

COMMON COUNCIL AGENDA

**Monday, August 5, 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: None.

CLOSED SESSION: None.

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

Communication (13-406) from Valley View Apartments extending their support to The Haven to fight homelessness and poverty in our community.

Thank You (13-410) from Ryan Kamien for magic performance at Washington Park.

Notice (13-411) of air pollution permit application review from Dept. of Natural Resources for Tramontina US Cookware at 2005 Mirro Drive.

Notification (13-418) from The Haven notifying the City of their request for a conditional use permit to allow use of 1001 Marshall Street as a homeless shelter.

Minutes (13-417) of Harbor Commission of 1/23/13; Public Utilities Commission of 6/24/13; Rahr West Art Museum Board of 6/19/13.

COMMITTEE OF THE WHOLE

General City Claims (13-423) in the amount of \$1,599,472.01 enumerated on list thereof.

FINANCE

Report (13-412) of City Planner David Less relative to Amendment No. 2 to Mainly Manitowoc Services Agreement and consideration of funding for the years 2013-2015.

Amendment No. 2 (13-413) to Services Agreement between City of Manitowoc and Mainly Manitowoc, Inc.

LICENSING, PERMITS & INSPECTIONS

Communication (13-404) from SMI, as representatives of Manitowoc Cinema LLC requesting approval of the Final Development Plan for the Cinema Square Planned Unit Development.

Memo (13-405) from City Clerk Hudon relative to refund of unused license fees to Arya Enterprises and Vandan Ventures.

Request (13-407) from Saint Francis of Assisi Parish for conditional use permit for St. Boniface School building, 1001 Marshall Street (parcel no. 000-287-010) to house the homeless.

Notice (13-416) of Change of Agent for Class "A" Retail Fermented Malt Beverage License #1, Kwik Trip #491.

Sidewalk Privilege Agreement (13-421) with SACK Realty, LLC for the purpose of constructing a deck at 4709 Menasha Avenue that will extend 6.5' into City right-of-way.

LICENSE APPLICATIONS REFERRED

CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE – 2013-14

CHANGE OF AGENT:

1 Kwik Trip, Inc. #491 2103 S. 42nd St.
John G. DuPont, Agent

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE – 2013-14

65 Blazin Wings, Inc. 4140 Harbor Town Ln., Ste. 100
Darin Reiger, Agent

TEMPORARY OPERATOR'S LICENSE

7 Jeffrey P. Schmid 1819 County Rd. VV, Two Rivers, WI 54241
8 Karl R. Walesch 3050 Cottage Lane, Two Rivers, WI 54241
9 Thomas J. Rysticken 3215 Bellevue Place, Two Rivers, WI 54241
10 Paul F. Meissner 6334 Johnston Dr., Two Rivers, WI 54241
11 Robert F. Dienor 5026 Wagon Wheel Rd.
12 John S. Engstrom 4105 Clover, Two Rivers, WI 54241
13 Francis G. Holly 1922 Sharon Lane
14 Donna J. Petska 6275 Homestead Ln, Two Rivers, WI 54241
15 Cynthia A. Holschbach 2918 Silver Creek Rd.
16 Thomas Nonnemacher 1609 Viebahn St.
17 Cary J. Nate 16119 Taus Rd., Cato, WI 54230
18 Tom R. O'Connell 226 Mill, Reedsville, WI 54230
19 Travis C. Nate 16119 Taus Rd., Reedsville, WI 54230
20 Sharon D. Nate 16119 Taus Rd., Reedsville, WI 54230
21 William E. Birkholz 9306 Hwy. 10, Cato, WI 54230
22 Doris A. Schnelle 14213 Pigeon River Rd., Cleveland, WI 53015
23 Megan A. Schmidtman 1633 S. 10th St.

ONE YEAR OPERATOR'S LICENSE – 2013-14

21 Ashley Reis 2723 S. 23rd St., Apt. 5

TWO YEAR OPERATOR'S LICENSE – 2013-15

221 Steven Diederichs 3435 Barkwood Lane
222 Lacey Duckart 8110 Hidden Valley Rd., Maribel, WI 54227
223 Elisabeth Rada 1409 Wollmer St.
224 Miranda Sadowski 5319 Cedar Lane
225 Dawn Jolin 1519 Madison St.
226 Katelyn Knutson 4525 Bleser Ct.
227 Sharon Enz 14026 County Rd. Q, Maribel, WI 54227
228 Kari Graff 1812 Division St.
229 Chad M. MacDonald 1025 S. 23rd St.

PARKS AND RECREATION

Report (13-400) of Board of Public Works of Tuesday, July 23, 2013, regarding bids received for Red Arrow Park Beach Nourishment, Project WO-13-12.

Special Events Request (13-398) from Lincoln Park Zoological Society to hold Movie Night at the Zoo on August 15th.

Special Events Request (13-397) from Alek's Adventure for Got Heart event on July 20, 2013, at Lincoln Park.

Mariner's Trail Permit (13-414) of The Salvation Army for Bike Ride for Hunger on September 7, 2013.

Waiver (13-415) of Fees Request from United States Special Guerilla Unit for use of Silver Creek Fieldhouse on August 24 & 25, 2013.

Communication (13-419) from Director of Public Infrastructure Dan Koski asking for Council's approval of the Miracle League Field layout at Dewey Park.

PERSONNEL

None.

PUBLIC INFRASTRUCTURE

Report (13-399) of Board of Public Works of July 23, 2013 recommending Class I notice when publishing notice of hearing objections to assessments.

Report (13-401) of Board of Public Works of June 23, 2013 recommending 10-year interest on installment payment plans be set at 7.5% for 2012 assessments.

Report (13-402) of Board of Public Works of June 23, 2013 recommending reducing special assessment for storm sewer for parcel #122-000-331.

Report (13-403) of Board of Public Works of June 12, 2013 and July 23, 2013 on 2012 special assessments.

Report (13-420) of Harbor Commission encouraging the Common Council's full support and effort in promoting the City of Manitowoc for the location of the National Marine Sanctuary Visitor Center.

Communication (13-422) from Manitou Manor Apartments relative to the condition of Sixth Street from Reed Avenue to Magnolia Drive.

Report (13-408) of the Board of Public Works of July 23, 2013 recommending 1st and final payment to Seiler Brothers Construction in the amount of \$13,270.60 for 2013 Mini-Storm Sewer Project – North 23rd Street.

Special Events Request (13-) from Rock-N-Blues Haus to hold event on September 7, 2013, in partnership with Court House Pub asking for street closure and extension of licensed premise for sale of beer. (copy to Licensing, Permits & Inspections).

PUBLIC SAFETY

Request (13-409) from Lifequest Billing for adjustment of ambulance bill of call number 182-13-1069 for service on April 9, 2013 in the amount of \$886.50.

RESOLUTIONS

Resolution (13-) for fee in lieu of on-site stormwater management for 3711 Dewey Street, was referred to Public Infrastructure 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 "A" RETAIL FERMENTED MALT BEVERAGE LICENSE – 2013-14

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

COMMITTEE OF THE WHOLE
Previously Referred

Petition (13-105) from the tenants of The Riverview Drive Apartments of Manitowoc.

FINANCE
Previously Referred

Summons and Complaint (12-401) BMO Harris Bank vs. Christine C. Spencer and City, Case No. 12 CV 0395.

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

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.

First Amendment (13-259) to Services Agreement between City of Manitowoc, City of Two Rivers, City of Kiel and Manitowoc Economic Development Corporation to extend agreement for three year period commencing January 1, 2014.

LICENSING, PERMITS & INSPECTIONS
(FORMERLY PUBLIC UTILITIES & LICENSING)
Previously Referred

Communication (13-240) from David C. Neuser to either purchase a 33 foot parcel of land from the City or receive an easement to allow him to build a new home.

Communication (13-362) from County Treasurer Cheryl Duchow enclosing public notice of tax foreclosure In Rem 2013 for properties located in the City of Manitowoc.

Resolution (13-388) to vacate a portion of So. 19th Street, north of Summit Street and south of Dewey Street.

Ordinance (13-389) to amend Section 22.010 of the Manitowoc Municipal Code entitled "Official Map – Master Subdivision Plans" for an area located at S. 19th Street, north of Summit Street.

PENDING APPLICATIONS

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE – 2013-14

65	Blazin Wings, Inc. Darin Reiger, Agent	4140 Harbor Town Ln., Ste. 100
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TEMPORARY OPERATOR'S LICENSE

23	Megan A. Schmidtman	1633 S. 10 th St.
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TWO YEAR OPERATOR'S LICENSE – 2013-15

228	Kari Graff	1812 Division St.
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PARKS AND RECREATION
Previously Referred

None.

PERSONNEL
Previously Referred

Proposal (13-349) concerning wages for the Operations Team Leader, Operations Assistant, and Recreation Team Leader. *(Tabled on 7/1/13)*

Communication (13-361) from Fire Chief William P. Manis II requesting review of compression factor in salaries of not only the Fire Department but all departments.

PUBLIC INFRASTRUCTURE
(FORMERLY 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.

Ordinance (13-120) to amend Section 7.210 of the Manitowoc Municipal Code regulating snow removal and deposits, was referred to Streets and Sanitation Committee.

Request (13-133) from SMI as representatives of City Centre LLC for a variance for a commercial driveway width greater than 35 feet for a site at the northeast corner of S. 16th and Wollmer Streets for proposed boat storage building.

Request (13-214) from SMI as representatives of Manitowoc Cinema LLC for approval of a conditional use permit and site plan for a commercial development in an area located south of the

south end of So. 44th Street, east of I-43, north of Viebahn St. and west of a lowland area in the vicinity.

First Revision (13-256) to State/Municipal Agreement for a local Let Safe Routes to School Project.

Request (13-317) from Marcella Krall to return bench and plaque which are no longer being utilized at the Transit Terminal.

PUBLIC SAFETY
(FORMERLY PUBLIC PROPERTY AND SAFETY)
Previously Referred

Ordinance (13-264) to amend various sections of Chapter 10 of the Manitowoc Municipal Code which regulate parking time restrictions in the downtown area.

Communication (13-318) from Ian Nelson requesting a "No Parking Between Driveways" sign between his driveway at 519A N. 9th Street and the neighboring driveway.

Communication (13-323) from LifeQuest recommending adjustment for ambulance services for call #182-13-0415 on 2/5/13 and #182-12-3560 on 12/11/12.

Communication (13-330) from Jonathan Menk relative to bicyclists' safety in the downtown.

Communication (13-365) from Carol Schultz relative to invoice for large hazardous fluid cleanup fees.

Ordinance (13-386) to amend Section 10.490 of the Manitowoc Municipal Code establishing parking time limits on South 26th Street.