

COMMON COUNCIL AGENDA

Monday, July 1, 2013
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 change to the Official Map to eliminate a 60' wide, non-dedicated Official Map street east of So. 26th Street and south of Dewey Street.

7:20 p.m. – Proposed changes to Chapter 15 of the Manitowoc Municipal Code to modify the definition of a “Home occupation – Principal Residence” and to create a new category for “Home Occupation – Accessory Building” which establishes a protocol for these uses in attached or detached garages, subject to certain information and occupancy requirements, and which will require issuance of a conditional use permit.

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 the 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 wages of specific positions within the Department of Public Infrastructure. NOTE: Following deliberation in closed session, the Common Council may take action on the above subject matter during open session.

REPORTS OF OFFICERS:

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 (13-356) of Community Development Authority of 5/22/13; Plan Commission of 5/22/13; Wastewater Treatment Facility of 4/23/13.

COMMITTEE OF THE WHOLE

Mayor's Veto (13-319) of ordinance (13-264) to amend various sections of Chapter 10 of the Manitowoc Municipal Code which regulate parking time restrictions in the downtown area.

Communication (13-329) from Manitowoc Pharmacies expressing concern over new parking policy.

Contract (13-335) with Armadillo Marketing to start the branding process for the community.

General City Claims (13-352) in the amount of \$761,327.14 enumerated on list thereof.

FINANCE

Report (13-331) of City Planner David Less relative to disbursements to be issued to PBJC Fest Too LLC per TIF District No. 15 Note.

Report (13-332) of City Planner David Less relative to procuring an environmental consultant related to our 2013 Revolving Loan Fund Grant.

Agreement (13-350) with Mr. Otek Sign & Textile for electronic sign at the northeast corner of S. 8th and Quay Streets. (*NOTE: Finance approved up to \$25,000 out of room tax for this entire installation*).

Grant Agreement (13-354) with State of Wisconsin Dept. of Administration Division of Intergovernmental Relations Wisconsin Coastal Management Program for preliminary design report for potential construction of sheet wall and adjacent river walk along Manitowoc River.

Report (13-355) of Deputy City Planner Paul Braun relative to Wisconsin Coastal Management Grant Agreement.

LICENSING, PERMITS & INSPECTIONS (FORMERLY PUBLIC UTILITIES AND LICENSING)

Request (13-315) from Wisconsin Maritime Museum for extension of their "Class B" Retail Intoxicating Liquor & Fermented Malt Beverage license to the new Pilger Memorial Quarterdeck on the south side of the museum on July 4, 2013 without fencing of the premises.

Communication & Ordinance (13-320) from City of Two Rivers to adopt Amendment No. 3 to City of Two Rivers Comprehensive Plan.

Request (13-321) from S.M.I., as representatives of Jerry Vandermause, for approval of a conditional use permit for a CBRF in both an R-4 zone and R-5 zone along with an exemption to the 2,500 foot separation for establishment of a CBRF at Dewey and vacated S. 19th Street.

Request (13-322) from S.M.I., as representatives of Popp Enterprises, for vacation of an Official Map Street – So. 19th Street from Dewey Street to a point 383 feet south of the Dewey Street right-of-way, with proposed cul de sac north of Summit Street.

Sidewalk Privilege Agreement (13-333) between City and Manitowoc Public Utilities to allow a building overhang and fence to remain in place in the City right-of-way at 1020 So. 7th St.

Request (13-357) from Jerry & Karen Vandermause for a conditional use permit to construct a home in an R-4 and R-5 zoning district and stating their intent to build a 26-bed community based residential facility.

LICENSE APPLICATIONS REFERRED

CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE – 2013-14

24	Vandan Ventures, Inc. Ashokkumar Patel, Agent	1710 S. 10 th St.
25	Arya Enterprises, Inc. Ashokkumar Patel, Agent	1807 Washington St.

TEMPORARY OPERATOR'S LICENSE

6	Rachel M. Young	858 N. 15 th St.
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ONE YEAR OPERATOR'S LICENSE – 2013-14

11	Janessa Matthies	1321 S. 17 th St., Apt. A
12	Patrick M. Downey	1409 Gunnell Lane
13	Jacob J. Muhowski	1716 Cedar Grove Dr., #2A
14	Matt G. Kadow	3708 N. Rapids Rd.
15	Kate E. Culligan	1509 Ahrens St.

TWO YEAR OPERATOR'S LICENSE – 2013-15

138	Ryan A. Gelbuda	1522 S. 23 rd St.
139	Russell Rick	606 New York Ave.
140	Chia Moua	1901 S. 39 th St., Apt. 133
141	Norma J. Howe	1115 Madison St.
142	Jean A. Huempfer	1433 Terrace Ct., Two Rivers, WI 54241
143	Zachary Vandenhouten	2304 S. 13 th St.
144	Peggy A. Krey	2123 S. 11 th St., P.O. Box 13
145	Wade Vaughn	1308 E. Ivy Lane
146	Chris Stephanie	836 N. 6 th St.
147	Peter L. Holm	2640 S. 14 th St.
148	Debra J. Fencel	1256A Arlington Ave
149	Paul M. Karlin	4009 Conroe St.
150	Laura M. Braunel	4526 Broadway St.
151	Amber L. Hoeffner	18436 Carstens Lake Rd., Valders, WI
152	Jacob Donald Leist	4225 N. Rapids Rd.
153	Patricia S. McKay	706 N. 8 th St., Apt. 110
154	Marna N. Hayes	2220 S. 42 nd St., Apt. 6
155	Tammy M. Jensen	2000 Johnston Dr., Lot 78
156	Veronica M. Franz	2012 Pleasant St.
157	Clint Rusch	935 S. 20 th St.
158	Jenna L. Behnke	204 N. 8 th St., #702
159	Ashley A. Erdmann	3912 Memorial Dr., Two Rivers, WI
160	Michael Degener	1311 Michigan Ave.
161	Chris A. Staudt	2131 Richmond Ave.
162	Emilee A. Green	1954 S. 9 th St.
163	Jeffrey S. Erickson	1512 Ahrens St.
164	Holly F. Behnke	2221 Knuell St.
165	Susan M. Sittman	1433 N. 6 th St., #122
166	Anthony L. Fischer	918 N. 21 st St.
167	Michelle L. Meyer	2043 Silver St.
168	Kayla B. Johnson	1514 Lower Falls Rd.
169	Jacob Lueptow	907 Schatzie
170	Laurie Jaeger	1430 N. 7 th St., Apt. E
171	Jeffrey L. Leifer	811 State Street
172	Mary M. Kiel	1011 Grand Ave
173	Bradley R. Elliott	1815 Belmont St.
174	Amanda M. Spindler	N7353 Spring St., B6, Fond du Lac, WI
175	Karen J. Sincere	5130 Expor Dr., #208
176	Melissa S. Snyder	705 S. 32 nd St.
177	Becky S. Novak	2215 Lexington Dr.
178	Sarah B. Powell	1541 Iris Dr.
179	Lauren M. Radtke	3312 N. Rapids Rd.
180	Wendy M. Strutz	2134 S. 9 th St.
181	Cassandra L. Eisner	6612 North Union Rd.
182	Michael P. Michulsky	2210 S. 42 nd St., #7
183	Scott L. Krogh	1648 W. Main St., #2, DePere, WI
184	Bradley M. Tavares	961 Rosemere Cir.
185	Susan A. Curtis	1010 S. 17 th St.
186	Kristin M. Henry	2409 Dewey St., Unit 9
187	Melyssa Keil	902 N. 23 rd St.
188	Bettysue M. Spaeth	1920 Monroe St., Two Rivers, WI 54241
189	Sara Mallion	1516 Division St.
190	Cheyenne Smith	851 N. 8 th St.
191	Lori A. Lippert	728 N. 6 th St.
192	Brenda A. Bellin	3009 Stokes Lane
193	Cesar Alvarez	814 Madison St., #B
194	Zach J. Slattery	6127 State Hwy 42
195	John R. Orr	1241 N. 9 th St.
196	Casey T. Severson	1727 Nagle Ave.
197	Bette Keehan	2307 Clark St.
198	Malachi Irlbeck	1550 Assman Rd., Mishicot, WI 54228
199	Keith L. Laurent	3812 Mirro Dr.
200	Jeffrey G. Vaness	1430 Elder Dr.
201	Samantha A. Zich	961 S. 37 th St.
202	Beth Dow	2215 School St., Two Rivers, WI 54241
203	Clint A. Drescher	3519 Foxfire Court

PARKS AND RECREATION

Concession Stand Agreement (13-316) with Roger O'Connor for use of space at YMCA parking lot on July 4, 2013.

Communication (13-328) from Pete Stuntz relative to mountain biking trail in Camp Vits.

Request (13-334) from Alderperson Jason Sladky to take action concerning potential future uses and access for Camp Vits Park.

Concession Stand Agreement (13-336) with Party Pizzazz LLC for use of space at YMCA parking lot on July 4, 2013.

Concession Stand Agreement (13-340) with H. P. Enterprises for use of space at YMCA parking lot on July 4, 2013.

Memo (13-353) from Director of Public Infrastructure Dan Koski relative to the Red Arrow Beach Restoration Project with University of Wisconsin Oshkosh Academic Support Services Agreement attached.

PERSONNEL

Revised Harassment and Discrimination Policy (13-348) for the City of Manitowoc.

Revised Electronic Communication and Information Systems Policy (13-347) for the City of Manitowoc.

Revised Seasonal Employment Policy (13-346) for the City of Manitowoc.

Proposal (13-349) concerning wages for the Operations Team Leader, Operations Assistant, and Recreation Team Leader.

PUBLIC INFRASTRUCTURE (FORMERLY STREETS AND SANITATION)

Annual Report (13-314) of Compliance Maintenance for Wastewater Treatment Facility.

Special Events Request (13-313) from Friends of Manitowoc Public Library for closure of Quay Street between 7th and 8th on July 12, 2013, for the Library's 15th Anniversary Celebration. *(Note: Closure of street has been approved for Krazy Daze).*

Request (13-317) from Marcella Krall to return bench and plaque which are no longer being utilized at the Transit Terminal.

Small Urban Operating Assistance Grant Agreement (13-324) with State of Wisconsin Dept. of Transportation for 2013 to administer the Federal Small Urban Rural Public Transportation Program.

Urban Mass Transit Operating Assistance Grant Agreement (13-325) with State of Wisconsin Dept. of Transportation for 2013.

Federal Certifications and Assurances (13-326) for Section 5311 Operating Contracts for 2013 prepared by Wisconsin Dept. of Transportation.

Progress Invoice (13-337) from Wisconsin Dept. of Transportation in the amount of \$6,145.88 for Waldo Blvd., CTH R – 8th Street.

Progress Invoice (13-338) from Wisconsin Dept. of Transportation in the amount of \$11,437.41 for N. Rapids Rd. & Broadway St. Intersection.

Report (13-339) of the Board of Public Works of July 1, 2013, recommending 1st and final payment to Northeast Asphalt, Inc. in the amount of \$15,176.60 for Manitowoc Mariners Trail Re-Route.

Special Events Request (13-343) from Special Olympics Wisconsin for its 14th annual 5K run/walk on August 20, 2013 leaving fairgrounds at 6:00 p.m., as detailed therein.

**PUBLIC SAFETY
(FORMERLY PUBLIC PROPERTY AND SAFETY)**

Communication (13-318) from Ian Nelson requesting a "No Parking Between Driveways" sign between his driveway at 519A N. 9th Street and the neighboring driveway.

Communication (13-323) from LifeQuest recommending adjustment for ambulance services for call #182-13-0415 on 2/5/13 and #182-12-3560 on 12/11/12.

Ambulance Agreement (13-327) with Eastern Wisconsin Stock Car, Inc. for the term July 1 to August 31, 2013.

Communication (13-330) from Jonathan Menk relative to bicyclists' safety in the downtown.

Ambulance Agreement (13-341) with Manitowoc County Expo for the term of August 21, 2013 to August 25, 2013.

RESOLUTIONS

Resolution (13-351) outlining allocation of the 8% of room tax revenues effective January 1, 2013, was referred to Finance Committee.

Resolution (13-344) implementing a hiring freeze for all current and future vacant City employment positions through April 21, 2014, with the exception of Police Officers, Firefighters, Paramedics, seasonal workers, contract work or personnel not under Council's control, and that vacant positions be filled with approval by 2/3 vote of the Common Council, was referred to Personnel Committee.

Resolution (13-345) to approve the hiring of a part-time Transit Driver at the rate specified in the Transit Teamsters Collective Bargaining Agreement, was referred to Personnel Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (13-342) to amend Sections 10.470, 10.490 and 10.550 of the Manitowoc Municipal Code which regulate parking time restrictions in the downtown area, was referred to Public 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" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE – 2013-14

63	Wisconsin Maritime Museum, Inc. Norma Bishop, Agent	75 Maritime Dr.
64	El Alamo LLC Norma Coronado, Agent	2205 Marshall St.

TEMPORARY OPERATOR'S LICENSE

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192	Brenda A. Bellin	3009 Stokes Lane
193	Cesar Alvarez	814 Madison St., #B

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

**COMMITTEE OF THE WHOLE
Previously Referred**

Petition (13-105) from the tenants of The Riverview Drive Apartments of Manitowoc.

**FINANCE
Previously Referred**

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

Notice of Claim (12-630) of October 17, 2012, from Alpert & Fellows in behalf of Marcella B. Krall, Claim File No. 12-1087.

Notice of Claim (12-679) of November 29, 2012 of Wesco Electric relative to payment bond for public project, Intermodal Transfer Station, Claim No. 12-1089.

First Amendment (13-259) to Services Agreement between City of Manitowoc, City of Two Rivers, City of Kiel and Manitowoc Economic Development Corporation to extend agreement for three year period commencing January 1, 2014.

LICENSING, PERMITS & INSPECTIONS
(FORMERLY PUBLIC UTILITIES & LICENSING)
Previously Referred

Communication (13-239) from Hein Plumbing asking the City to consider hiring full time inspectors.

Communication (13-240) from David C. Neuser to either purchase a 33 foot parcel of land from the City or receive an easement to allow him to build a new home.

Ordinance (13-265) to amend various sections of Chapter 15 of the Manitowoc Municipal Code defining home occupation and conditional uses, was referred to Licensing, Permits and Inspections Committee.

Ordinance (13-266) to amend Section 22.010 of the Manitowoc Municipal Code to Change the Official Map in an area east of S. 26th St. and south of Dewey St., was referred to Licensing, Permits and Inspections Committee.

Communication (13-289) from Elks Lodge No. 687 requesting a conditional use permit pursuant to Section 15.270(3)(c) for property at 1807 N. Rapids Road.

Communication (13-297) from Pastor Guy Corrigan, Cornerstone Church, requesting conditional use permit to operate church and school at 2711 Wollmer Street.

PENDING APPLICATIONS

CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE – 2013-14

24	Vandan Ventures, Inc. Ashokkumar Patel, Agent	1710 S. 10 th St.
25	Arya Enterprises, Inc. Ashokkumar Patel, Agent	1807 Washington St.

ONE YEAR OPERATOR'S LICENSE – 2013-14

9	Toni M. Sciortino	1617A Green St.
14	Matt G. Kadow	3708 N. Rapids Rd.
15	Kate E. Culligan	1509 Ahrens St.

TWO YEAR OPERATOR'S LICENSE – 2013-15

157	Clint Rusch	935 S. 20 th St.
194	Zach J. Slattery	6127 State Hwy 42
195	John R. Orr	1241 N. 9 th St.
196	Casey T. Severson	1727 Nagle Ave.
197	Bette Keehan	2307 Clark St.
198	Malachi Irlbeck	1550 Assman Rd., Mishicot, WI 54228
199	Keith L. Laurent	3812 Mirro Dr.
200	Jeffrey G. Vaness	1430 Elder Dr.
201	Samantha A. Zich	961 S. 37 th St.
202	Beth Dow	2215 School St., Two Rivers, WI 54241
203	Clint A. Drescher	3519 Foxfire Court

PARKS AND RECREATION
Previously Referred

None.

PUBLIC INFRASTRUCTURE
(FORMERLY 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.

Ordinance (13-120) to amend Section 7.210 of the Manitowoc Municipal Code regulating snow removal and deposits, was referred to Streets and Sanitation Committee.

Request (13-133) from SMI as representatives of City Centre LLC for a variance for a commercial driveway width greater than 35 feet for a site at the northeast corner of S. 16th and Wollmer Streets for proposed boat storage building.

Request (13-214) from SMI as representatives of Manitowoc Cinema LLC for approval of a conditional use permit and site plan for a commercial development in an area located south of the south end of So. 44th Street, east of I-43, north of Viebahn St. and west of a lowland area in the vicinity.

Resolution (13-227) to vacate a 3,289 square feet of street at 4720 Broadway Street.

Ordinance (13-228) amending Section 22.010 of the Municipal Code entitled "Official Map-Master Subdivision Plans" in an area located on Broadway Street.

First Revision (13-256) to State/Municipal Agreement for a local Let Safe Routes to School Project.

PUBLIC SAFETY
(FORMERLY PUBLIC PROPERTY AND SAFETY)
Previously Referred

Communication (13-255) from Associated Bank regarding concerns related to the safety of the intersection of Franklin and S. 12th Streets.

Communication (13-286) from Manitowoc Ice relative to 2-hour parking limitation on the east side of 26th Street south of Dewey Street.

Communication (13-291) from Demetrios Panergakos relative to billing from Fire Department for clean-up of hazardous waste.

Ordinance (13-264) to amend various sections of Chapter 10 of the Manitowoc Municipal Code which regulate parking time restrictions in the downtown area.

PERSONNEL
Previously Referred

None.