

COMMON COUNCIL AGENDA

Monday, August 20, 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: None.

REPORTS OF OFFICERS:

Presentation of CAFR by Tom Karman of Schenck S. C.

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

Communication (12-511) from Register of Deeds advising that plat of Popp Subdivision No. 3 has been recorded on July 25, 2012.

Minutes (12-512) of Manitowoc Public Utilities Commission of 7/23/12; Transit Commission of 8/1/12; Plan Commission of 7/11/12; Rahr-West Art Museum Board of 7/18/12.

COMMITTEE OF THE WHOLE

Report (12-528) of City Plan Commission relative to possible annexation and donation of property south of Orchard Lane to the City of Manitowoc.

General City Claims (12-515) in the amount of \$4,871,810.51 enumerated on list thereof.

FINANCE

Comprehensive Annual Financial Report (12-505) for the fiscal year ended December 31, 2011.

Report (12-518) of City Plan Commission proposing preparation of applications to U. S. Environmental Protection Agency for brownfields cleanup - Revolving Loan Grant.

PARKS AND RECREATION

Special Events Request (12-499) from Lincoln Park Zoological Society to hold Lights in Lincoln Park on various dates in December, as detailed therein, and also requesting a waiver of fees.

Mariner's Trail Special Use Trail Permit (12-506) from Brandon Erkkila for Alzheimers Walk on September 29, 2012.

Special Events Request (12-508) from Hmong Manitowoc/Two Rivers to hold Pre-New Year festivities at Dewey Street Park on August 25-26, 2012 and use various City equipment and also requesting a waiver of fees.

Lease Agreement (12-530) between City of Manitowoc and Lemberger Enterprises, LLC for roller skating rink at 930 N. 18th Street for the period ending August 31, 2022.

Report (12-524) of City Plan Commission outlining review of lease with Rollaire Skate Center LLC.

PUBLIC PROPERTY AND SAFETY

Communication (12-501) from Peter Lindemann requesting reconsideration of invoice for vehicle accident spill cleanup.

Communication (12-503) from Jon Fessler with safety concerns at the corner of S. 21st Street and Claypit Road.

Ambulance Service Agreement (12-517) with Lincoln High School for the period August 10, 2012 through December 31, 2012.

Report (12-525) of City Plan Commission relative to request from Gustavo and Tammi Gags, 815 Hawthorne Terrace, to purchase City owned parcel of property (tax no. 681-001-010).

Report (12-526) of City Plan Commission relative to proposed ordinance changing Chapters 3, 14, 15 and 21 of the Manitowoc Municipal Code.

PUBLIC UTILITIES AND LICENSING

Communication (12-504) from Zita Gehl requesting refund of \$20.83 for her leased parking stall for the month of July because the sign was not placed.

Communication (12-527) from Lisa Ann Gilbert asking for reconsideration of her application for an operator's license.

LICENSE APPLICATIONS REFERRED

ONE YEAR OPERATOR'S LICENSE - 2012 -13

30 Patrick M. Downey 1409 Gunnell Ln.

TWO YEAR OPERATOR'S LICENSE - 2012-14

267	Sabrina Burnett	635A N. Water St.
268	Brian Seefeldt	1024 S. 20 th St.
269	Troy J. Gauthier	4425 Knuell Ct. Apt. A
270	Heather Sohlden	1009 N. 14 th St.
271	Jonathan Reiser	1018 N. 21 st St.
272	Pang Hang	3311 Lindbergh Dr.

STREETS AND SANITATION

Report (12-497) of the Board of Public Works of August 15, 2012, recommending 1st and final payment to Fahrner Asphalt Sealers LLC in the amount of \$43,880.97 for 2012 Slurry Sealing Program, WS-12-6.

Report (12-498) of the Board of Public Works of August 15, 2012, recommending 2nd and final payment to Visu-Sewer, Inc. in the amount of \$7,750.44 for Re-Lining Sanitary Sewer, WU-12-7.

Progress invoice (12-500) from Wisconsin Dept. of Transportation in the amount of \$ 3,494.90 for North 21st St. Bridge (Viaduct), Project No. 4991-02-71.

Agreement (12-509) for Wastewater Treatment Facilities Operational Needs Review between City of Manitowoc and Strand Associates, Inc.

Request (12-510) from Amvets Post 99 for a conditional use permit for a new one story clubhouse which will be located on County Rd. R and Conroe Street.

Report (12-516) of the Board of Public Works of August 15, 2012, relative to sidewalk

privilege agreement requested by Mr. Otek Sign and Textile on behalf of Manitowoc Ice for placement of signs in City right-of-way.

City Plan Commission, to whom was referred declaration of dedication (12-440) of property for Clay Pit Road purposes, returned same with report (12-523) recommending approval and acceptance.

Report (12-522) of City Plan Commission authorizing issuance of special permit for the construction of a fixed animated sign on the north wall of the building at 602 N. Water Street, as detailed therein.

Report (12-521) of City Plan Commission relative to their annual compliance review for a conditional use permit for a wrecker service business as part of Ruzek's Inc. vehicle repair business at 734 N. 8th Street.

Report (12-520) of City Plan Commission recommending termination of 2006 CUP issued to Larry Van Akkeren d/b/a Larry's Hauling for a recycling operation at 901 S. 17th Street.

PERSONNEL

Incomplete 2006 and 2010 Flexible Spending documents (12-502) with Marshall & Ilsley Trust Company for compliance related to HIPAA, USERRA, WFTRA and BAA.

Resignation (12-513) from employment from Human Resource Director Deb Geiger effective August 24, 2012.

RESOLUTIONS

Resolution (12-507) of the City of Manitowoc in support of a National Marine Sanctuary off-shore in Wisconsin's Mid-Lake Michigan region, was referred to Committee of the Whole.

Resolution (12-514) approving revised position descriptions for Deputy City Planner, Associate Planner and Building Inspector and making the Associate Planner and Building Inspector exempt, non-represented positions, was referred to Personnel Committee.

Resolution (12-519) authorizing the submittal of an application with the U.S. Environmental Protection Agency brownfields cleanup revolving loan fund grant program to capitalize a revolving loan fund to carry out cleanup activities at brownfields in the City of Manitowoc, was referred to Finance Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (12-529) amending Chapters 3, 14, 15 and 21 of the Manitowoc Municipal Code, was referred to Public Property and Safety 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" TEMPORARY BEER LICENSE

45	Ant Hill Mob MC Inc.	4921 Expo Drive (County Fair)
46	Newton Sno-Sports	4921 Expo Drive (County Fair)
47	Cleveland Sno-Hawks	4921 Expo Drive (County Fair)
48	Kiel Optimist Club	4921 Expo Drive (County Fair)
50	Reedsville Knights of Columbus	4921 Expo Drive (County Fair)

ONE YEAR OPERATOR'S LICENSE - 2012-13

29	Todd V. Pagliaro	1425 N. 9 th St. #6
30	Patrick M. Downey	1409 Gunnell Ln.

TWO YEAR OPERATOR'S LICENSE - 2012-14

266	Daniel F. Meverden	1615 Wisconsin Ave.
267	Sabrina Burnett	635A N. Water St.
269	Troy J. Gauthier	4425 Knuell Ct. Apt. A
270	Heather Sohlden	1009 N. 14 th St.
271	Jonathan Reiser	1018 N. 21 st St.
272	Pang Hang	3311 Lindbergh Dr.

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

**COMMITTEE OF THE WHOLE
Previously Referred**

None.

**FINANCE
Previously Referred**

Claim (10-497) for Injuries of August 23, 2010 relative to Tara M. Novak, Fleet Claim No. 10-191.

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

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

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.

Communication (12-441) from Nash, Spindler, Grimstad & McCracken LLP relative to final settlement of Novak v. Cities and Villages Mutual Insurance Co., et al, Case No. 11-CV-366.

Notice of Claim (12-476) of Carolyn Barnett of August 1, 2012, Claim File No. 12-1085.

Notice of Appeal (12-494) in the matter of Swetlik v. Kevin Crawford, et al, Case No. 09-CV-1157.

**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.

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.

Proposal (12-447) for Roller Skating Operation

Memorandum of Understanding (12-492) between City of Manitowoc and Friends of the Park, Inc. relative to funds for the continued maintenance of the community built playground at Upper Henry Schuette Park.

**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.

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

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.

Ordinance (12-439) to amend the Deposit Schedule for the Municipal Code, Section 14.600 Retail Theft.

Ordinance (12-438) to amend Section 14.600(5) of the Municipal Code establishing the maximum dollar value of a retail theft permitted to be prosecuted in Municipal Court.

PUBLIC UTILITIES & LICENSING
Previously Referred

Communication (12-444) from Clint Michael Rusch requesting reconsideration of denial of 2011-13 Two Year Operator's license #384.

PENDING APPLICATIONS

TWO YEAR OPERATOR'S LICENSE - 2012-14

268 Brian Seefeldt 1024 S. 20th St.

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.

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.

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.

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

\ Communication (12-430) from Patrick Young relative to street sweeping parking regulations.

PERSONNEL
Previously Referred

Resolution (12-452) updating the Employee Policy Manual to include Battalion Chiefs working 24 hour shifts.