

## COMMON COUNCIL AGENDA

Monday, October 1, 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:**

Proclamation: October is Fire Prevention Month

Proclamation: October is Disability Employment Awareness Month

Presentation (during recess) of current market conditions and the City portfolio by Robert Moore, President of Institutional Capital Management.

Presentation (during recess) of Cash Flow Analysis by Steve Corbeille, Finance Director/Treasurer.

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 (12-576) from Governor Scott Walker.

Notice (12-578) of Air Pollution Permit application review of Heresite Protective Coatings at 822 S. 14<sup>th</sup> Street.

Minutes (12-590) of Crime Prevention of 9/6/12; Public Utilities Commission of 8/13/12 & 9/10/12; Wastewater Treatment Facility of 7/17/12.

### COMMITTEE OF THE WHOLE

Petition (12-567) 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 (12-582) in the amount of \$368,934.84 enumerated on list thereof.

### FINANCE

Notice of Claim and Claim (12-566) of Troy Hannah filed 9/17/12, Fleet Claim No. 12-202.

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

### PARKS AND RECREATION

Request (12-571) from a number of individuals to authorize the submittal of a Coastal Management Grant application for the design and preparation of construction documents to extend the Riverwalk pathway around the east bank of the Manitowoc River, as detailed therein.

Memorandum (12-575) from Director of Parks and Recreation Valerie Mellon relative to Animal Loan Agreement with the Farm Bureau and Farm Animal Loan Agreements with various farm animal owners for the Big Red Barn's 2012 season.

Special Events Request (12-579) from Sunrise Optimist Club to hold Art in the Park in Washington Park on October 13, 2012, and waiver of fee request attached.

Agreement (12-586) with The Active Network, Inc. for recreation software.

Request (12-587) for waiver of fees for rental of Lincoln Park Fieldhouse for Heart-A-Rama on March 18, 2013.

Memo (12-589) from Director of Parks & Recreation Valerie Mellon relative to amended quote from MCM Excavating & Landscaping for grading and seeding of Silveridge Park.

### **PUBLIC PROPERTY AND SAFETY**

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

Viebahn Tower Transfer Agreement (12-585) between City, Manitowoc Public Utilities and Manitowoc County relative to communication tower at S. 35<sup>th</sup> and Viebahn Streets.

### **PUBLIC UTILITIES AND LICENSING**

#### **CLASS "B" TEMPORARY BEER & WINE LICENSE**

52 (Beer)	St. Peter the Fisherman Home & School Assn.	2000 Mirro Drive
13 (Wine)	St. Peter the Fisherman Home & School Assn.	2000 Mirro Drive
54 (Beer)	St. Francis of Assisi Parish	2000 Mirro Drive
15 (Wine)	St. Francis of Assisi Parish	2000 Mirro Drive

### **LICENSE APPLICATIONS REFERRED**

#### **ONE YEAR OPERATOR'S LICENSE - 2012 -13**

35	Benjamin W. Badini	2635 College St.
36	Nicole Luisier	821 Buffalo St.

#### **TWO YEAR OPERATOR'S LICENSE - 2012-14**

286	Stephaniee A. Hartman	2117 Fairmont St.
287	Matthew A. Polifka	1220 S. 17 <sup>th</sup> St.
288	Steve Thao	1405 S. 31 <sup>st</sup> St.
289	Marie L. Chiminatti	3603 Menasha Ave.
290	Amber R. Kraemer	1395 Hempton Lake Rd.
291	Cassandra Mrozinsky	847 N. 10 <sup>th</sup> St.
292	Tyler J. Lachowicz	4101 Cedar Heights Dr., Two Rivers, WI 54241
293	Jordan Brooks	1711 Meadowbrook Dr., #201
294	Miranda M. Pasdo	1144 S. 23 <sup>rd</sup> St.

### **STREETS AND SANITATION**

Report (12-572) of the Board of Public Works of September 19, 2012, recommending 13<sup>th</sup> and final payment to Lunda Construction Company in the amount of \$74,572.10 for City Centre Dockwall Improvements and Dredging, WO-10-14.

Special Events Request (12-577) from Manitowoc Two Rivers YMCA and Festival Foods to hold 5<sup>th</sup> annual Turkey Trot walk/run along the route detailed therein on November 22, 2012 from 8:00 a.m. until 10:00 a.m.

Report (12-580) of the Board of Public Works recommending the special assessments for 2011 street improvements for concrete paving, concrete paving reconstruction and new storm sewers, as detailed therein.

Progress invoice (12-584) from Wisconsin Dept. of Transportation in the amount of \$ 9,817.43 for Waldo Blvd., CTH R - 8<sup>th</sup> Street, Project No. 1500-37-00.

Progress invoice (12-583) from Wisconsin Dept. of Transportation in the amount of \$5,549.32 for Waldo Blvd. - 8<sup>th</sup> Street - Maritime Dr., Project No. 4570-12-00.

Request (12-588) from Ron Kehl to sell novelties at the Lakeshore Holiday Parade and the St. Patrick's Parade.

**PERSONNEL**

None.

**RESOLUTIONS**

Resolution (12-574) to hire a full-time fleet mechanic for the Department of Public Works, at a rate of \$19.80 per employee policy manual, was referred to Personnel Committee.

Resolution (12-581) to approve the hiring of a Human Resources Generalist, as shown on the attached newly created position description, was referred to Personnel 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)

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**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.

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

**PARKS AND RECREATION**  
**Previously Referred**

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.

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.

**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 2011-2013**

384 Clint M. Rusch 935 S. 20<sup>th</sup> St.

### **TWO-YEAR OPERATOR'S LICENSE 2012- 2014**

293 Jordan Brooks 1711 Meadowbrook Dr., #201  
294 Miranda M. Pasdo 1144 S. 23<sup>rd</sup> 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.

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 8<sup>th</sup> and 9<sup>th</sup>.

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.

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. 25<sup>th</sup> Street, Manitowoc.

## **PERSONNEL** **Previously Referred**

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