

COMMON COUNCIL AGENDA

**Monday, September 17, 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 changes to Chapters 3, 14, 15 and 21 of the Manitowoc Municipal Code.

CLOSED SESSION: None.

REPORTS OF OFFICERS:

Presentation by Tom Drill - Showtime.

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 (12-547) of Citizens Advisory Committee of 9/4/12; Great Lakes Utilities of 7/17/12; Great Lakes Utilities Lakeswind Project Committee of 7/17/12; Manitowoc Sustainability Committee of 8/29/12; Zoning Board of Appeals of 8/21/12.

Communication (12-559) from Rep. Bob Ziegelbauer acknowledging receipt of Resolution 12-507 related to supporting the establishment of a national marine sanctuary.

COMMITTEE OF THE WHOLE

Petition (12-) 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.

General City Claims (12-561) in the amount of \$ 1,502,854.61 enumerated on list thereof.

FINANCE

Request (12-551) for refund of duplicate plumbing permit in the amount of \$35.00.

PARKS AND RECREATION

Special Events Request (12-550) from First Lutheran Church to hold their church picnic on September 16, 2012, including a bounce house to be set up in Lincoln Park across from Cabin 2.

PUBLIC PROPERTY AND SAFETY

Request (12-549) from Saucy's Sports Bar to extend use of amplification system outdoors at their premise on September 21, 2012, allowing for band outside.

Communication (12-553) from Sharon Strouf outlining concerns that she would like to address at the next Public Property & Safety and/or Safety, Traffic & Parking Commission meeting.

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

Supplemental Agreement No. 3 (12-563) to Department of the Army License No. DACW35-35-3-03-3001, authorizing placement of a fenced in dog run site and temporary shed on Federal Confined Disposal Facility.

Special Events Request (12-560) from PDJ Cutting and Fabricating for an exception to the "No Parking" restriction on North 30th Street on Thursday, October 4, 2012.

PUBLIC UTILITIES AND LICENSING

LICENSE APPLICATIONS REFERRED

ONE YEAR OPERATOR'S LICENSE – 2012-13

34 Amanda K. Price 3715 Dale St.

TWO YEAR OPERATOR'S LICENSE – 2012-14

278	Randal H. Lueptow	907 Schatzie Ln.
279	Sara J. Loberg	1713 Cedar Grove Dr. Apt 2A
280	Travis W. Renard	1311 S 9 th St.
281	Keith J. Shebesta	1301 Hillcrest Dr.
282	Anamarie L. Loeh	16419 Harpt Lake Rd. Mishicot, WI
283	James H. Karls	4330 Custer Ln.
284	Nikki L. Goettig	2112 LaFollette Ave.
285	Lori Lukasik	703 Chicago St

STREETS AND SANITATION

Request (12-552) from Mainly Manitowoc for a conditional use permit to paint a mural on the concrete wall facing the back parking lot on the corner of S. 9th St. and Quay St.

Report (12-554) of the Board of Public Works of the Sept. 12, 2012 meeting regarding bids received for WO-12-14 Dockwall Fendering Improvements at City Centre, LLC.

Report (12-555) of the Board of Public Works of the Sept. 12, 2012 meeting regarding Bytof Family Ltd. partnership request for a sidewalk privilege agreement to construct an addition their building at 2406 Washington St.

Agreement (12-556) between the City of Manitowoc and Custer Village LLC, for Stormwater Management Facility Maintenance.

Report (12-558) of Manitowoc City Plan Commission regarding PC34-2012: TBL Real Estate, LLC/Mainly Manitowoc Request for a Conditional Use Signs and Graphics Permit to Place a Mural at 822 Franklin Street Pursuant to Section 15.450(5)(j) of Manitowoc Municipal Code.

Communication (12-562) from The Haven of Manitowoc County Inc. requesting a conditional use permit to operate a men's transitional/emergency homeless shelter.

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.

PERSONNEL

None.

RESOLUTIONS

Initial Resolution (12-548) regarding Midwestern Disaster Area Bond Financing for Tramontina U.S. Cookware, Inc. in an amount not to exceed \$10,000,000, was referred to Finance Committee.

Resolution (12-) providing for a modification to Article IX, Paid Time Off. Section 1. Personal Time Off of the Employee Policy Manual for the conversion of personal time off days to hours was referred to Personnel Committee.

COMMITTEE REPORTS

STREETS AND SANITATION

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

ORDINANCES

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 – 2012-13

64 R B & K LLC
Barbara M. Lueptow, Agent 830 S. 8th Street

TEMPORARY OPERATOR’S LICENSE – 2012-13

ONE YEAR OPERATOR’S LICENSE – 2012-13

34 Amanda K. Price 3715 Dale St.

TWO YEAR OPERATOR’S LICENSE – 2012-14

278 Randal H. Lueptow 907 Schatzie Ln.
279 Sara J. Loberg 1713 Cedar Grove Dr. Apt 2A
280 Travis W. Renard 1311 S 9th St.
281 Keith J. Shebesta 1301 Hillcrest Dr.
282 Anamarie L. Loeh 16419 Harpt Lake Rd. Mishicot, WI
283 James H. Karls 4330 Custer Ln
284 Nikki L. Goettig 2112 LaFollette Ave.
285 Lori Lukasik 703 Chicago St

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

COMMITTEE OF THE WHOLE Previously Referred

None.

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.

Communication (12-546) from Stafford Rosenbaum LLP relative to settlement recommendation re: Holy Family Memorial, Inc. v. City of Manitowoc, Case No. 08-CV-448.

PARKS AND RECREATION

Previously Referred

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.

Communication (12-538) from Kathie Nelson, Manitowoc Garden Club, expressing an interest in adding a human sundial to the Mariner's Trail.

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 (12-529) amending Chapters 3, 14, 15 and 21 of the Manitowoc Municipal Code.

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.

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

PENDING APPLICATIONS

TWO YEAR OPERATOR'S LICENSE – 2012-14

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.

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.

PERSONNEL
Previously Referred

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