

COMMON COUNCIL AGENDA

Monday, October 15, 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: 7:10 p.m. - Proposed issuance by the City of its Midwestern Disaster Area Revenue Bonds, Series 2012 (Tramontina Cookware Project) in an aggregate amount not to exceed \$10,000,000, pursuant to Section 66.1103 of the Wisconsin Statutes, to finance a project to be owned by Tramontina U.S. Cookware, Inc., a Delaware corporation having its principal place of business in Manitowoc, Wisconsin.

CLOSED SESSION: None.

REPORTS OF OFFICERS:

Presentation by "The Miracle League of the Lakeshore"

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

Thank You (12-597) from Domestic Violence Center for \$1,500.00 donation.

Minutes (12-596) of Citizens Advisory Committee of 10/2/12; Community Development Authority of 8/15/12; Great Lakes Utilities Board of 9/6-9/7/12; Plan Commission of 9/17/12.

COMMITTEE OF THE WHOLE

City Plan Commission, to whom was referred petition (12-567) for direct annexation from Heresite Protective Coatings, Inc. and GLTF Enterprises, Inc. for direct annexation of approximately 20.05 acres of land from the Town of Newton to the City of Manitowoc, area known as Orchard Lane No. 1 annexation area, returned same with report (12-606) recommending that the Council approve the petition as presented and adopt an annexation ordinance.

General City Claims (12-) in the amount of \$1,406,485.97 enumerated on list thereof.

FINANCE

Funding Agreement (12-) between the Ruth St. John and John Dunham West Foundation, Inc., Rahr West Art Museum Charitable Foundation, Inc. the City of Manitowoc, and the Rahr-West Art Museum

PARKS AND RECREATION

PUBLIC PROPERTY AND SAFETY

Communication (12-591) from Time Out Sports Bar & Grill to extend the noise ordinance on

November 21, 2012, for live music indoors.

Communication (12-592) from Time Out Sports Bar & Grill to extend the noise ordinance on October 27, 2012, for live music indoors.

PUBLIC UTILITIES AND LICENSING

LICENSE APPLICATIONS REFERRED

CHANGE OF AGENT

CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE 2012-13

11 Kwik Trip, Inc.
Tanya A. Lehman, Agent 2819 Meadow Lane

CHANGE OF AGENT

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

59 A & M Hospitality Group, LLC
Edward Feller, Agent 200 E. Waldo Blvd.

60 A & M Hospitality Group LLC
Edward Feller, Agent 4101 Harbor Town Lane

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE 2012-13 (Approval of Change of Name of LLC)

48 PKS LLC
Stacey VanderBloomen, Agent 2 Maritime Drive

ONE YEAR OPERATOR'S LICENSE - 2012 -13

37 Joseph D. Shebesta 3908 Menasha Ave.
38 Michael P. Michulsky 2210 S. 42nd St. #7

TWO YEAR OPERATOR'S LICENSE - 2012-14

295 Theresa M. DeWitt 1513 Torrison Dr.
296 Jacklyn R. Mehajah 1133 S. 22nd St.
297 Adam J. Braunel 1112A Washington St. Apt. 4
298 Glenn W. Gilbert 2614 Wollmer St.
299 Jake R. Arseneau 1021 CTH VV, Two Rivers, WI
300 Dori A. Swagel 770 E. Albert Dr. Lot 60
301 Angela M. Kleinfeldt 611 Pine St.
302 Paula J. Kliment 218B E. Menasha Ave., Whitelaw, WI
303 Amy L. Farr 1021 S. 20th St.
304 Michaelia Meyer 3910 Waldo Blvd., Lot 47
305 Kayla J. Witczak 8403 Stone Rd.
306 Zane Wilson 1715 Marshall St.
307 Tina K. Lindemann 10706 Highway 151

STREETS AND SANITATION

Special Events Request (12-594) from Leukemia & Lymphoma Society for Scenic Shore 150 Bike Tour on July 20-21, 2013, with route detailed therein.

Contract (12-595) with McMullen & Pitz Construction Company to repair storm sewer pipe prior to the outfall into the Manitowoc River at a cost of \$15,025.00.

Petition (12-598) from citizens of the City of Manitowoc requesting that a conditional use permit for the property at 610 29th Street for the purpose of operating a men's shelter be denied.

Special Events Request (12-599) from Midwest LLC to sell balloons and novelties at Christmas parade.

Report (12-600) of the Board of Public Works of October 10, 2012, recommending 1st and final payment to Guide Lines Pavement Markings, LLC in the amount of \$42,052.37 for 2012 Epoxy Pavement Marking Program, WS-12-9

Communication (12-601) from Rebecca Watt requesting that the Plan Commission deny granting of a conditional use permit to The Haven for operation of a men's homeless shelter.

Contract (12-602) with Vinton Construction Company for repairs at Maritime Drive bridge

over Little Manitowoc River at a cost of \$24,034.00.

Communication (12-603) from TLC Homes for an exception to the 2500' rule for CBRF's at 703-705 E. Cedar Avenue.

City Plan Commission, to whom was referred communication (12-562) from The Haven of Manitowoc County Inc. requesting a conditional use permit to operate a men's transitional/emergency homeless shelter, returned same with report (12-609) recommending the Council grant a CUP to The Haven pursuant to Section 15.150(3)(1) of the Municipal Code, subject to conditions contained in the report.

City Plan Commission, to whom was referred communication (12-564) from S.M.I., as representatives of Trident Real Estate LLC. requesting a special permit to create a parking lot in an R-4 zone at 934 S. 25th Street, Manitowoc, returned same with report (12-604) recommending issuance of a Special Permit subject to conditions contained in the report.

City Plan Commission, to whom was referred 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, returned same with report (12-605) recommending that the Council approve the issuance of a CUP subject to compliance requirements attached to the document.

Request (12-610) of Lutheran Social Services to tie Green Ribbons on 52 light posts on 8th Street between Washington Street and York Street from November 1 - November 15, 2012.

PERSONNEL

None.

RESOLUTIONS

Resolution (12-607) to create Ward 23, population 0, for the Orchard Lane No. 1 annexation area, as described therein and shown on the attached map, and that Ward 23 be combined with Wards 17, 18 and 21, for voting purposes and use a common polling place as established for the 9th Aldermanic District, was referred to Committee of the Whole.

Resolution (12-) regarding Council authorization for submittal of a 2013 Coastal Management Grant application, was referred to Finance Committee.

Resolution (12-593) that Manitowoc Public Utilities install two 250 watt non-ornamental Cobra style high pressure sodium street lights in the 5300 and 5400 blocks of West Frontage Road, was referred to Public Utilities and Licensing Committee.

Resolution (12-) to rescinding previous actions for slurry seal assessments and set assessment rates, was referred to Streets and Sanitation Committee.

Resolution (12-611) authorizing the hiring of three sworn officers at the Manitowoc Police Department, was referred to Personnel Committee.

Resolution (12-612) authorizing the filling of a Clerk Typist I position in the Manitowoc Police Department, was referred to Personnel Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (12-608) to annex territory known as Orchard Lane No. 1 from the Town of Newton to the City of Manitowoc, as part of the 9th Aldermanic District and 23rd Ward, to be zoned "I-2" Heavy Industrial District, as described therein and shown on the attached map, was referred to Committee of the Whole.

Ordinance (12-) to amend Section 10.410(1) of the Municipal Code regulating parking from December 1 to March 31, was referred to Public Property and Safety Committee.

Ordinance (12-) to amend Section 7.320 of the Manitowoc Municipal Code entitled Seal Coating, was referred to Streets and Sanitation Committee.

Ordinance (12-613) to adjust the salary for the position of Mayor for the terms beginning

April 2013, April 2014, April 2015 and April 2016, was referred to Personnel Committee.

Ordinance (12-) creating Section 2.100 of the Municipal Code, establishing city-wide aldermanic seats.

Ordinance (12-) creating Section 2.110 of the Municipal Code establishing term limits for Alderpersons and Mayor.

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)

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

COMMITTEE OF THE WHOLE
Previously Referred

FINANCE
Previously Referred

Summons and Complaint (08-428) of Holy Family Memorial, Inc. v. City of Manitowoc, Case No. 08-CV 488.

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.

Amended Summons and Complaint (12-536) between EMC Mortgage LLC and Estate of James G. Mott and City of Manitowoc, Case No. 12-CV-0407.

Claim (12-568) of Carolyn Barnett filed 9/24/12, Claim No. 12-1085-1.

PARKS AND RECREATION
Previously Referred

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

Communication (12-557) from Jay Xiong expressing concerns regarding the current traffic problems around Lincoln High School.

Communication (12-573) from Rita Schroeder, requesting the removal of no parking sign at 819 S. 20th St.

PUBLIC UTILITIES & LICENSING
Previously Referred

PENDING APPLICATIONS

TWO YEAR OPERATOR'S LICENSE 2011-2013

TWO-YEAR OPERATOR'S LICENSE 2012- 2014

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 (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.

PERSONNEL
Previously Referred

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