

COMMON COUNCIL AGENDA

Monday, January 7, 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 in zone from "I-1" Light Industrial District to "B-2" Neighborhood Business District, in an area located in Section 35 at Viebahn and South 42nd Street (CTH "CR")

7:20 P.M. - Proposed change in zone from "R-5" Low Density Multiple Family District to "B-1" Office Residential District, in an area located north of Cleveland Avenue and Maritime Drive, south of Hawthorne Court, east of Shorewood Blvd. and west of the City's lift station.

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 (13-003) of Great Lakes Utilities Board of 11/1/12 & 11/14/12, Great Lakes Utilities Power Supply Project of 9/25/12 & 10/10/12, Great Lakes Utilities Hydroelectric Project of 3/27/12, Great Lakes Utilities Lakeswind Project of 9/25/12.

COMMITTEE OF THE WHOLE

General City Claims (12-014) in the amount of \$994,186.92 enumerated on list thereof.

FINANCE

Report (13-011) of City Planner David Less relative to Amendment Agreement No. 3 and Job Guarantee Agreement 2 for construction of a rail spur for EPI 04, Inc., f/k/a Extrutech Plastics Inc. for their facility on West Custer.

PARKS AND RECREATION

Special Events Request (13-002) from Broken Spoke Bike Studio for Shelltrack Fatbike race at Silver Creek Park on February 2, 2013, and waiver of fee request attached.

Communication (13-004) from Douglas Koch requesting suspension of rental of Cabin No. 2 in Lincoln Park for the Lights in Lincoln Park event for the month of December, 2013.

Waiver of Fees Request (13-005) from Manitowoc Unit of Fish & Game for rental of Cabin 1 for their meeting dates.

PUBLIC PROPERTY AND SAFETY

Communication (13-001) from Fire Chief William P. Manis II reporting Police & Fire Commission and well as his recommendations for staffing, etc. at the Fire Department.

Report (13-006) of Public Property and Safety Committee relative to accident recovery fee for 2013.

Communication (13-010) from The Crossing requesting a change in the parking time limit for the 800 block of Washington Street.

Request (13-013) from Eastern Wisconsin Stock Cars requesting an extension to the noise ordinance from 10:00 p.m. to 10:45 p.m. with a grace period of 15 minutes for the 2013 race season per the attached schedule.

PUBLIC UTILITIES AND LICENSING

Request (13-012) from Eastern Wisconsin Stock Cars asking for an extension of beer sales to 12:00 A.M. for their 2013 Friday night race season.

LICENSE APPLICATIONS REFERRED

CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE- 2012-13 (Change of Agent)

Kwik Trip #611
Kimberly M. Kennedy, Agent

2102 Washington Street

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2012-13

65 Gary Alan Siebold

2015 Marshall Street

2013 COMMERCIAL GARBAGE HAULER

2	Manitowoc Disposal, Inc.	1800 Johnston Drive
3	Waste Management	1861 E. Allouez Ave., Green Bay, WI
4	Advanced Disposal	428 High St., Chilton, WI 53014

TWO YEAR OPERATOR'S LICENSE - 2012-14

345	Ethan Polling	2323 S. 22 nd St.
346	Tiffany A. Grosshuesch	1143 S. 23 rd St.
347	Stacey L. Kulpa	1722 East St., Two Rivers, WI 54241

STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITION DERBY

1 Eastern Wisconsin Stock Cars

4921 Expo Dr., Grandstand Area

STREETS AND SANITATION

Public Works Petition (13-007) from Burbey Ponderosa LLC for permanent paving, sidewalks, storm and sanitary sewers, and other public utilities to be installed on property abutting on Goodwin Road, as described therein, and shown on the attached map.

Quit Claim Deed (13-008) from Burbey Ponderosa, LLC to City of Manitowoc of property for Goodwin Road purposes.

Change Order (13-009) from AECOM relative to Remedial Investigation and Monitoring Services Flambeau Street Site in the amount of \$14,439.00.,

Petition (13-016) from homeowners living within 200 feet of proposed rezoning on Cleveland Avenue not in favor of the rezoning.

Progress invoices (13-017), (13-018) and (13-019) from Wisconsin Dept. of Transportation: \$7,625.54 for N. Rapids Rd. & Broadway St. Intersection, Project 4327-06-71; \$9,899.78 for Waldo Blvd. 8th Street to Maritime Drive, Project 4570-12-00; and \$19,664.15 for Waldo Blvd. CTH R to 8th Street, Project 1500-37-00.

PERSONNEL

None.

RESOLUTIONS

None.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (13-015) to create Section 8.250 of the Manitowoc Municipal Code regarding ejection and exclusion from City parks, was referred to Public Property & 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 "A" RETAIL FERMENTED MALT BEVERAGE LICENSE- 2012-13 (Change of Agent)

Kwik Trip #611
Kimberly M. Kennedy, Agent

2102 Washington Street

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2012-13

28A Ante LLC
Ann T. Luisier, Agent

714 Buffalo St.

2013 COMMERCIAL GARBAGE HAULER

2 Manitowoc Disposal, Inc.

1800 Johnston Drive

TWO YEAR OPERATOR'S LICENSE - 2012-14

347 Stacey L. Kulpa

1722 East St., Two Rivers, WI 54241

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

COMMITTEE OF THE WHOLE Previously Referred

Ordinance (12-695) to amend Section 15.450 of the Manitowoc Municipal Code dealing with signage.

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.

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 (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.

Ordinance (12-706) to repeal Section 3.130 of the Manitowoc Municipal Code relative to Safety, Traffic & Parking Commission.

PUBLIC UTILITIES & LICENSING
Previously Referred

PENDING APPLICATIONS

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

65 Gary Alan Siebold 2015 Marshall Street

2013 COMMERCIAL GARBAGE HAULER

3 Waste Management 1861 E. Allouez Ave., Green Bay, WI
4 Advanced Disposal 428 High St., Chilton, WI 53014

ONE-YEAR OPERATOR’S LICENSE 2012- 201 3

42 Shayla M. Wachholz 3504 Custer St.

TWO-YEAR OPERATOR’S LICENSE - 2012-2014

345 Ethan Polling 2323 S. 22nd St.
346 Tiffany A. Grosshuesch 1143 S. 23rd St.

STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITON DERBY

1 Eastern Wisconsin Stock Cars 4921 Expo Dr., Grandstand Area

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 (12-417) from Luisier Plumbing relative to sewer repair at 1403 Nagle Avenue.

Ordinance (12-711) to amend Section 22.010 of the Municipal Code entitled "Official Map - Master Subdivision Plans" for an area north of Viebahn Street and west of S. 42nd Street.

Ordinance (12-712) to amend Section 15.050 of the Municipal Code to amend the amended zone map for an area located west of S. 42nd Street, north of Viebahn Street and east of an existing drainage way to be changed from "I-1" Light Industrial District to "B-2" Neighborhood Business District.

Ordinance (12-713) to amend Section 15.050 of the Municipal Code to amend the amended zone map for an area located north of Cleveland Avenue, east of Maritime Drive, and southeast of Hawthorne Terrace to be changed from "R-5" Low Density Multiple Family to "B-1" Office - Residential District.

PERSONNEL
Previously Referred

None.