viebahn Street; recommending sending to City Attorney to draft agreement

**Attachments:**     [Request for Temp Access Easement on S 12th Street - S of Viebahn](#)

[23-0935](#)     Proposed Jurisdictional Transfer of Several County Truck Highways, recommending placing on file

**Attachments:**     [Proposed Jurisdictional Transfer of Several County Truck Highways](#)

[23-0936](#)     Zoo Donation Tube Funds request for annual landscaping contract 2023; recommending to approve the request

**Attachments:**     [Zoo Donation Tube Funds request for annual landscaping contract 2023](#)

[23-0939](#)     Request for Michele Michels to Escort a Senior Center out of State Trip; recommending approval

**Attachments:**     [Senior Center Out-of-State Trip Memo](#)

[23-0995](#)     Report of Board of Public Works of 11/15/2023 for 3rd & final payment of \$142,438.14 to Visu Sewer, for 2023 Re-Lining Sewer Project, WU-23-7; recommending payment

**Attachments:**     [Report of BPW WU-23-7](#)

[23-0996](#)     Report of Board of Public Works of 11/15/2023 for 6th & final payment of \$5,650.96 to Seiler Bros Construction, Inc, for 2023 Remove & Replace

Sidewalks, WS-23-3; recommending payment

**Attachments:** [Report of BPW WS-23-3](#)

[23-0997](#) Report of Board of Public Works of 11/15/2023 for 5th & final payment of \$6,068.15 to Philippi Quality Construction, Inc, for Lincoln Park Zoo Renovations, WB-23-17; recommending payment

**Attachments:** [Report of BPW WB-23-17](#)

[23-0998](#) Report of Board of Public Works of 11/15/2023 for 1st & final payment of \$19,899.00 to Lakeland Landscaping, Inc, for Tree Planting for Reed Avenue Reconstruction Project, AGMT 23-03; recommending payment

**Attachments:** [Report of BPW AGMT 23-03](#)

[23-0999](#) Report of Board of Public Works of 11/15/2023 for 1st & final payment of \$37,303.15 to LaForce Inc., for Lincoln Park Zoo Door Replacements, WB-23-15; recommending payment

**Attachments:** [Report of BPW WB-23-15](#)

[23-1000](#) Report of Board of Public Works of 11/15/2023 for 11th & final payment of \$57,371.33 to Kruczek Construction, for Watermain Extension South of Viebhan Street, WU-22-10; recommending payment

**Attachments:** [Report of BPW WU-22-10](#)

[23-1001](#) Report of Board of Public Works of 11/15/2023 for 3rd & final payment of \$4,099.15 to Highway Landscapers Inc, for 2023 Downtown Manitowoc Streetscape Planting, WS-23-18; recommending payment

**Attachments:** [Report of BPW WS-23-18](#)

[23-1002](#) Report of Board of Public Works of 11/15/2023 for 1st & final payment of \$36,754.10 to Green Bay Pipe & TV, for 2023 Televising Miscellaneous Sewers II, WU-23-25; recommending payment

**Attachments:** [Report of BPW WU-23-25](#)

[23-1003](#) Various Progress Invoices form the Wisconsin Department of Transportation; recommending payment

**Attachments:** [DOT Invoice 395-0000307968](#)

[DOT Invoice 395-0000320463](#)

[DOT Invoice 395-0000324886](#)

[DOT Invoice 395-0000308293](#)

[DOT Invoice 395-0000316930](#)

[DOT Invoice 395-0000320504](#)

[DOT Invoice 395-0000324932](#)

[DOT Invoice 395-0000328561](#)

[23-1011](#) Report of Board of Public Works of 10/25/2023, of approval for a Sidewalk

Privilege Agreement for the structure and retaining wall that are in the 4323 Conroe Street right-of-way and for City Attorney to draft an SPA, recommending acceptance of report and place on file

**Attachments:** [BPW Report 4323 Conroe SPA](#)

[23-1012](#) Report of Board of Public Works of 10/25/2023 of approval to repeal the noxious weed assessment for property located at 708 Northwood Ct., recommending to rescind the assessment

**Attachments:** [BPW Report 708 Northwood Weed Appeal](#)

[23-1014](#) Report of Board of Public Works of 10/25/2023 of request rescind forestry nuisance abatement for property at parcel 823-403-190, recommending to rescind the assessment

**Attachments:** [BPW Report Forestry Assessment](#)

## 7. Public Safety Committee (Consent)

[23-0860](#) Pedestrian traffic concern on South 10th Street at the intersections of Division Street and Columbus Street; recommending to install pedestrian signs at South 10th and Division and refer request for rapid flashing beacons to CAWG/Finance

**Attachments:** [S. 10th Street at Division St and Columbus St.](#)

## 8. Plan Commission (Consent)

[23-0908](#) PC 18-2021: Annual Review Connection Church; Request for a Conditional Use Permit for the establishment of a Church and Gym/Community Center located at 1455 North Rapids Road; recommending accept the report and place on file

**Attachments:** [23-0908 Report to Council Connection Church Oct 2023 Annual Review conditions 7-14](#)

[23-0909](#) PC 21-2023: Swetlik: Request to Purchase City Owned Property. Parcel # 000-196-040. East 55' of Lot 4, Block 196 of the Original Plat; staff recommends proceeding with the sale of the approximate 0.06 acre parcel with the Attorney's Office instructed to proceed with all facets of the sale and Swetliks paying for any of the following costs: drafting of legal descriptions, easement preparation, survey costs, recording costs and closing costs

**Attachments:** [23-0909 Report to Council Swetlik](#)  
[23-0909 PC Report Swetlik Western S 21st](#)

[23-0920](#) PC 18-2022: Annual Review Manitowoc Cooperative Ministry, First Presbyterian Church; Conditional Use Permit for establishment of a Transitional Housing, Warming Shelter; 502 N. 8th Street; recommending

accept report and place on file

**Attachments:** [23-0920 Report to Council Warming Shelter Oct 2023 Annual Review](#)

## I. COMMITTEE REPORTS

### 1. Committee of the Whole

[23-1010](#) Report of Special Event Committee for the following events subject to Council Action: Fat Seagull Street Party on 6/29/2024-6/30/2024, 7/27/2024-7/28/2024 and 9/14/2024-9/15/2024 (Road closure of Quay Street from S 9th to S 8th from 6 a.m. Friday to 8 a.m. Monday for each event); Metro Jam on 6/14/2024 (Waiver of Alcohol in Washington Park)

**Attachments:** [SEC Council approval - 2023-10-12 to 2023-11-15](#)  
[SE Fat Seagull](#)  
[SE Metro Jam](#)

### 2. Finance Committee

[23-0928](#) General City budget of proposed 2023 levy for 2024, in the amount of \$19,177,069 with \$1,024,657 in proposed tax incremental financing



- Attachments:** [2024 Mayor Proposed Budget](#)  
[2024 Mayor Executive Proposed Budget Presentation](#)  
[2023 Tax LEVY for 2024 Budget - Finance Committee Proposed to Council](#)  
[2023 Tax RATE for 2024 Budget - Finance Committee Proposed to Council](#)  
[Amendments to 2024 Budget Finance Committee](#)  
[2024 Capital Borrowing - Finance Committee Proposed 11.09.2023](#)  
[2024 Capital Borrowing - Finance Committee Proposed 11.02.2023](#)  
[2024 Capital Borrowing - Mayor Proposed](#)  
[Finance Committee Budget Recommendation - Fund 1100 - Interest Income Inc](#)  
[2024 Budget 2023 Property Tax Bill - Assessed vs. Tax - All Municipalities](#)  
[1.5 million for Road Projects SUGGESTIONS](#)  
[5Yr.10Yr General and Library Employees](#)  
[Todd1 - The Good-Bad-and the Ugly](#)  
[Todd2 - City Tax Rate-Levy 2023-2024 Info](#)  
[Todd3 - 2024 Budget Notes](#)  
[Todd4 - General Fund History City of Manitowoc](#)  
[2023 Tax RATE for 2024 Budget - Finance Committee Proposed 11.16.23](#)  
[2023 Tax LEVY for 2024 Budget - Finance Committee Proposed 11.16.23](#)  
[2024 Budget - Street Lighting - Alternative Proposal for Savings](#)  
[2023 Tax LEVY for 2024 Budget - Finance Committee Proposed](#)  
[2023 Tax RATE for 2024 Budget - Finance Committee Recommended](#)  
[2023 Tax LEVY for 2024 Budget - Mayor Proposed](#)  
[2024 Capital Borrowing - Finance Committee Proposed 11.16.2023](#)
- [23-0950](#) Amendment to Municipal Service Agreement between City of Manitowoc and Progress Lakeshore
- Attachments:** [Progress Lakeshore Amendment Email from AT](#)  
[Services Agreement FIFTH Amendment - Progress Lakeshore-Municipalities](#)
- [23-0951](#) Lease between City of Manitowoc and Century 21 Aspire Group LLC for Department of Tourism office space at 824 S. 8th St., Manitowoc, WI
- Attachments:** [824 S 8th Street Lease 2022-2023](#)  
[Extension to Lease Agreement for 2024](#)
- [23-1004](#) Resolution to Replace the "Department of Tourism Fee Schedule" with the "Special Event Application Fee Schedule" and Adopt Fees, Applications, and Invoicing for 2024
- Attachments:** [RES FOR 2024 SPECIAL EVENT APPLICATION FEES](#)  
[Memo to Finance 2024 Special Event Application Fees](#)  
[Proposed Special Event Application 2024 Fee Schedule](#)

[23-1015](#) Tax Levy Certification from Manitowoc County for Fiscal Year 2024

**Attachments:** [Manitowoc County 2023 Tax Levy Pd 2024 Certification](#)  
[Email from County with 2023 Tax Levy Pd 2024 Certification](#)

### 3. Personnel Committee

[23-0930](#) Request to Make Contingent Job Offer to Firefighter Candidates in Process of Obtaining Needed Certification

**Attachments:** [Personnel MFRD Request 10.26.23.pdf](#)  
[Firefighter-Paramedic job description 10057.pdf](#)

[23-1006](#) Resolution to Revise Employee Policy Manual to Accommodate New Battalion Chief Positions and Updated Personal Appearance Language

**Attachments:** [RESOLUTION REVISE EPM FOR BATTALION CHIEF FINAL](#)  
[Memo to Council re EPM Revisions Battalion Chiefs 11.2023 \(1\).pdf](#)  
[EPM Revisions FINAL Nov 2023](#)

[23-1007](#) Resolution to Deviate from Employee Policy Manual Article 14: Performance Management and Compensation, in 2024

**Attachments:** [RES REQ TO DEVIATE FROM EMP FOR 2024 COMPENSATION FINAL](#)  
[Memo 2024 Compensation and Comp Structure Increases Policy Deviation-RE\](#)  
[FINAL 2023 Comp Plan Exempt Non Exempt Current](#)

### 4. Public Infrastructure Committee

[23-0937](#) Request for Reed Avenue Zoo Entrance Landscape Project in Spring 2024

**Attachments:** [Zoo Landscaping project proposal 10.30.23](#)  
[Zoo Reed Ave Entrance Flag Pole Landscape Estimate](#)

[23-0993](#) Task Order 23-01 & Amendment No. 4 to the April 11, 2013, Agreement for Technical Services with Strand Associates for BRIC Grant Subapplication Preparation

**Attachments:** [Task Order No. 23-01](#)  
[Amendment No. 4 to the April 11, 2013, Agreement for Technical Services](#)  
[BRIC Grant E-mail](#)

[23-0994](#) Sidewalk Privilege Agreement with EastPoint Rentals for property located at 220 N 7th St

**Attachments:** [SIDEWALK PRIVILEGE AGREEMENT- 220 N 7TH ST #2](#)

[23-1013](#) Sidewalk Privilege Agreement with Peaceful Valley Real Estate, LLC for Right of Way Encroachment for 4323 Conroe St and 315 N 44th St

**Attachments:**      [SIDEWALK PRIVILEGE AGREEMENT- Conroe 44th St](#)  
[CONROE STREET RIGHT OF WAY ENCROACHMENT EXHIBIT \(10-5-2023\)](#)

## 5. Public Safety Committee

## 6. Plan Commission

[23-0905](#)      PC 23-2023: Lotus Recovery Homes: Request for a Conditional Use Permit for Transitional Housing at 1111 Marshall Street

**Attachments:**      [23-0905 Report to Council Lotus CUP Marshall St](#)  
[23-0905 PC Report Lotus Recovery Marshall St](#)

[23-0906](#)      PC 24-2023: Lotus Recovery Homes: Request for a Conditional Use Permit for Transitional Housing at 404, 406 & 408 N Lake Street

**Attachments:**      [23-0906 Report to Council Lotus CUP N Lake St](#)  
[23-0906 PC Report Lotus Recovery North Lake St](#)

[23-0907](#)      PC 25-2023: The Haven of Manitowoc County: Request for a Conditional Use Permit for Transitional Housing at 826 S. 19th Street

**Attachments:**      [23-0907 Report to Council The Haven](#)  
[23-0907 PC Report The Haven S 19th St](#)

[23-0990](#)      Ordinance amending the amended zone map of the City of Manitowoc entitled: "Zoning Ordinance of the Municipal Code of the City of Manitowoc."

**Attachments:**      [ORDINANCE PC 22-2023 BAY POINTE](#)  
[PC 22-2023 Rezone 1](#)  
[PC 22-2023 Rezone BW](#)

## J. OTHER BUSINESS

## K. ADJOURN

*1. Next Scheduled Common Council Meeting: Monday, December 18, 2023 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.

**Mackenzie Reed**  
City Clerk