

COMMON COUNCIL AGENDA

Monday, January 16, 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:

Presentation by Tom Drill - Showtime.

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 (12-033) from Salvation Army relative to gift from Schuette, Wernecke, Wilda Rank fund..

Thank you (12-034) from Catholic Charities relative to gift from Schuette, Wernecke, Wilda Rank fund.

Notice (12-048) of air pollution permit application review from Wisconsin Dept. of Natural Resources relative to Skana Aluminum, 2009 Mirro Drive.

Minutes (12-047) of Citizens Advisory Committee of 1/3/12; Manitowoc Public Utilities Committee of 12/12/11; Plan Commission of 12/14/11.

COMMITTEE OF THE WHOLE

General City Claims (12-029) in the amount of \$8,873,514.05 enumerated on list thereof.

FINANCE

Request (12-026) from Steimle Birschbach on behalf of Wisconsin Maritime Museum for City's approval to allow the WMM to convey the parking lot property across the street (to the North) of WMM to a private taxpaying entity.

Report (12-039) of City Planner David Less relative to Wisconsin Maritime Museum and request for consent under TIF performance agreement.

Communication (12-021) from Manitowoc Public Utilities relative to proposed \$5.0 Million Promissory Note with City with Promissory Note and Promissory Note, Release and Discharge attached.

PARKS AND RECREATION

Special Events Request (12-020) from 12U Junior Ships Baseball for tournament at Citizen

Park with waiver of fee request attached.

Special Events Request (12-027) from Liz Becker, Carol Rose Wester Memorial Walk/Run, requesting to hold a walk/run event on Saturday, August 11, 2012, starting and ending at Red Arrow Park, as detailed therein. (copy to Streets & Sanitation Committee).

Special Events Request (12-030) from Friends of Citizen Park to hold events at Citizen Park building on 2/11/12 and 3/24/12, with waiver of fee request attached.

PUBLIC PROPERTY AND SAFETY

Report (12-038) of City Planner David Less providing an informational packet on 2012 Farmers Market.

Communication (12-037) from Mayor Nickels on behalf of Flower Gallery relative to leased parking stalls in the N. 9th and Maritime Drive parking lot.

City Plan Commission, to whom was referred 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, returned same with report (12-042) recommending to the Council that the Official Map pattern in this area be preserved.

PUBLIC UTILITIES AND LICENSING

Contract (12-025) with Seehafer Broadcasting Corp. relative to advertising on WQTC for term ending December 31, 2014.

LICENSE APPLICATIONS REFERRED

TWO YEAR OPERATOR'S LICENSE - 2011-13

297	Kassie L. Ahlswede	811 25 th St., Two Rivers, WI 54241
298	Katie K. Schultz	2504 42 nd St., Two Rivers, WI 54241
299	Sarah Schmidt	19412 US HWY 151, Valders, WI 54245
300	Wendy M. Strutz	2134 S. 9 TH St.
301	Kathryn J. Lodl	509 Birchwood Dr., Francis Creek, WI 54214
302	Jennifer L. Bailey	635 N. 4 th St.
303	Lindsey Hawig	411 S. Packer Dr.
304	Alfred Keith IV	415 N. 8 th St.

STREETS AND SANITATION

Notice (12-032) from Red Arrow Products that they are applying for a permit to repair the river bank to the north of the manufacturing facility located on Water Street.

Report (12-022) of Board of Public Works for 4th and final payment to Ridgeway LLC for raw Wastewater fine screening, WB-09-21 in the amount of \$118,169.54.

Progress invoice (12-035) from Wisconsin Dept. of Transportation in the amount of \$ 5,814.10 for N. Rapids Rd. & Broadway Street intersection CTH R, Project No. 4327-06-00.

Progress invoice (12-036) from Wisconsin Dept. of Transportation in the amount of \$485.09 for Waldo Blvd. CTH R - 8th Street, Project No. 1500-37-00.

Report (12-040) of City Plan Commission relative to request from Popp/Wenzel to rezone property at 1919 Spruce Drive from "I-1" Light Industrial to "R-4" Single and Two Family.

Report (12-041) of the City Plan Commission indicating they have conducted their annual review of Community Living Arrangements (CLA's) and recommending that the Council approve the associated licenses for these facilities for 2012.

Report (12 043) of City Plan Commission authorizing issuance of special permit for the construction of a fixed animated sign for Balance on Buffalo at 924 Buffalo Street, as detailed therein

Report (12-044) of City Plan Commission relative to placing existing storm water pond onto a single tract of land and recommending city initiated vacation and Official Map amendment at Clay Pit Road, as detailed therein.

PERSONNEL

None.

RESOLUTIONS

Initial Resolution (12-023) relating to Midwestern Disaster Area Industrial Development Revenue Bond Financing (Skana Aluminum Company, Inc. Project), was referred to Finance Committee.

Resolution (12-024) relating to waiver of Section 66.1103(11(b)1. requirements in connection with a Midwestern Disaster Area Industrial Development Revenue Bond financing (Skana Aluminum Company, Inc. Project), was referred to Finance Committee.

Resolution (12-051) to adopt two Promissory Notes representing a Five Million Dollar loan from Manitowoc Public Utilities to balance the 2011 budget, was referred to Finance Committee.

Resolution (12-) authorizing depositories for City of Manitowoc, was referred to Finance Committee.

Resolution (12-045) promoting Debra Geiger to position of Director of Human Resources/Risk Manager effective December 20, 2011, was referred to Personnel Committee.

Resolution (12-046) establishing hours of work, schedules, overtime, call-in and compensatory time policies for employees not currently covered by a collective bargaining agreement, was referred to Personnel Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (12-049) to amend Section 10.610 of the Manitowoc Municipal Code, setting parking penalties, was referred to Public Property and Safety Committee.

Ordinance (12-050) to amend the Deposit Schedule for the Manitowoc Municipal Code, Section 10.610, Parking Penalties, was referred to Public Property and Safety Committee.

Ordinance (12-031) amending the amended zone map of the City of Manitowoc for property north of Assessor's Plat No. 2, west of Woodland Drive and south of the Canadian National Railroad tracks from "I-1" Light Industrial District to "R-4" Single and Two Family Residential District, 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)

TWO YEAR OPERATOR'S LICENSE - 2011-13

297	Kassie L. Ahlswede	811 25 th St., Two Rivers, WI 54241
298	Katie K. Schultz	2504 42 nd St., Two Rivers, WI 54241
299	Sarah Schmidt	19412 US HWY 151, Valders, WI 54245
300	Wendy M. Strutz	2134 S. 9 TH St.
301	Kathryn J. Lodl	509 Birchwood Dr., Francis Creek, WI 54214
302	Jennifer L. Bailey	635 N. 4 th St.
303	Lindsey Hawig	411 S. Packer Dr.

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.

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 (11-724) 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.

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 (11-768) 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.

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.

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

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

ONE YEAR OPERATOR'S LICENSE - 2011-12

TWO YEAR OPERATOR'S LICENSE - 2011-13

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.

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.

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
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.