

RESOLUTION DENYING CLAIM
(Wendy Smith)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Wendy Smith filed a claim with Manitowoc County on April 3, 2019 seeking
2 the following relief that was purportedly the result of flooding allegedly caused by the Manitowoc
3 County Highway Department: manufactured home replacement; personal property – contents in
4 home and garage; hotel cost; loss of wages; loss of propane; pain and suffering; clean up and
5 removal of home and contents; reconnect/replacement of septic, well, and electric services; and
6 central air unit; and
7

8 WHEREAS, Manitowoc County has provided a copy of the claim and relevant records to
9 its insurance carrier; and
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11 WHEREAS, the insurance carrier has reviewed the information provided, investigated the
12 facts, and determined that Manitowoc County should deny the claim; and
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14 WHEREAS, the Corporation Counsel and the Finance Committee have reviewed the
15 insurance carrier's recommendation that the claim be denied and that the county issue a formal
16 disallowance;
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18 NOW, THEREFORE, BE IT RESOLVED by the Manitowoc County Board of Supervisors
19 that the claim is denied and that the Corporation Counsel and County Clerk are directed to provide
20 such notice of the denial of the claim as may be required.

Dated this 21st day of May 2019.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

APPROVED: _____
 Bob Ziegelbauer, County Executive Date

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CH. 8
(General Zoning and Land Use Regulation)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted various ordinances that regulate the use and
2 development of land and buildings within the County, including Chapters 8 (General Zoning and
3 Land Use Regulation), 9 (Shoreland Zoning), and 10 (Setback Ordinance); and
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5 WHEREAS, amendments must be made to the General Zoning and Land Use Regulation
6 Ordinance from time-to-time to keep the policies current, reflect current practice, and address new
7 issues and circumstances; and
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9 WHEREAS, the state has recently passed legislation that limits how a county may regulate,
10 *inter alia*, nonconforming structures and nonconforming parcels of property; and
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12 WHEREAS, in light of the new legislation, Manitowoc County reviewed its ordinances
13 that regulate the use and development of land and buildings in the County and determined that
14 updates to the General Zoning and Land Use Regulation Ordinance are warranted; and
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16 WHEREAS, the Planning and Park Commission, after providing the required notice, held
17 a public hearing on the proposed amendments to the Zoning Ordinance on April 22, 2019; and
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19 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
20 and an examination of the facts, recommends approval of the following amendments to the Zoning
21 Ordinance;
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23 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does
24 ordain as follows:
25

26 Manitowoc County Code § 8.07 (Definitions) is amended to remove the following definitions in
27 their entirety as follows:
28

29 ~~“Nonconforming lot of record” means a single nonconforming parcel that was recorded~~
30 ~~with the Register of Deeds prior to the date that the town in which the parcel is located~~
31 ~~initially adopted this ordinance. It also means one or more nonconforming parcels that~~
32 ~~were recorded with the Register of Deeds prior to the date that the town in which they are~~
33 ~~located initially adopted this ordinance and that, taken collectively with all adjacent parcels~~
34 ~~held in common ownership, do not conform to the requirements of this ordinance for the~~
35 ~~zoning district in which they are located.~~
36

37 ~~“Nonconforming parcel” means a parcel that does not conform to the requirements of this~~
38 ~~ordinance for the zoning district in which it is located, was established prior to the date that~~

39 ~~the town in which it is located initially adopted this ordinance, and was lawful when it was~~
40 ~~established.~~

41
42 Manitowoc County Code § 8.07 (Definitions) is amended to revise the following definition as
43 follows:

44
45 “Nonconforming structure” means a dwelling or other building that existed lawfully before
46 the current Zoning Ordinance was enacted or amended but no longer conforms with a
47 building or other structure whose dimensions, location, or other physical characteristics
48 required by this Zoning Ordinance, which include setback, height, and lot coverage do not
49 conform to the requirements of this ordinance, but that conformed to the requirements of
50 the ordinance in effect at the time it was constructed or placed in its current location.

51
52 Manitowoc County Code § 8.07 (Definitions) is amended to include the following definition to
53 read as follows:

54
55 “Substandard lot” means a legally created lot or parcel that met any applicable lot size
56 requirements when it was created, but does not meet current lot size requirements.

57
58 Manitowoc County Code § 8.19 is amended to read as follows:

59
60 8.19 Substandard Lots.

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62 ~~A nonconforming lot of record may be developed even though it does not meet the~~
63 ~~minimum lot size and lot width requirements of this ordinance if the proposed use~~
64 ~~is a single family dwelling or a principal or accessory use in the district in which it~~
65 ~~is located. A nonconforming lot of record is subject to all other requirements~~
66 ~~contained in this ordinance.~~A substandard lot may be used as a building site only if
67 all of the following apply:

68
69 (1) the substandard lot has never been developed with one or more of its
70 structures placed partly upon an adjacent lot or parcel; and

71
72 (2) the substandard lot is developed to comply with all requirements of the
73 Manitowoc County Code of Ordinances.

74
75 Manitowoc County Code § 8.20 is amended to read as follows:

76
77 8.20 Nonconforming Structures.

78
79 (1) An uncompleted structure for which a zoning permit was issued and
80 construction commenced may be completed if the completed structure
81 complies with the ordinance in effect at the time the permit was issued, even
82 if the structure does not conform to the requirements of this ordinance at the
83 time construction is completed; ~~and~~ ~~†~~The completed structure will be
84 deemed a nonconforming structure.

85
86 (2) A nonconforming structure may be continued in use subject to the

87 limitations provided in this Section 8.20.~~A nonconforming structure may~~
88 ~~continue to be used and maintenance and repairs may be made to the~~
89 ~~nonconforming structure.~~

91 (3) Except as provided in § 8.20(4) of this Zoning Ordinance, a nonconforming
92 structure may be maintained, repaired, replaced, restored, rebuilt or
93 remodeled if the activity does not expand the footprint of the
94 nonconforming structure.

96 (34) A nonconforming structure may be enlarged provided that the addition does
97 not:

99 (a) encroach into any required setback area more than the existing
100 structure; and

102 (b) increase the height of a structure that does not comply with the
103 existing height requirement of this Zoning Ordinance.

105 However, in no event may a nonconforming structure ~~A nonconforming~~
106 ~~structure's area may not be increased by more than 50% of the structure's~~
107 ~~square footage at the time that it the structure became nonconforming,~~
108 ~~except when necessary to comply with applicable county, state, and federal~~
109 ~~public health and safety law requirements or to make it a conforming~~
110 ~~structure.~~

112 (4) ~~A nonconforming structure's exterior dimensions may be changed provided~~
113 ~~that the change does not reduce any existing nonconforming setback or~~
114 ~~increase any existing nonconforming height.~~

116 (5) ~~Restoration of Certain Nonconforming Structures.~~—In accordance with
117 Wis. Stat. § 59.69(10m), a nonconforming structure that is damaged or
118 destroyed by fire, flood, ice, infestation, mold, snow, vandalism, or violent
119 wind may be restored to the size, location, and use that it had immediately
120 before the damage or destruction occurred. The size of the nonconforming
121 structure may be enlarged, but only to the extent necessary for the structure
122 to comply with applicable county, state, and federal requirements.

124 Manitowoc County Code § 8.44(3) is amended to read as follows:

126 (3) Nonconforming signs.

128 (a) A nonconforming sign may continue to be used and the copy displayed on
129 the sign may be changed.

131 (b) Normal maintenance may be performed on and repairs made to a
132 nonconforming sign, but a nonconforming sign may not be ~~structurally~~
133 ~~altered~~ enlarged unless the alteration is required to bring the sign into
134 compliance with this Zoning Ordinance.

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~~(e) Normal maintenance may be performed on the structure supporting a nonconforming sign, but the structure supporting a nonconforming sign may not be repaired unless the sign is brought into compliance with this ordinance. If repairs are made to the supporting structure and the sign cannot be brought into compliance with this ordinance, the sign must be removed.~~

~~(d) A nonconforming sign may not be enlarged.~~

~~(e) A nonconforming sign may not be relocated.~~

~~(f) A nonconforming sign may not be replaced.~~

and

BE IT FURTHER ORDAINED that the table of contents for the Manitowoc County General Zoning and Land Use Regulation Ordinance shall be updated to be consistent with any amendments adopted under this ordinance; and

and

BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

Dated this 21st day of May 2019.

Respectfully submitted by the
Planning and Park Commission

David Dyzak, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

COUNTERSIGNED: _____
Jim Brey, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CH. 9
(Shoreland Zoning)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the regulation of lands within a certain distance of navigable waters, outside
2 of incorporated areas, is governed by the Manitowoc County Shoreland Zoning Ordinance, and
3

4 WHEREAS, the Shoreland Zoning Ordinance was codified by Ordinance No. 88/89-19
5 effective May 9, 1988 and repealed and recreated in its entirety by Ordinance No. 2016/2017-38
6 effective October 26, 2016; and
7

8 WHEREAS, amendments must be made to the Shoreland Zoning Ordinance from time-to-
9 time to keep the policies current, reflect current practice, and address new issues and
10 circumstances; and
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12 WHEREAS, the state has recently passed legislation that limits how a county may regulate
13 nonconforming parcels of property in the shoreland zone; and
14

15 WHEREAS, in light of the new legislation, Manitowoc County reviewed its ordinances
16 that regulate the use and development of land and buildings in the County and determined that
17 updates to the Shoreland Zoning Ordinance are warranted; and
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19 WHEREAS, the Planning and Park Commission, after providing the required notice, held
20 a public hearing on the proposed amendments to the Shoreland Zoning Ordinance on April 22,
21 2019; and
22

23 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
24 and an examination of the facts, recommends approval of the following amendments to the
25 Shoreland Zoning Ordinance;
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27 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does
28 ordain as follows:
29

30 Manitowoc County Code § 9.05 (Definitions) is amended to create § 9.05(36m) to read as follows:
31

32 (36m) “Shoreland Alteration” means any land disturbing activity in the shoreland that is
33 done on the landward side of the ordinary high water mark of a navigable body of
34 water such as filling, grading, lagooning, dredging, ditching, excavating, or similar
35 activity.
36

37 Manitowoc County Code § 9.05 (Definitions) is amended to read as follows:
38

39 (41) “Substandard Lots” means a legally created lot or parcel that met minimum area
40 and minimum average width requirements when created, but does not meet current
41 lot size requirements for a new lot.
42

43 Manitowoc County Code § 9.24 (Substandard Lots) is amended to read as follows:
44

45 9.24 Substandard Lots.
46

47 (1) A substandard lot~~legally created lot or parcel that met minimum area and~~
48 ~~minimum average width requirements when created, but does not meet~~
49 ~~current lot size requirements,~~ may be used as a building site if all of the
50 following apply:
51

52 (a) The substandard lot or parcel was never reconfigured or combined
53 with another lot or parcel by plat, survey, or consolidation by the
54 owner into one property tax parcel.
55

56 (b) The substandard lot or parcel has never been developed with one or
57 more of its structures placed partly upon an adjacent lot or parcel.
58

59 (c) The substandard lot or parcel is developed to comply with all other
60 ordinance requirements.
61

62 (2) ~~Other substandard lots.—~~Except for lots that meet the requirements set forth
63 ~~in of~~ § 9.24(1) of this Shoreland Zoning Ordinance, a zoning permit
64 to build a new structure for the improvement of a lot having lesser
65 ~~dimensions than those stated in Section 9.22 or 9.23 of this Shoreland~~
66 ~~Zoning Ordinance~~ shall be issued only if a variance is granted by the Board
67 of Adjustment.
68

69 Manitowoc County Code Chapter 9 Part IX (Filling, Grading, Lagooning, Dredging, Ditching and
70 Excavating) is amended to read as follows:
71

72 PART IX. SHORELAND ALTERATIONS~~FILLING, GRADING, LAGOONING,~~
73 ~~DREDGING, DITCHING AND EXCAVATING.~~
74

75 Manitowoc County Code § 9.34 (Purpose) is amended to read as follows:
76

77 9.34 Purpose.
78

79 To minimize erosion, sedimentation and impairment of fish and wildlife habitat and
80 natural scenic beauty shoreland alterations~~filling, grading, lagooning, dredging,~~
81 ~~ditching, and excavating~~ may be permitted only in accordance with the provisions

82 of Wis. Admin. Code § NR 115.04, the requirements of Wis. Stat. ch. 30 and other
83 state and federal laws where applicable.

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85 Manitowoc County Code § 9.35 (General Standards) is amended to read as follows:

86
87 9.35 General Standards.

88
89 Any shoreland alteration~~Filling, grading, lagooning, dredging, ditching, and~~
90 ~~excavating~~ that does not require a conditional use permit under ~~Section 9.36~~ of this
91 Shoreland Zoning Ordinance may be permitted in the shoreland area provided:

- 92
93 (1) Any filling, grading, lagooning, dredging, ditching, or excavating is done in
94 a manner designed to minimize erosion, sedimentation, and impairment of
95 fish and wildlife habitat.
96
97 (2) Any shoreland alteration~~filling, grading, lagooning, dredging, ditching, or~~
98 ~~excavating~~ in a Shoreland-Wetland district meets the requirements of
99 Sections 9.15(2) and (3) of this Shoreland Zoning Ordinance.
100
101 (3) All applicable federal, state and local permits are obtained in addition to a
102 zoning permit under this Shoreland Zoning Ordinance.
103
104 (4) Any fill placed in the shoreland area is protected against erosion by the use
105 of riprap, jute netting, plastic cover, filter fabric fencing, vegetative cover,
106 or bulkhead.

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108 Manitowoc County Code § 9.36 (Permit Required) is amended to read as follows:

109
110 9.36 Filling and Grading~~Permit Required~~.

- 111
112 (1) Permit Required~~Filling and Grading~~. A zoning~~conditional~~ use permit is
113 required for any filling or grading of any area that is within 300 feet
114 landward of the ordinary high water mark of navigable water body and has
115 surface drainage toward the water and where there is either:
116
117 (a~~1~~) Filling or grading on slopes of 20 percent or more;
118
119 (b~~2~~) Filling or grading of more than 1,000 square feet on slopes greater
120 than 12 percent and less than 20 percent; or:-
121
122 (c~~3~~) Filling or grading of more than 2,000 square feet on slopes of 12
123 percent or less.
124
125 (2) Permit Conditions. In addition to meeting all other requirements specified
126 in this Shoreland Zoning Ordinance, the following conditions shall be met
127 as part of any zoning permit issued under this § 9.36.

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- (a) The smallest amount of bare ground shall be exposed for as short a time as feasible.
- (b) Temporary ground cover (such as mulch or jute netting) shall be used and permanent vegetation cover shall be established.
- (c) Diversion berms or bales, silting basin, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.
- (d) Lagoons shall be constructed to avoid fish trap conditions.
- (e) Fill shall be stabilized according to accepted engineering standards.
- (f) Filling shall comply with any local floodplain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.
- (g) Channels or artificial watercourses shall be constructed with side slopes of two (2) units horizontal distance to one (1) unit vertical distance or flatter which shall be promptly vegetated, unless bulkheads or riprap are provided.

Manitowoc County Code § 9.38 (Ponds and Wetland Scrapes Less Than Two (2) Acres in Area) is amended to read as follows:

9.38 Ponds and Wetland Scrapes Less Than Two (2) Acres in Area.

A zoning permit is required for the construction and maintenance of ponds and wetland scrapes less than two (2) acres in area that are located within the Shoreland-Wetland Zoning District. Such a zoning permit may be issued provided that:

...

- (6) The pond ~~or~~ wetland scrape shall be for the purpose of improving wildlife or fish habitat or for recreational opportunities and may not be associated with a commercial use.

Manitowoc County Code § 9.40 (Permit Stipulations) is deleted in its entirety as follows:

~~9.40 — Permit Stipulations.~~

~~In granting a conditional use permit under Section 9.36 of this Shoreland Zoning Ordinance, the following stipulations shall be met, in addition to all other provisions specified in this Shoreland Zoning Ordinance.~~

- 174 (1) ~~The smallest amount of bare ground shall be exposed for the as short a time~~
175 ~~as feasible.~~
176
177 (2) ~~Temporary ground cover (such as mulch or jute netting) shall be used and~~
178 ~~permanent vegetation cover shall be established.~~
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180 (3) ~~Diversion berms or bales, silting basin, terraces, filter fabric fencing, and~~
181 ~~other methods shall be used to prevent erosion.~~
182
183 (4) ~~Lagoons shall be constructed to avoid fish trap conditions.~~
184
185 (5) ~~Fill shall be stabilized according to accepted engineering standards.~~
186
187 (6) ~~Filling shall comply with any local floodplain zoning ordinance and shall~~
188 ~~not restrict a floodway or destroy the flood storage capacity of a floodplain.~~
189
190 (7) ~~Channels or artificial watercourses shall be constructed with side slopes of~~
191 ~~two (2) units horizontal distance to one (1) unit vertical distance or flatter~~
192 ~~which shall be promptly vegetated, unless bulkheads or riprap are provided.~~
193

194 Manitowoc County Code § 9.41 (Soil Conservation Practices) is amended to read as follows:
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196 9.41 Soil Conservation Practices.

- 197
198 (1) Soil conservation practices such as tiled terraces, runoff diversions, and
199 grassed waterways used for erosion control shall not require a ~~conditional~~
200 ~~use permit under Section 9.36 of this Shoreland Zoning Ordinance when~~
201 designed and constructed to Natural Resource Soil Conservation Service
202 technical standards.
203
204 (2) The maintenance of existing agricultural drainage systems shall not require
205 a permit under this Shoreland Zoning Ordinance when designed and
206 constructed according to Natural Resource Conservation Service technical
207 standards.
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209 and

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211 BE IT FURTHER ORDAINED that the table of contents for the Manitowoc County
212 Shoreland Zoning Ordinance shall be updated to be consistent with any amendments adopted under
213 this ordinance; and

214
215 BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

Dated this 21st day of May 2019.

Respectfully submitted by the
Planning and Park Commission

David Dyzak, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

COUNTERSIGNED: _____
Jim Brey, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**ORDINANCE AMENDING MANITOWOC COUNTY CODE CH. 10
(Setback Ordinance)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted various ordinances that regulate the use and
2 development of land and buildings within the County, including Chapters 8 (General Zoning and
3 Land Use Regulation), 9 (Shoreland Zoning), and 10 (Setback Ordinance); and
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5 WHEREAS, amendments must be made to the Setback Ordinance from time-to-time to
6 keep the policies current, reflect current practice, and address new issues and circumstances; and
7

8 WHEREAS, the state has recently passed legislation that limits how a county may regulate,
9 *inter alia*, nonconforming structures and nonconforming parcels of property; and
10

11 WHEREAS, in light of the new legislation, Manitowoc County reviewed its ordinances
12 that regulate the use and development of land and buildings in the County and determined that
13 updates to the Setback Ordinance are warranted; and
14

15 WHEREAS, the Planning and Park Commission, after providing the required notice, held
16 a public hearing on the proposed amendments to the Setback Ordinance on April 22, 2019; and
17

18 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
19 and an examination of the facts, recommends approval of the following amendments to the Setback
20 Ordinance;
21

22 NOW, THEREFORE, the County Board of Supervisors of the County of Manitowoc does
23 ordain as follows:
24

25 Manitowoc County Code § 10.04 (Definitions) is amended to include the following definition to
26 read as follows:
27

28 “Nonconforming structure” means a dwelling or other building that existed lawfully before
29 the current Setback Ordinance was enacted or amended but no longer conforms with any
30 setback required by this Setback Ordinance.
31

32 Manitowoc County Code § 10.07 is amended to read as follows:
33

34 10.07 ~~Pre-existing Structures~~ Maintenance, Repair, Replacement, or Remodeling of
35 Nonconforming Structures.
36

37 ~~No structure or any portion of a structure that exists on the effective date of this~~
38 ~~ordinance and that is located within a minimum setback distance established by this~~

39 ~~ordinance may be modified in any way that increases or prolongs its useful life~~A
40 ~~nonconforming structure may be maintained, repaired, replaced, restored, rebuilt,~~
41 ~~or remodeled if the activity does not expand the footprint of the nonconforming~~
42 ~~structure.~~

43
44 Manitowoc County Code § 10.08 is deleted in its entirety as follows:

45
46 ~~10.08 Damaged Structures:~~

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48 ~~No structure or any portion of a structure that has been damaged by fire, storm, or~~
49 ~~other catastrophe to the extent of 60 percent or more of its last assessed valuation~~
50 ~~as determined by the local assessor may be repaired, rebuilt, or replaced.~~
51 ~~However, a sign that has been knocked down may be re-erected provided that it~~
52 ~~complies with the provisions of this ordinance.~~

53
54 and

55
56 BE IT FURTHER ORDAINED that the table of contents for the Manitowoc County
57 Setback Ordinance shall be updated to be consistent with any amendments adopted under this
58 ordinance; and

59
60 and

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62 BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

Dated this 21st day of May 2019.

Respectfully submitted by the
Planning and Park Commission

David Dyzak, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

COUNTERSIGNED: _____
Jim Brey, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**RESOLUTION AUTHORIZING THE USE OF \$21,633 FROM THE
UNRES/DESIG-UTILITY CONSERVATION ACCOUNT TO COMPLETE
BLACKTOPPING OF THE CEDAR LAKE PARKING LOT**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Board of Supervisors adopted an operating budget for
2 2019; and
3

4 WHEREAS, the budget included a number of projects for the Park Department, one of
5 which was blacktopping the parking lots at Cedar Lake; and
6

7 WHEREAS, bids have been received for the Cedar Lake parking lot blacktopping work to
8 be completed; and
9

10 WHEREAS, when the bid includes alternative #1 (blacktopping the parking lot that is
11 adjacent to the main lot) to the project, the budget falls \$21,633 short; and
12

13 WHEREAS, performing the additional blacktopping at this time would save Manitowoc
14 County future mobilization and construction costs; and
15

16 WHEREAS, finishing the additional portion of the parking lot would provide additional
17 surface parking and complete the currently scheduled projects that were planned for Cedar Lake;
18 and
19

20 WHEREAS, Manitowoc County has adequate funds remaining in its' Unres/Desig-Utility
21 Conserv. Reserve account to complete the Cedar Lake blacktopping project in its entirety;
22

23 NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of
24 Manitowoc hereby authorizes the transfer of \$21,633 from its Unres/Desig Utility Conserv.
25 Reserve account no. 100.34256 to the Paving-Piers-Land Improv. account no.
26 52000.58279 – 12120 W for the purpose of competing the parking lot blacktopping project at
27 Cedar Lake; and
28

29 BE IT FURTHER RESOLVED; that the Comptroller is hereby directed to record such
30 information in official books of Manitowoc County for the year ending December 31, 2019 as may
31 be required.

Dated this 21st day of May 2019.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

Planning and Park Commission

David Dyzak, Chair

FISCAL IMPACT: No Tax levy impact. Increases authorized expenses (account no. 52000.58279 - 12120 W) for the Park Department by \$21,633 in the 2019 Budget and reduces the amount in the Unres/Desig-Utility Reserve (account no. 100.34256) account by an equal amount, \$21,633.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: This resolution amends the budget and requires a two-thirds vote of the entire county board. Reviewed and approved as to form by Corporation Counsel. _____

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**RESOLUTION AUTHORIZING ADDITION OF 1.0 FULL-TIME
EQUIVALENT HUMAN SERVICES EMPLOYEE**
(Child Protective Services Ongoing Social Worker)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, an increase in the number of cases referred to Child Protective Services
2 necessitates an increase in staffing; and
3

4 WHEREAS, the Human Services Department has secured funding that will fully fund this
5 additional full-time equivalent Social Worker position; and
6

7 WHEREAS, after careful consideration and review, the Human Services Board and
8 Personnel Committee support the creation of an additional 1.0 full-time equivalent Child
9 Protective Services Ongoing Social Worker;
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11 NOW, THEREFORE, BE IT RESOLVED that the number of authorized full-time Human
12 Services Department positions is increased by 1.0 full-time equivalent positions; and
13

14 BE IT FURTHER RESOLVED that the 2019 Full-Time Equivalent Report (FTE) by
15 Department included in the 2019 Adopted Annual Budget Book is amended accordingly and that
16 the Comptroller/Auditor is directed to record such information in the official books of the County
17 for the year ending December 31, 2019 as may be required.

Dated this 21st day of May 2019.

Respectfully submitted by the
Personnel Committee

Susie Maresh, Chair

Human Services Board

Rick Henrickson, Chair

FISCAL IMPACT: The estimated annual cost of the additional 1.0 FTE Child Protective Services Ongoing Social Worker position is \$78,205. However, the beginning date for this position is estimated as July 1, 2019, or one-half of the year, thus the estimated first year cost of the position is \$39,103. Therefore, the Human Services budget will be amended as follows: increase

expenses in account number 45062.51100 (Human Services Salaries) by \$39,103, and increase revenues in an offsetting amount in account number 45062.43560.25 (Prior Year State Aid Revenue) by \$39,103.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: This resolution amends the budget and requires a two-thirds vote of the entire county board. Reviewed and approved as to form by Corporation Counsel. _____

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**RESOLUTION APPROVING TOWN OF FRANKLIN ZONING
ORDINANCE TEXT AND MAP AMENDMENTS**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Franklin has adopted a zoning ordinance (known as the Town of
2 Franklin Unified Development Ordinance) pursuant to the authority granted to towns under Wis.
3 Stat. § 60.62; and
4

5 WHEREAS, Manitowoc County has adopted a zoning ordinance pursuant to the authority
6 granted to counties under Wis. Stat. § 59.69; and
7

8 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances, and amendments
9 thereto, are subject to county board approval in counties that have adopted a zoning ordinance
10 under Wis. Stat. § 59.69; and
11

12 WHEREAS, the Town of Franklin amended its Unified Development Ordinance on April
13 9, 2019 by making certain text amendments to the ordinance, which include:
14

- 15 • Amending Section 6.3 (Accessory Uses and Structures) to create size standards for
16 accessory buildings and adjust front, side and rear lot set back standards;
- 17 • Creating Section 6.8 (Manmade Ponds) to define the purpose, process, set back,
18 slope standards, maintenance, and permit requirements;
- 19 • Amending Section 10 (Conditional Use Permits) to create new language to address
20 2017 WI Act 67 including the need for substantial evidence and approval
21 requirements; and
- 22 • Amending Section 13-154 (Blocks) to extend public road frontage requirements to
23 minor land divisions and creating frontage requirements for angled curves;
24

25 and
26

27 WHEREAS, the Town of Franklin amended its official zoning map on April 9, 2019 by
28 rezoning the property owned by the Town of Franklin and located at 14134 Taus Road from
29 Exclusive Agriculture (EAG) District to Commercial-Industrial (C-1) District; and
30

31 WHEREAS, the Town of Franklin has submitted its text and map amendments to the
32 Manitowoc County Board of Supervisors for approval, and a copy of the amended zoning
33 ordinance has been provided to each member of the Manitowoc County Board of Supervisors for
34 review;
35

36 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the
37 County of Manitowoc approves the text amendments to the Town of Franklin Unified

38 Development Ordinance that were adopted by the Town Board of the Town of Franklin on April
39 9, 2019; and

40
41 BE IT FURTHER RESOLVED that the County Board of Supervisor of the County of
42 Manitowoc approves the Town of Franklin’s map amendment, which rezones that certain property
43 located at 14134 Taus Road from Exclusive Agriculture (EAG) District to Commercial-Industrial
44 (C-1) District and was adopted by the Town Board of the Town of Franklin on April 9, 2019.

Dated this 21st day of May 2019.

Respectfully submitted by the

Bob Cavanaugh, Supervisor, District 16

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

APPROVED: _____
Bob Ziegelbauer, County Executive Date

RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE
(Town Planning Commission)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Newton adopted a zoning ordinance pursuant to the authority
2 granted to towns under Wis. Stat. § 60.62; and
3

4 WHEREAS, Manitowoc County has adopted a zoning ordinance under Wis. Stat. § 59.69;
5 and
6

7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances, and amendments
8 thereto, are subject to county board approval in counties that have adopted a zoning ordinance
9 under Wis. Stat. § 59.69; and
10

11 WHEREAS, the Town of Newton amended its zoning ordinance on April 9, 2019 by
12 rezoning the property located at 2743 County Highway CR from R-2 (Residential) District to B-1
13 (Business) District and rezoning the property located at 2716 County Highway CR from R-2
14 (Residential) District to B-1 (Business) District in accordance with Wis. Stat. § 60.62; and
15

16 WHEREAS, the Town of Newton has submitted its amended zoning ordinance to the
17 county board for approval, and a copy of the amended zoning ordinance has been provided to each
18 member of the county board for review;
19

20 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
21 Supervisors approves the Town of Newton’s amended zoning ordinance that rezones that certain
22 property located at 2743 County Highway CR from R-2 (Residential) District to B-1 (Business)
23 District and rezones that certain property located at 2716 County Highway CR from R-2
24 (Residential) District to B-1 (Business) District and was adopted by the Town Board of the Town
25 of Newton on April 9, 2019.

Dated this 21st day of May 2019.

Respectfully submitted by

Randy Vogel, Supervisor, District 11

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

APPROVED: _____ Date _____
Bob Ziegelbauer, County Executive

**RESOLUTION APPROVING TOWN OF NEWTON ZONING ORDINANCE
(Roger Bauer)**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Town of Newton adopted a zoning ordinance pursuant to the authority
2 granted to towns under Wis. Stat. § 60.62; and

3
4 WHEREAS, Manitowoc County has adopted a zoning ordinance under Wis. Stat. § 59.69;
5 and

6
7 WHEREAS, Wis. Stat. § 60.62(3) provides that town zoning ordinances, and amendments
8 thereto, are subject to county board approval in counties that have adopted a zoning ordinance
9 under Wis. Stat. § 59.69; and

10
11 WHEREAS, the Town of Newton amended its zoning ordinance on April 9, 2019 by
12 rezoning property owned by Roger Bauer from A-3 (Farmland Preservation) District to A-1
13 (Agriculture/Rural Residential) District in accordance with Wis. Stat. § 60.62; and

14
15 WHEREAS, the Town of Newton has submitted its amended zoning ordinance to the
16 county board for approval, and a copy of the amended zoning ordinance has been provided to each
17 member of the county board for review;

18
19 NOW, THEREFORE, BE IT RESOLVED that the Manitowoc County Board of
20 Supervisors approves the Town of Newton’s amended zoning ordinance that rezones that certain
21 property owned by Roger Bauer from A-3 (Farmland Preservation) District to A-1
22 (Agriculture/Rural Residential) District and was adopted by the Town Board of the Town of
23 Newton on April 9, 2019.

Dated this 21st day of May 2019.

Respectfully submitted by

Kevin Behnke, Supervisor, District 12

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

APPROVED: _____
Bob Ziegelbauer, County Executive Date

**RESOLUTION ADOPTING REPORT DENYING PETITION FOR
ORDINANCE AMENDMENT**

(Chapter 25 - Small Wind Energy System Ordinance)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Manitowoc County Planning and Park Commission submitted a petition
2 on April 5, 2019 seeking to amend the text of Chapter 25 of the Manitowoc County Code (Small
3 Wind Energy System Ordinance); and

4
5 WHEREAS, the petition was referred to the Planning and Park Commission for a
6 recommendation and report; and

7
8 WHEREAS, the Planning and Park Commission, after providing the required notice, held
9 a public hearing on the petition on April 22, 2019; and

10
11 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
12 and an examination of the facts, recommends that the petition be denied for the reasons stated in
13 the attached report;

14
15 NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors of the
16 county of Manitowoc adopts the report of the Planning and Park Commission and denies the
17 proposed text amendments to Chapter 25 of the Manitowoc County Code (Small Wind Energy
18 System Ordinance).

Dated this 21st day of May 2019.

Respectfully submitted by the
Planning and Park Commission

David Dyzak, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Comptroller. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

APPROVED: _____
Bob Ziegelbauer, County Executive Date

