

COMMON COUNCIL AGENDA

Monday, December 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: None.

REPORTS OF OFFICERS:

Clerk swears in new Police Officer Matthew W. Eberhardt.

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 (12-701) of Citizens Advisory Committee of 12/4/12; Community Development Authority of 10/10/12; Plan Commission of 10/10/12; Rahr-West Art Museum Board of 11/14/12.

Thank You (12-699) from Salvation Army for donation from Schuette, Wernecke, Wilda and Rank Christmas Fund.

COMMITTEE OF THE WHOLE

General City Claims (12-704) in the amount of \$793,747.35 enumerated on list thereof.

FINANCE

Report (12-700) of Finance Committee recommending personal property taxes to be rescinded due to palpable errors per communications from City Assessor (attached).

Report (12-708) of City Planner David Less relative to Amendments to Commercial Revolving Loan Program Manual and Industrial Revolving Loan Program Manual.

PARKS AND RECREATION

None.

PUBLIC PROPERTY AND SAFETY

Amendment No. 1 (12-696) to Manitowoc Yacht Club Lease.

Report (12-698) of Jim Brey, Chair, Public Property and Safety Committee, recommending that Council accept the COPS grant.

Revision (12-709) to Crime Prevention Committee Constitution and By-Laws.

City Plan Commission, to whom was referred communication (12-638) from Jeff Beyer, Director of Public Works, Manitowoc County, notifying City of tax deed properties, returned same with report (12-718) recommending placing document on file with no further action to be taken.

PUBLIC UTILITIES AND LICENSING

Vehicle Lease (12-703) with Assist-To-Transport, LLC to provide paratransit service for one year ending December 31, 2013.

LICENSE APPLICATIONS REFERRED

“CLASS B” INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2012-13

28A Ante LLC 714 Buffalo St.
Ann T. Luisier, Agent

2013 COMMERCIAL GARBAGE HAULER

1 Michael A. Pozorski 2515 Viebahn Street
d/b/a Pozorski Hauling & Recycling, LLC

ONE YEAR OPERATOR’S LICENSE - 2012-13

42 Shayla M. Wachholz 3504 Custer St.

TWO YEAR OPERATOR’S LICENSE - 2012-14

338 Janet L. Dokey 1701A S. 10th St.
339 Wayne J. Duprey 1430 Hawthorne Ave., Two Rivers, WI
340 Gina P. Fischer 918 N. 21st St.
341 Theresa Jacobs 1419 N. 24th St.
342 Gail A. Holschbach 804 Nicholas Court
343 Jena L. Ribley 1007 Starlight Dr., Francis Creek, WI
344 Kelly J. Smoot 1832 Michigan Avenue

STREETS AND SANITATION

Stormwater Management Facility Maintenance Agreement (12-702) between City and David A. Schultz and Lori A. Schultz d/b/a Dave’s Auto, 2329 N. Rapids Road.

Report (12-707) of the Board of Public Works of December 12, 2012, recommending 2nd and final payment to Vinton Construction Company in the amount of \$13,108.88 for 2012 Riverwalk Trail & Museum Commons, WO-12-15.

Report (12-714) of City Plan Commission relative to issuance of the October, 2012, Conditional Use Permit to Amvets Post #99, Inc. for construction of a new clubhouse relative to missing ownership deed and deed restriction.

Report (12-715) of City Plan Commission relative to annual compliance review of Conditional Use Permit of Great Lakes Energy Technologies/Orion Energy Systems for construction and erection of a 115’ tall monopole wind turbine.

Report (12-716) of City Plan Commission recommending extension of the Special Permit project completion date to November 15, 2013, for establishment of a parking lot in a residential district by Jonathan and Cheryl Saunders.

Report (12-717) of City Plan Commission relative to modification to fee schedule for various Planning Department and Building Inspection services.

City Plan Commission, to whom was referred communication (12-603) from TLC Homes for an exception to the 2500’ rule for CBRF’s at 703-705 E. Cedar Avenue, returned same with report (12-719) recommending Council grant the exception to the 2500’ spacing requirement, as detailed therein.

City Plan Commission, to whom was referred application (12-641) for zone change from R-5 Low Density Multiple Family District to B-1 Office Residential District for property at 118 Cleveland Avenue, returned same with report (12-720) recommending Clerk to call for public hearing and then refer back to Plan Commission.

City Plan Commission, to whom was referred request (12-633) from S.M.I. as representatives of Peter and Alex Allie for a change in zone from I-1 to B-2 for an area north of Viebahn Street and west of So. 42nd Street, returned same with report (12-721) recommending Clerk to call for public

hearing and approval of rezoning upon completion of public hearing.

City Plan Commission, to whom was referred request (12-632) from S.M.I. as representatives of Peter and Alex Allie to change the Official Map eliminating So. 44th Street from the existing end of the street near the Manitowoc Company office to So. 42nd Street, returned same with report (12-722) recommending Clerk to call for public hearing, as detailed therein.

PERSONNEL

None.

RESOLUTIONS

Resolution (12-) regarding health care benefits for Public Safety personnel, was referred to Committee of the Whole.

Resolution (12-) authorizing the purchase of excess liability insurance for volunteers for DPW, Parks and Cemetery projects, was referred to Finance Committee.

Resolution (12-697) to amend the charges for transportation and care by the Fire Department Rescue Ambulance effective January 1, 2013, was referred to Public Property and Safety Committee.

Resolution (12-710) amending the established fee schedule to clarify the fee structure related to the issuance of bonds by the City or Community Development Authority, was referred to Streets and Sanitation Committee.

Resolution (12-725) that seal coating be placed on the streets listed therein in 2013, and assessments be made against the abutting property owners, per foot, per side, was referred to Streets and Sanitation Committee.

Resolution (12-726) that dust palliatives be placed on the streets listed therein in 2013, and assessments be made against the abutting property owners for the cost on a front foot basis, was referred to Streets and Sanitation Committee.

Resolution (12-724) authorizing the 2013 City-wide sidewalk construction and repair program, providing for the appropriate notices to be sent, and special assessments to be levied, as detailed therein, was referred to Streets and Sanitation Committee.

Resolution (12-) that certain infrastructure improvements be included in the 2013 Public Works Program, as detailed therein, and assessments be made against the abutting property, per foot, per side, was referred to Streets and Sanitation Committee.

Resolution (12-) authorizing the vacant position of Director of Public Works/City Engineer/Parks & Recreation be filled and the position title be changed to Director of Public Infrastructure, as shown on the attached revised position description and structural reorganization of the department, was referred to Personnel Committee.

Resolution (12-) appointing Greg Minikel as the Interim Director of Public Infrastructure, at an hourly rate of \$38.94, was referred to Personnel Committee.

Resolution (12-723) to advertise and hire a part time transit driver, was referred to Personnel Committee.

Resolution (12-) approving the hiring of volunteers for DPW, Parks and Cemetery projects, was referred to Personnel Committee.

Resolution (12-) to accept the COPS grant and hire up to three sworn police officers, was referred to Personnel Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (12-706) to repeal Section 3.130 of the Manitowoc Municipal Code relative to Safety, Traffic & Parking Commission, was referred to Public Property and Safety Committee.

Ordinance (12-705) to amend Section 25.050(8) of the Municipal Code to adjust rates for sewer service charges effective January 1, 2013, was referred to Streets and Sanitation Committee.

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.

Notice of Claim (12-627) of October 17, 2012, from Sherman Edwards, Claim File No. 12-1086.

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

Summons and Complaint (12-672) of BMO Harris Bank v. BeBaere, City of Manitowoc, et al, Case No. 12 CV 672.

Notice of Claim (12-673) of November 21, 2012, of Jeanelle Loberger, Claim File No. 12-1088.

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.

PARKS AND RECREATION
Previously Referred

None.

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.

Ordinance (12-651) creating Section 8.250 of the Manitowoc Municipal Code regarding ejection and exclusion from parks.

Ordinance (12-670) amending Section 14.020(5) of the Municipal Code regulating dogs in City Parks.

PUBLIC UTILITIES & LICENSING
Previously Referred

PENDING APPLICATIONS

“CLASS B” INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2012-13

28A	Ante LLC Ann T. Luisier, Agent	714 Buffalo St.
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2013 COMMERCIAL GARBAGE HAULER

1	Michael A. Pozorski d/b/a Pozorski Hauling & Recycling, LLC	2515 Viebahn Street
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TWO-YEAR OPERATOR’S LICENSE 2012- 2014

342	Gail A. Holschbach	804 Nicholas Court
343	Jena L. Ribley	1007 Starlight Dr., Francis Creek, WI
344	Kelly J. Smoot	1832 Michigan Avenue

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

None.