

COMMON COUNCIL AGENDA

Monday, July 2, 2012
7:00 o'clock P.M.

The Common Council of the City of Manitowoc will meet on the above date and time in the Common Council Chambers of the City Hall, at which time the items on this agenda will be introduced, considered, and/or acted upon. In addition to this Agenda, it is possible that action will be taken on any matters at this meeting or previously referred to the Common Council or on any such other matters as are authorized by law.

The Pledge of Allegiance.

PUBLIC HEARINGS: None.

CLOSED SESSION: Notice is hereby given that the above governmental body will adjourn to the First Floor Hearing Room - East for a closed session during the recess of the meeting as authorized by Section 19.85(1)(c) of Wisconsin Statutes, which authorizes the governmental body to convene in closed session for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. The specific subject matter which will be considered in the closed session is the following: Discussion and possible action regarding the retirement of City Attorney and Council plans regarding possible interim replacement, as well as permanent details of the position.

REPORTS OF OFFICERS:

Attorney Greg Gunta debriefing on Summary Judgment on the matter of Swetlik vs. City of Manitowoc et al.

Presentation by Jamie Zastrow, Executive Director, Mainly Manitowoc .

During the recess of the Common Council the Mayor will discuss all matters concerning the operation of the City of Manitowoc. Prior to going into recess, the Mayor publicly announces that during the recess the standing committees of the Common Council, as well as the Committee of the Whole, will meet in the Council Chambers to discuss and act upon some of the matters which have been discussed or referred at this Common Council meeting.

Appointments to fill vacancies and/or reappointments to various Boards, Committees and Commissions.

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.

City Clerk announced that the various documents have been placed on file or referred to appropriate committees. Same are as follows:

PLACED ON FILE

Minutes (12-416) of Wastewater Treatment Facility Board of 5/8/12.

COMMITTEE OF THE WHOLE

Communication (12-406) from City Attorney Juliana Ruenzel advising of her retirement effective July 22, 2012.

General City Claims (12-415) in the amount of \$544,659.77 enumerated on list thereof.

FINANCE

Communication (12-391) from Manitowoc Two Rivers Visitor & Convention Bureau relative to the investment of additional revenues derived from increase of the city lodging tax.

Report (12-398) of City Planner David Less relative to 2012 Tax Incremental Financing District activities, amendments to various project plans and designation of certain districts as "distressed".

Summons and Complaint (12-401) BMO Harris Bank vs. Christine C. Spencer and City, Case No. 12 CV 0395.

Summons and Complaint (12-402) EMC Mortgage vs. Estate of James G. Mott and City, Case No. 12 CV 0407.

Report (12-410) of City Planner David Less advising of \$500,000 disbursement to PBJC Fest Too, LLC pursuant to TIF revenue note related to developer funded TIF at Dewey and CTH "CR".

Report (12-411) of City Planner David Less relative to acquisition by Silverleaf Acquisition Holdings of former Osuld Torrison River Front Condos and City Planner's recommendations relative to same.

Communication (12-413) from County Treasurer Cheryl Duchow enclosing public notice of tax foreclosure In Rem 2012 for properties located in the City of Manitowoc.

PARKS AND RECREATION

Request (12-395) for waiver of fees for bandshell, picnic tables, etc. for the Showtime event to be held in the City Hall parking lot on August 8 & 9, 2012.

Vendor Agreement (12-403) with Tim F. Becker d/b/a HP Enterprises for July 4th picnic.

Request (12-405) from The Crossing to allow them to remain in Washington Park until 12:00 p.m. for their special event on August 10 & 11, 2012.

Vendor Agreement (12-408) with Marine Band Alliance in Washington Park.

Special Events Request (12-388) from Acoustic Fest to hold event in Washington Park on July 21, 2012, including use of barricades, street closures, electrical service and serving alcohol in the park. (Copies to Streets & Sanitation and Public Utilities & Licensing Committees.)

Mariner's Trail Permit (12-414) from Painting Pathways Clubhouse for 5k run/walk on October 13, 2012.

PUBLIC PROPERTY AND SAFETY

Communication (12-399) from Manitowoc City Center Association expressing their concerns regarding pedestrian safety in our cross walks.

Special Events Request (12-404) from Saucy's Sports Bar to include outdoor PA System from 8:00 p.m. to 12:00 p.m. on July 14, 2012, for their Now That's What I Call Wrestling event.

Special Events Request (12-389) from Brian Lodel and Tyler Kiel requesting permission to hold annual MDA Fill the Boot Drive to benefit Muscular Dystrophy on August 9, 10 & 11, 2012.

Ambulance Service Agreement (12-412) with Manitowoc County Expo for the period August 22 - 26, 2012.

PUBLIC UTILITIES AND LICENSING

Request (12-409) from Wisconsin Maritime Museum to waive the City's fencing requirement and be allowed to dispense beer using their temporary B permit at River Rendezvous on June 30 and July 1, 2012.

Reconsideration of 2 Year Operator's license #172 of Jerry Labinski.

LICENSE APPLICATIONS REFERRED

ONE YEAR OPERATOR'S LICENSE - 2012 -13

| | | |
|----|----------------------|---------------------------------------|
| 13 | Jeanette L. Deschene | 1609 Division St. #A |
| 14 | Jennifer L. Krogh | 3727 G. Parkway Blvd., Two Rivers, WI |
| 15 | Susan E. Crownover | 10429 Cty Rd. LS, Newton, WI |
| 16 | Cathlyn A. Marquardt | 1010 Columbus St. |
| 17 | Kate E. Culligan | 1509 Ahrens St. |
| 18 | Christa J. Szalewski | 1711 Cedar Grove Dr. #3A |
| 19 | Zachary D. Kumbalek | 2510 Washington St. |
| 20 | Amanda D. Whorley | 2000 Johnston Dr. #17 |
| 21 | Susan M. Sittman | 1433 N. 6 th St., #122 |

22 Donna E. Gebhart 1800 Horseshoe Dr.

TWO YEAR OPERATOR'S LICENSE - 2012-14

| | | |
|-----|-----------------------|---|
| 181 | Ashley Leonard | 211 E. Reed Ave. |
| 182 | Preston J. Preston | 1204 Ahrens St. |
| 183 | Thomas A. Traurig | 1015 Madison St. |
| 184 | Tanya M. Carlson | 1451 N. 8 th St. |
| 185 | Kelly S. Lenz | 1506 S. 25 th St. |
| 186 | Mary Ann L. Traurig | 1620 Fern Dr. |
| 187 | Bryce J. Haws | 1520 Crystal Spring Rd. |
| 188 | Heiden P. Hippert | 1175 County Hwy. H Rd. |
| 189 | Jamie R. Fruin | 3215 Parkway Blvd., Two Rivers, WI |
| 190 | Barbara E. Bundy Jost | 5519 Point Creek Rd., Cleveland, WI |
| 191 | Anne M. Schneider | 2504 Sheridan Pl. |
| 192 | Carrie M. Farr | 716 S. 15 th St. |
| 193 | Kimberly L. Kirt | 6627 Thunder Rd. |
| 194 | Dana M. Sieracki | 1814A Rankin St. |
| 195 | Cassandra J. Duckart | 8110 Hidden Valley Rd., Maribel, WI |
| 196 | Ruby R. McRae | 1900 Adams St., Two Rivers, WI |
| 197 | Brenda A. Fischer | 1403 Hamann Rd. |
| 198 | Danielle M. Tegelman | 1130 N. 8 th St. |
| 199 | Ashley M. Lambert | 1138 S. 23 rd St. |
| 200 | Virginia Frey | 1031 N. 17 th St. |
| 201 | Amber L. Lambert | 2417 Dewey St. #21 |
| 202 | Amanda Duellman | 723 N. 7 th St. |
| 203 | Robert Zigmunt | 1112 N. Union Rd. |
| 204 | Roger W. Nickels | 1417 Hamann Rd. |
| 205 | Lisa M. Hansen | 2005 Madison St. |
| 206 | Adam Holschbach | 934 N. 11 th St. |
| 207 | Lynn M. Lindemann | 1614 Reed Ave. |
| 208 | Kirsty L. Hamilton | 4701 Harley Rd. |
| 209 | Irene C. King | 1210 26 th St., Two Rivers, WI |
| 210 | Mary Shulander | 408 Cleveland Ave. |
| 211 | Samantha M. Gretz | 1620 New York Ave. |
| 212 | Alan J. Krueger | 107 N. Rapids Rd. |
| 213 | Brenda M. Meverden | 1615 Wisconsin Ave. |
| 214 | Doinna M. Sprang | 1135 S. 25 th St. |
| 215 | Heather R. Peterik | 1716 Cedar Grove Dr. #2C |
| 216 | Douglas L. Riesterer | 4334 Country Ln. |
| 217 | Wendy A. Meyer | 826 Dueno Ct. |
| 218 | Lori A. Garcia | 926 N. 8 th St. |
| 219 | Carolyn M. Zinn | 401 S. Slate St., Mishicot, WI |
| 220 | Sharon K. Fencil | 2228 S. 13 th St. |
| 221 | Kim M. Sprang | 3506 Brodtke Rd., Reedsville, WI |
| 222 | Jennifer M. Czekala | 3605 Schroeder Dr. |
| 223 | Jayne L. Downing | 1845 Herman Rd. |
| 224 | Steven J. Lorenz | 720 Cleveland Ave. |
| 225 | Kristina A. Kubichek | 950 N. 10 th St. |
| 226 | Melissa M. Mecca | 1520 Lone Oak Lane |
| 227 | Kathleen Schaaf | 4716 Calumet Avenue |

STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITY DERBY

| | | |
|---|-----------------------|--------------------------------|
| 3 | Manitowoc County Expo | 4921 Expo Dr.; Grandstand Area |
| 4 | Manitowoc County Expo | 4921 Expo Dr.; Grandstand Area |
| 5 | Manitowoc County Expo | 4921 Expo Dr.; Grandstand Area |
| 6 | Manitowoc County Expo | 4921 Expo Dr.; Grandstand Area |

STREETS AND SANITATION

Public Works Petition (12-390) from Popp enterprises, LLC, Randall Popp Investments, LLC and WRP Properties, LLC for permanent paving, sidewalks, storm and sanitary sewers and other public utilities to be installed on property abutting on S. 21st St., Flambeau St. and Summit St., as described therein, and shown on the attached map.

Progress invoice (12-392) from Wisconsin Dept. of Transportation in the amount of \$12,271.55 for Waldo Blvd., CTH R - 8th St., Project No. 1500-37-00.

Progress invoice (12-393) from Wisconsin Dept. of Transportation in the amount of \$9,846.62 for Waldo Blvd., 8th St. - Maritime Dr., Project No. 4570-12-00.

Report (12-420) of Board of Public Works of June 27, 2012, regarding bids received for 2012 Sanitary Sewer Construction, Project WU-12-8.

Report (12-421) of Board of Public Works of June 27, 2012, regarding bids received for 2012 Asphaltic Concrete Paving, Project WS-12-4.

Special Events Request (12-394) for 4th Annual Ron Rubick Run to be held on August 4, 2012, with route as outlined on map, and for the use of barricades and partial street closure.

Professional Services Agreement (12-400) between City and MSA Professional Services, Inc. for Dewey Street Stormwater Management Pond project.

Report (12-419) of Deputy City Planner relative to Release of Easement, Popp Subdivision No. 3.

Report (12-418) of Deputy City Planner relative to Partial Release of Sign Easement, Hennessey Development LLC d/b/a Baleigh Industrial.

Communication (12-417) from Luisier Plumbing relative to sewer repair at 1403 Nagle Avenue.

Compliance Maintenance Annual Report (12-424) of Wastewater Treatment Facility.

PERSONNEL

Communication (12-407) from Chief of Police Tony Dick to review and vote on the wages and job description for a civilian Evidence Room Clerk position at the Manitowoc Police Department.

Communication (12-422) from Building Inspector Rick Schwartz for permission to use volunteer.

RESOLUTIONS

Resolution (12-) authorizing to advertise and fill the soon to be vacant City Attorney position at a salary range listed therein, with attached updated job description, was referred to Committee of the Whole.

Resolution (12-397) to approve hiring a full-time Transit Clerk II at the rate specified in the Transit Teamsters Collective Bargaining Agreement, was referred to Personnel Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (12-396) to amend Section 13.050 of the Manitowoc Municipal Code entitled "Removal of Noxious Weeds", was referred to Streets and Sanitation Committee.

LICENSE APPLICATIONS TO BE GRANTED

(Subject to approvals and payment of license fees)
(Payment in full due no later than June 15 to be open for July 1
and no later than June 30 to retain license)

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2012-13

| | | |
|----|---|-------------------|
| 62 | Breanna Mueller | 3535 Calumet Ave. |
| 63 | Popp's Riverwalk Citgo, Inc. Randall Popp, Agent | 50 Maritime Dr. |

ONE YEAR OPERATOR'S LICENSE - 2012-13

| | | |
|----|----------------------|---------------------------------------|
| 13 | Jeanette L. Deschene | 1609 Division St. #A |
| 14 | Jennifer L. Krogh | 3727 G. Parkway Blvd., Two Rivers, WI |
| 15 | Susan E. Crownover | 10429 Cty Rd. LS, Newton, WI |
| 16 | Cathlyn A. Marquardt | 1010 Columbus St. |
| 17 | Kate E. Culligan | 1509 Ahrens St. |
| 20 | Amanda D. Whorley | 2000 Johnston Dr. #17 |

TWO YEAR OPERATOR'S LICENSE - 2012-14

| | | |
|-----|-----------------------|---|
| 172 | Jerry Labinski | 1013 S. 21 st St. |
| 181 | Ashley Leonard | 211 E. Reed Ave. |
| 182 | Preston J. Preston | 1204 Ahrens St. |
| 183 | Thomas A. Traurig | 1015 Madison St. |
| 184 | Tanya M. Carlson | 1451 N. 8 th St. |
| 185 | Kelly S. Lenz | 1506 S. 25 th St. |
| 186 | Mary Ann L. Traurig | 1620 Fern Dr. |
| 187 | Bryce J. Haws | 1520 Crystal Spring Rd. |
| 188 | Heiden P. Hippert | 1175 County Hwy. H Rd. |
| 189 | Jamie R. Fruin | 3215 Parkway Blvd., Two Rivers, WI |
| 190 | Barbara E. Bundy Jost | 5519 Point Creek Rd., Cleveland, WI |
| 191 | Anne M. Schneider | 2504 Sheridan Pl. |
| 192 | Carrie M. Farr | 716 S. 15 th St. |
| 193 | Kimberly L. Kirt | 6627 Thunder Rd. |
| 194 | Dana M. Sieracki | 1814A Rankin St. |
| 195 | Cassandra J. Duckart | 8110 Hidden Valley Rd., Maribel, WI |
| 196 | Ruby R. McRae | 1900 Adams St., Two Rivers, WI |
| 197 | Brenda A. Fischer | 1403 Hamann Rd. |
| 198 | Danielle M. Tegelman | 1130 N. 8 th St. |
| 199 | Ashley M. Lambert | 1138 S. 23 rd St. |
| 200 | Virginia Frey | 1031 N. 17 th St. |
| 201 | Amber L. Lambert | 2417 Dewey St. #21 |
| 202 | Amanda Duellman | 723 N. 7 th St. |
| 203 | Robert Zigmunt | 1112 N. Union Rd. |
| 204 | Roger W. Nickels | 1417 Hamann Rd. |
| 205 | Lisa M. Hansen | 2005 Madison St. |
| 206 | Adam Holschbach | 934 N. 11 th St. |
| 207 | Lynn M. Lindemann | 1614 Reed Ave. |
| 208 | Kirsty L. Hamilton | 4701 Harley Rd. |
| 209 | Irene C. King | 1210 26 th St., Two Rivers, WI |
| 210 | Mary Shulander | 408 Cleveland Ave. |
| 211 | Samantha M. Gretz | 1620 New York Ave. |
| 212 | Alan J. Krueger | 107 N. Rapids Rd. |
| 213 | Brenda M. Meverden | 1615 Wisconsin Ave. |
| 214 | Doinna M. Sprang | 1135 S. 25 th St. |
| 215 | Heather R. Peterik | 1716 Cedar Grove Dr. #2C |

STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITY DERBY

| | | |
|---|-----------------------|--------------------------------|
| 3 | Manitowoc County Expo | 4921 Expo Dr.; Grandstand Area |
| 4 | Manitowoc County Expo | 4921 Expo Dr.; Grandstand Area |
| 5 | Manitowoc County Expo | 4921 Expo Dr.; Grandstand Area |
| 6 | Manitowoc County Expo | 4921 Expo Dr.; Grandstand Area |

**DOCUMENTS PREVIOUSLY REFERRED AND/OR SUBJECT MATTER
WHICH MAY BE CONSIDERED AT THIS SESSION**

COMMITTEE OF THE WHOLE
Previously Referred

None.

FINANCE
Previously Referred

Notice of Claim (12-217) from EMC Insurance Companies on behalf of Patricia McCarthy of April 10, 2012, Claim File No. 12-1083.

Notice of Claim and Claim (12-261) of April 18, 2012, from Kevin Schroeder, Claim No. 12-1084.

Summons and Complaint (12-303) between Bank of America vs. Hrudka, et al, Case No. 12 CV 0256.

PARKS AND RECREATION
Previously Referred

Ordinance (12-150) to amend Section 21.030(4)(f)(5) of the Manitowoc Municipal Code regulating the use of funds provided by developers in lieu of parkland dedication, was referred to Parks and Recreation Committee.

Request (12-221) from Autism Society to waive fees for use of City equipment for their event to be held on May 19, 2012 at the Lincoln Park Zoo and also to place temporary signage for the event at the two Lincoln Park signs at N. 8th and Waldo.

Communication (12-338) from Mona Moen relative to necessity of porta potty at home plate at Citizen Park.

City Plan Commission, to whom was referred communication (12-220) from Kummer, Lambert, Fox & Glandt, on behalf of Northland Associates relative to moving forward with development of City park located in Silveridge Subdivision, as detailed therein, returned same with report (12-380) outlining the Commission's recommendations.

PUBLIC PROPERTY AND SAFETY
Previously Referred

Communication (10-285) from Manitowoc Yacht Club requesting extension of their occupancy of the real property commonly known as the Manitowoc Yacht Club.

Agreement (12-113) with Manitowoc County Joint Dispatch relative to time system indirect agency access.

Request (12-297) from Dale and Wendy Schroeder, to have signage installed at 30th and Lindbergh and 29th and Coolidge.

Communication (12-277) from C. Kangas, 1623 S. 24th St. relative to traffic safety concerns at S. 24th Street between Grand and Division.

Communication (12-337) from Mona Moen expressing concerns regarding citizens' safety on the corner of N. 21st and Rankin Streets.

Communication (12-353) from Alderperson Brey expressing concerns of Chad Neuser relative to traffic and its possible effect on pedestrians in the vicinity of the YMCA.

Communication (12-367) from Patty Sturtz relative to a safety issue along the Mariner's Trail at the Maritime Drive wayside.

Communication (12-371) from Malcolm Shaw relative to posted two-hour parking limit in the 600 block of Chicago Street.

Special Events Request (12-382) from Extreme Audio for use of City right-of-way for their Hayden's Hope Cook Out event on August 2, 2012.

PUBLIC UTILITIES & LICENSING
Previously Referred

PENDING APPLICATIONS

ONE YEAR OPERATOR'S LICENSE - 2012-13

| | | |
|----|----------------------|-----------------------------------|
| 18 | Christa J. Szalewski | 1711 Cedar Grove Dr. #3A |
| 19 | Zachary D. Kumbalek | 2510 Washington St. |
| 21 | Susan M. Sittman | 1433 N. 6 th St., #122 |
| 22 | Donna E. Gebhart | 1800 Horseshoe Dr. |

TWO YEAR OPERATOR'S LICENSE - 201 2-14

| | | |
|-----|----------------------|----------------------------------|
| 216 | Douglas L. Riesterer | 4334 Country Ln. |
| 217 | Wendy A. Meyer | 826 Dueno Ct. |
| 218 | Lori A. Garcia | 926 N. 8 th St. |
| 219 | Carolyn M. Zinn | 401 S. Slate St., Mishicot, WI |
| 220 | Sharon K. Fencel | 2228 S. 13 th St. |
| 221 | Kim M. Sprang | 3506 Brodtke Rd., Reedsville, WI |
| 222 | Jennifer M. Czekala | 3605 Schroeder Dr. |
| 223 | Jayne L. Downing | 1845 Herman Rd. |
| 224 | Steven J. Lorenz | 720 Cleveland Ave. |
| 225 | Kristina A. Kubichek | 950 N. 10 th St. |

226 Melissa M. Mecca
227 Kathleen Schaaf

1520 Lone Oak Lane
4716 Calumet Avenue

STREETS AND SANITATION
Previously Referred

Request (10-506) from SMI as representatives of the Allie Family Partnership and St. Francis of Assisi Parish for a change to the Official Map removing three streets south of Michigan Ave. and west of N. Rapids Rd.

Utility Easement (10-585) to Manitowoc Public Utilities for the purpose of constructing, maintaining, repairing and replacing electrical utility facilities.

Communication (11-192) from Director of Public Works and City Engineer Valerie Mellon regarding DOT Project on USH 151 (Calumet Avenue) - STH 42 to I-Tec Drive Reconstruction.

Request (11-343) from Wisconsin Aluminum Foundry Co. to privatize sanitary sewer line that currently services the right-of-way that WAF had requested the City to vacate and amend its Official Map.

Lease (11-746) between Lease Finance Group and City of Manitowoc Evergreen Cemetery for credit card equipment.

Communication (10-064) from SMI requesting that Streets and Sanitation Committee take action on various issues relating to storm water pond maintenance costs.

Communication (12-335) from Doneff Companies relative to streetscape improvements and changes to Jay Street between 8th and 9th.

PERSONNEL
Previously Referred