

COMMON COUNCIL AGENDA

Tuesday, January 3, 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:

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 (12-001) of Citizens Advisory Committee of 12/6/11; Great Lakes Utilities Board of 11/15/11; Sustainability Committee of 12/13/11.

Thank You (12-002) from Holy Family Memorial extending gratitude to Schuette, Wernecke, Wilda, Rank Christmas Fund.

Notice (12-012) from Wisconsin Dept. of Natural Resources to reissue pollutant discharge elimination system permit to Wastewater Treatment Facility, 1015 S. Lakeview Dr.

COMMITTEE OF THE WHOLE

General City Claims (12-010) in the amount of \$688,378.04 enumerated on list thereof.

FINANCE

Report (12-013) of City Planner regarding Satisfaction and Termination of Various Indentures, Revenue Agreement, and Mortgage, Security Agreement and Assignment of Leases and Rents related to Series 1979, Series 1985 and Series 1994 Industrial Revenue Bonds issued by the City to Dow Canvas Products, Inc. n/k/a Dowco, Inc.

PARKS AND RECREATION

Request (12-011) from Manitowoc Co. Fish & Game Protective Assn. for the use of Lincoln Park Cabin #1 on the first Thursday of the month, as detailed therein, at a cost of \$300.

Request (12-019) from Steve Steeno to place memorial bench for Perla Arostegui in lower Schuette Park, as detailed therein.

PUBLIC PROPERTY AND SAFETY

None.

PUBLIC UTILITIES AND LICENSING

Report (12-003) on 2012 Weights & Measures assessments for various businesses, as detailed herein.

Contract (12-014) with Seehafer Broadcasting Corp. relative to advertising on WQTC for term ending December 31, 2014.

Contract (12-015) with Seehafer Broadcasting Corp. relative to advertising on WOMT for term ending December 31, 2014.

LICENSE APPLICATIONS REFERRED

CLASS "B" TEMPORARY BEER & TEMPORARY WINE LICENSE

1	(Beer) Manitowoc County Domestic Violence Center	2000 Mirro Dr.
2	(Wine) Manitowoc County Domestic Violence Center	2000 Mirro Dr.

MOBILE HOME PARK LICENSE - 2012

2	Trail's End Park, Inc.	2000 Johnston Drive
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ONE YEAR OPERATOR'S LICENSE - 2011-12

50	William L. Moore	N5513 Hwy BB, Chilton, WI 53014
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TWO YEAR OPERATOR'S LICENSE - 2011-13

288	Keith Swetlik	1150 S. 36 th St.
289	Kasey Socha	3309 Yorkshire Lane, #15
290	Ashlee R. Skarda	P.O. Box 106, Francis Creek, WI 54214
291	Sara M. Mallion	1516 Division St.
292	Charlene Warner Holley	2440 S. 18 th St.
293	Matt G. Kadow	2515 Western Ave.
294	Jacqueline L. Knops	9225 Hwy JJ
295	Diane M. Reynolds	2402 N. 5 th St., Sheboygan, WI 53083
296	Lori A. Lippert	728 N. 6 th St.

STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITION DERBY

STREETS AND SANITATION

Special Events Request (12-004) from Leukemia & Lymphoma Society to hold Scenic Shore 150 bike tour on July 21 & 22, 2012.

Application (12-016) from Donald C. Popp for change in zone from I-1 Light Industrial District to R-4 Single and Two Family District for property at 1919 E. Spruce Dr.

PERSONNEL

None.

RESOLUTIONS

Resolution (12-009) implementing GASB Statement #54, fund balance reporting and governmental fund type definitions, was referred to Finance Committee.

Resolution (12-018) amending fees for Evergreen Cemetery, was referred to Streets and Sanitation Committee.

Resolution (12-005) authorizing the 2012 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 (12-006) that dust palliatives be placed on the streets listed therein in 2012 and the assessments be made against the abutting property owners for the cost on a front foot basis, was referred to Streets & Sanitation Committee.

Resolution (12-007) that seal coating be placed on the streets listed therein in 2012, and assessments be made against the abutting property owners pursuant to Section 7.32 of the

Municipal Code, was referred to Streets and Sanitation Committee.

Resolution (12-008)) that certain infrastructure improvements listed therein be included in the 2012 Public Works Program, and assessments be made against the abutting property owners, per foot, per side, was referred to Streets and Sanitation Committee.

Resolution (12-) relative to employee positions was referred to Personnel Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (12-017) to amend Section 25.05(8) of the Municipal Code to adjust rates for sewer service charges effective January 1, 2012, was referred to Streets and Sanitation 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 B” INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2011-12

CLASS “B” TEMPORARY BEER & TEMPORARY WINE LICENSE

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STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITION DERBY

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

COMMITTEE OF THE WHOLE **Previously Referred**

Resolution (11-556) to revise position description and to fill the vacant position of Parks Worker II.

FINANCE **Previously Referred**

Summons and Complaint (08-428) from Holy Family Memorial, Inc. vs. City of Manitowoc, Case No. ‘08 CV 448.

Summons and Complaint (09-277) from JPMC Specialty Mortgage, LLC vs. Tammy & Brian Heili et al., Case No. 09 CV 0335.

Notice of Claim (09-635) from Armond Kueter of October 30, 2009, Claim File No. 09-1031.

Notice of Claim (09-337) of Deborah Kerr dated May 30, 2009, Claim File No. 09-1021.

Notice of Claim (09-390) of Michael E. Augustine of June 26, 2009, Claim File No. 09-1024.

Notice (09-705) of Event giving rise to claim from D. T. Kedinger of December 10, 2009, Claim File No. 09-1036.

Summons & Complaint (09-745) between Brian W. Swetlik v. Former Mayor Kevin Crawford, et al, Case No. 09-C-1157.

Defendants’ Answer (10-017) relative to Case No. 09-C-1157, Brian W. Swetlik vs. Former Mayor Kevin Crawford et al.

Notice (10-092) of Motion and Motion to Reopen Case of Alex v. Augustine, etc., Case No. 06-CV-0329.

Notice (10-205) of Circumstances of Claim on behalf of The Estate of Robert Rue, Fleet Claim File No. 10-187.

Notice of Claim (10-316) of Tracy Weiler of June 11, 2010, Claim File No. 10-1045.

Notice of Claim (10-389) of A T & T of June 7, 2010, Claim File No. 10-048.

Resolution (10-415) to approve a Boundary and Text Amendment Number One (1) to Tax Incremental Financing (TIF) District No. 16 Project Plan.

Claim (10-497) for Injuries of August 23, 2010 relative to Tara M. Novak, Fleet Claim No. 10-191.

Notice of Claim and Claim (10-496) of August 25, 2010, from Diane Smith, Claim File No. 10-1054.

Notice of Claim and Claim (10-494) of August 12, 2010 from Mary Schleis, Claim File No. 10-1051-1.

Summons and Complaint (11-038) with Shipbuilders Credit Union vs. Duggan et al.

Summons and Complaint (11-200) from Manitowoc Properties LLC of March 2, 2011, Case No. 11 SC 0333.

Summons and Complaint (11-276) between Zetley Real Estate Co., LLC and City of Manitowoc, Case No. 11 CV 296.

Notice of Claim and Claim (11-293) of May 2, 2011 from Bradley A. Jacobson, Claim File No. 11-1066.

Notice of Claim (11-361) of Joaquim Martinez, Claim File No. 11-1068.

Communication (11-380) from City Assessor Sarah Hoppe to refund personal property tax on parcel 000-917-803.

Summons and Complaint (11-412) in the matter of Manitowoc County Habitat for Humanity, Inc. v. Estate of Wendy Koepke et al.

Notice of Claim and Claim (11-625) of David and Eliner Waege dated September 15, 2011, Claim File No. 11-1074.

General City Budget (11-713) of proposed 2011 levy for 2012, in the amount of \$13,116,398.00 including the Manitowoc Public Library, with \$917,945.00 in proposed tax incremental financing.

Notice of Claim (11-676) of October 4, 2011 from Virginia Podrabsky, Claim File No. 11-1075.

Notice of Claim (11-705) of October 14, 2011 from Donald Goeke, Jr., Claim File No. 11-1076.

Memo (11-722) from Asst. City Attorney Kathleen McDaniel with Notice of Entry of Order Confirming Sale and Order Confirming Sale in the matter of Shipbuilders Credit Union vs. Gary D. Duggan et al.

Claim (11-712) of October 17, 2011, from Donald Goeke, Jr., Claim File No. 11-1076-1.

Claim (11-724) of American Family Insurance in behalf of their insured, Naomi R. Bitter, Claim File No. 11-1077.

Notice of Claim and Claim (11-750) of November 6, 2011 from Greg J. Zabler, Claim File No. 11-1079.

Amended Summons and Complaint (11-790) of Wisconsin Housing and Economic Development Authority vs. Vang, et al, Case No. 11-CV-615.

Pilot Site Agreement (11-830) with Springbrook Software, Inc. for a term of one year.

PARKS AND RECREATION
Previously Referred

Animal Acquisition and Disposition Policy (11-661) to responsibly manage the acquisition and disposition activities of the Lincoln Park Zoo.

Ordinance (11-671) amending section 3.560 of the Manitowoc Municipal Code describing duties of the Director of Parks and Recreation, (copy to Personnel Committee).

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 (11-734) from Federal Mogul expressing safety concerns in the area of a crosswalk between their parking lot and facility.

Communication (11-768) from Dan and Pauline Burton expressing their concerns relative to parking on Shady Lane.

Request (11-771) from Bernard Starzewski to eliminate loading zone in front of 928 So. 12th Street along with two hour parking in the 900 block of So. 12th Street.

Communication (11-770) from Deputy City Engineer Greg Minikel relative to the installation of pedestrian crossing signs at both of the intersections on Western Avenue near Holy Family Hospital.

Communication (11-793) from Zorica Dent, Z's Wisconsin Cheese Store, relative to parking on Jay Street.

Report (11-800) of Board of Public Works of November 30, 2011 relative to quotes for two (2) new full-size four-door automobiles (Police squads) for the Police Department.

Communication (11-815) from Alderperson Schema attaching request from George Kapitz to purchase City land abutting his property at corner of 35th and Division Streets.

Ordinance (11-828) to amend, repeal and recreate various sections of Chapter 10 of the Manitowoc Municipal Code entitled "Traffic Regulations".

PUBLIC UTILITIES & LICENSING
Previously Referred

Request (11-102) from Isaac Notz, 3205 S. 19th St. requesting electrical service to his property outside the city limits.

PENDING APPLICATIONS

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE

62	El Caballo Loco-Crazy Horse, LLC Arlene A. DeGuzman, Agent	1802 Washington St.
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MOBILE HOME PARK LICENSE - 2012

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295	Diane M. Reynolds	2402 N. 5 th St., Sheboygan, WI 53083
296	Lori A. Lippert	728 N. 6 th 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 (11-192) from Director of Public Works and City Engineer Valerie Mellon regarding DOT Project on USH 151 (Calumet Avenue) - STH 42 to I-Tec Drive Reconstruction.

Request (11-203) from SMI on behalf of Popp Enterprises LLC (with Petition attached) for a vacation of a portion of an official map street reducing the right-of-way of So. 21st Street from Summit St. to Flambeau St.

Notice (10-204) of Circumstances of Claim on behalf of Violet M. Rue, Fleet Claim File No. 10-186.

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.

Request (11-653) from TLC Homes for conditional use permit to operate a day service program serving disabled adults at 5151 Expo Drive.

Lease (11-746) between Lease Finance Group and City of Manitowoc Evergreen Cemetery for credit card equipment.

Request (11-747) to amend 1986 Temporary Access Easement Agreement Over Unopened Street with Ann Wenzel on East Spruce Drive.

Communication (10-064) from SMI requesting that Streets and Sanitation Committee take action on various issues relating to storm water pond maintenance costs.

Sidewalk Privilege Agreement (11-720) with KB Brothers LLC for the purpose of placing a concrete retaining wall along S. 20th Street in the right-of-way located at 2000 Clark St.

PERSONNEL
Previously Referred

Resolution (11-319) to adjust job titles for Business Manager of Dept. of Public Works, Fleet Manager and Administrative Assistant to Director.

Ordinance (11-823) amending Section 20.010(1) and (2) of the Municipal Code relating to City-Employee Relationship.