

COMMON COUNCIL AGENDA

Monday, August 6, 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 by Police and Fire Commission to Bill Hennessey.

Swearing in of Police Officer Andrew Trilling.

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

Annual Report (12-482) of Bay-Lake Regional Planning Commission for 2011.

Minutes (12-480) of Building Board of Appeals of 6/28/12; Crime Prevention Committee of 5/3/12; Great Lakes Utilities Board of 6/28/12; Great Lakes Utilities Lakeswind Project Committee of 6/28/12; Great Lakes Utilities Power Supply Project Committee of 5/23/12; Joint Review Board of 7/11/12; Public Utilities Commission of 5/29/12, 6/25/12 & 7/9/12; Sustainability Committee of 5/30/12; Wastewater Treatment Facility Board of 6/28/12.

COMMITTEE OF THE WHOLE

Report (12-479) of City Planner David Less relative to 2011 Economic Development Corporation of Manitowoc County Financial Statement for year ending December 31, 2011.

General City Claims (12-496) in the amount of \$2,005,287.14 enumerated on list thereof.

FINANCE

Communication (12-475) from West Foundation, Inc. advising of approval of \$25,000 grant to be used toward repairs to the Recreation Building.

Report (12-477) of City Planner David Less relative to proposed 2012 Tax Incremental Financing District activities.

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

Memo (12-484) from Asst. City Attorney Kathleen McDaniel advising that Zetley v. City of Manitowoc, Case No. 11-CV-296 was dismissed.

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

PARKS AND RECREATION

Special events request (12-469) from Randy Heinzen, Chr., Lakeshore Weekend, requesting a variance of the sound and beverage ordinance for the annual Lakeshore Weekend event to be held on August 3, 4 & 5, 2012, until 12:00 midnight on Friday & Saturday, and permission to block off the access street to the boat launch north of the YMCA, and the use of various equipment, as detailed therein; copies to Public Utilities & Licensing and Public Property & Safety Committees.

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.

Special Events Request (12-495) from Make-A-Wish Wisconsin for event along Mariner's Trail on October 6, 2012.

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

PUBLIC PROPERTY AND SAFETY

Communication (12-491) from Fire Chief Bill Manis relative to acceptance of the SAFER Grant the City was awarded July 20, 2012.

PUBLIC UTILITIES AND LICENSING

Request (12-470) of Shoto Conservation Club requesting extension of noise ordinance until 11:30 p.m. and extension of the beer sales until midnight on Friday, August 24th and Saturday, August 25th, 2012 and extension of the noise ordinance until 11:00 p.m. and extend beer sales until 11:30 p.m. on August 21st, 22nd, 23rd, and 26th, 2012. (Copy to Public Property & Safety).

LICENSE APPLICATIONS REFERRED

CLASS "B" TEMPORARY BEER LICENSE

39	Shoto Conservation Club	4921 Expo Drive (County Fair)
43	Van's Athletic Club	4921 Expo Drive (County Fair)
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)

TEMPORARY OPERATOR'S LICENSE

1	Donna J. Petska	6275 Homestead Ln., Two Rivers, WI
2	Thomas J. Rysticken	3215 Bellevue Pl., Two Rivers, WI
3	Jeffrey P. Schmid	1819 Cty Rd VV, Two Rivers, WI
4	Paul F. Meissner	6334 Johnston Dr., Two Rivers, WI
5	John S. Engstrom	4105 Clover, Two Rivers, WI
6	Robert F. Diener	5026 Wagon Wheel Rd.
7	Craig A. Rysticken	1405 Terrace Ct., Two Rivers, WI
8	Francis G. Holly	1922 Sharon Lane
9	Orville D. Langohr	14230 Pigeon River Rd., Cleveland, WI 53015
10	Doris A. Schnelle	14213 Pigeon River Rd., Cleveland, WI 53015
11	Bonnie L. Kracht	10303 S. Union Rd., Newton, WI 53063
12	Elroy N. Jaeger	12719 Westview Rd., Cleveland, WI 53015
13	Peter A. Sixel	13722 Pioneer Rd., Newton, WI 53063
14	Lisa J. Baryenbruch	7004 Newton Rd., Newton, WI 53063
15	Thomas A. Nonnemacher	1609 Viebahn St.
16	Bill D. Eis	3105 Shoto Road, Two Rivers, WI 54241
17	Connie J. Ansorge	11132 Newton Rd., Newton, WI 53063
18	Nicole M. Hochkammer	5817 Center Rd.
19	Karl J. Baryenbruch	7004 Newton Rd., Newton, WI 53063
20	Brian W. Eis	3105 Shoto Rd., Two Rivers, WI 54241
21	Cynthia A. Holschbach	2706 Silver Creek Rd.,
22	Megan A. Schmidtman	1633 S. 10 th St.
23	Michael F. Schwoerer	109 Grant St., Valders, WI 54245

24	Tom O'Connell	226 Mill St., Reedsville, WI
25	Tabitha Hetue	16119 Taus Rd., Cato, WI
26	Travis Nate	16119 Taus Rd., Cato, WI
27	Sharon Nate	16119 Taus Rd., Cato, WI
28	Cary Nate	16119 Taus Rd., Cato, WI

ONE YEAR OPERATOR'S LICENSE - 2012 -13

26	Joshua T. Dahlen	1115 S. 15 th St., Apt. 1 South
27	Felicia Yauger	1113 S. 21 st St.
28	Lisa Gilbert	1114 S. 12 th St., Apt. A
29	Todd V. Pagliaro	1425 N. 9 th St.

TWO YEAR OPERATOR'S LICENSE - 2012-14

256	William J. Nichols	927 S. 42 nd St.
257	Rick L. Resch	2117 LaFollette Ave.
258	Alicia Gintner	5807 Sampe Rd.
259	Abby L. Graff	c/o Nash Law Firm, 4221 Michigan Ave.
260	Carrie Orth	1240 Arlington Ave.
261	Lisa Hardrath	4400 Rockwood Rd.
262	Hailey Rogala	1703 New York Ave.
263	Jessica Landt	1530 Kuhl St.
264	Betty York	851 Summit St.
265	Heide Tease	1414 Division St.
266	Daniel F. Meverden	1615 Wisconsin Ave.

STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITION DERBY

7	Lakeshore Weekend Randall Heinzen, Applicant	Breakwater near Manitowoc Marina & YMCA
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STREETS AND SANITATION

Special Events Request (12-466) from Rock-N-Blues Haus to hold block party on September 15-16, 2012 with closure of Washington Street between 7th and 8th Street and to extend their liquor license premise to a fenced-in area on Washington St. (copy to Public Utilities & Licensing).

Special Events Request (12-490) from Courthouse Pub to hold street party on September 15 & 16, 2012, in conjunction with Rock-N-Blues Haus, closure of a portion of Washington Street between 7th and 8th Street and to extend their liquor license premise to a fenced-in area on Washington St. per attached diagram. (copy to Public Utilities & Licensing Committee).

Communication (12-468) from Maryjeanne Flegel relative to special assessment charges and sidewalk repair at 1328 S. 21st Street.

Special Events Request (12-471) from Special Olympics Wisconsin to hold 13th annual 5K run/walk on Tuesday, August 21, 2012, beginning at Manitowoc County Expo at 6:00 p.m., with map attached.

Special Events Request (12-472) from Lakeshore Humane Society to hold Lakeshore Humane Society Walk for Kindness on September 22, 2012, through Lincoln Park per map attached and placing signage along route as well as two rest stops. (copy to Parks and Recreation).

Special Events Request (12-473) from Rahr-West Art Museum to hold Sputnikfest on September 7-8, 2012, at Rahr-West and close a portion of Park Street, as detailed therein.

Construction Agreement (12-483) between City of Manitowoc, County of Manitowoc and Town of Manitowoc to pave a portion of Nagle Avenue as detailed therein.

Report (12-485) of Deputy Planner Paul Braun relative to release of easements at N. 40th Street and Indian Bluff Drive.

Report (12-488) of the Board of Public Works of August 1, 2012, regarding bids received for 2012 Televising Miscellaneous Sewers II, Project WU-12-13.

Report (12-487) of the Board of Public Works of August 1, 2012, regarding bids received for River Walk & Museum Commons, Project WU-12-15.

Report (12-489) of the Board of Public Works of August 1, 2012, regarding quotes received

for ferric chloride for Wastewater Treatment Facility, QM-12-6.

Professional Services Agreement (12-493) with MSA Professional services for Dufek & West Drive Stormwater Detention Pond project.

PERSONNEL

None.

RESOLUTIONS

Resolution (12-481) approving hiring of Attorney Joseph Thuermer on a month-to-month basis commencing August 13, 2012 to handle the City's traffic and ordinance enforcement, was referred to Committee of the Whole.

Resolution (12-474) approving the fee of \$0.375 per square foot of impervious area to offset costs incurred by the City of Manitowoc for stormwater management developments pursuant to Chapter 28 of the Municipal Code, was referred to Streets and Sanitation Committee.

Resolution (12-486) that asphaltic concrete resurfacing and overly be placed on the streets listed therein in 2012, as detailed therein, and assessments be made against the abutting property, per foot, per side, was referred to Streets and Sanitation Committee.

COMMITTEE REPORTS

None.

ORDINANCES

None.

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

39	Shoto Conservation Club	4921 Expo Drive (County Fair)
43	Van's Athletic Club	4921 Expo Drive (County Fair)

TEMPORARY OPERATOR'S LICENSE - 2012-13

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2	Thomas J. Rysticken	3215 Bellevue Pl., Two Rivers, WI
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4	Paul F. Meissner	6334 Johnston Dr., Two Rivers, WI
5	John S. Engstrom	4105 Clover, Two Rivers, WI
6	Robert F. Diener	5026 Wagon Wheel Rd.
7	Craig A. Rysticken	1405 Terrace Ct., Two Rivers, WI
8	Francis G. Holly	1922 Sharon Lane
9	Orville D. Langohr	14230 Pigeon River Rd., Cleveland, WI 53015
10	Doris A. Schnelle	14213 Pigeon River Rd., Cleveland, WI 53015
11	Bonnie L. Kracht	10303 S. Union Rd., Newton, WI 53063
12	Elroy N. Jaeger	12719 Westview Rd., Cleveland, WI 53015
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27 Felicia Yauger 1113 S. 21st St.

TWO YEAR OPERATOR'S LICENSE - 2012-14

255 David Musselman 722 N. 9th St.
256 William J. Nichols 927 S. 42nd St.
257 Rick L. Resch 2117 LaFollette Ave.
258 Alicia Gintner 5807 Sampe Rd.
259 Abby L. Graff c/o Nash Law Firm, 4221 Michigan Ave.
260 Carrie Orth 1240 Arlington Ave.
261 Lisa Hardrath 4400 Rockwood Rd.
262 Hailey Rogala 1703 New York Ave.
263 Jessica Landt 1530 Kuhl St.

STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITION DERBY

7 Lakeshore Weekend Breakwater near Manitowoc Marina & YMCA
Randall Heinzen, Applicant

**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.

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

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.

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

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.

**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.

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.

Special Events Request (12-429) from Lincoln Park Zoological Society to hold Breakfast with the Bison event in Lincoln Park on September 15, 2012, with waiver of fees request attached.

Special Events Request (12-434) from Roncalli High School to hold 45th Annual Roncalli Cross Country Invite at Lincoln Park on September 8, 2012, with waiver of fees request attached.

Proposal (12-447) for Roller Skating Operation

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

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)

TEMPORARY OPERATOR'S LICENSE

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25	Tabitha Hetue	16119 Taus Rd., Cato, WI
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27	Sharon Nate	16119 Taus Rd., Cato, WI
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ONE YEAR OPERATOR'S LICENSE - 2012-13

28	Lisa Gilbert	1114 S. 12 th St., Apt. A
29	Todd V. Pagliaro	1425 N. 9 th St.

TWO YEAR OPERATOR'S LICENSE - 2012-14

264	Betty York	851 Summit St.
265	Heide Tease	1414 Division St.
266	Daniel F. Meverden	1615 Wisconsin Ave.

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.

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.

Declaration of Dedication (12-440) of property for Clay Pit Road purposes.

PERSONNEL
Previously Referred

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