

COMMON COUNCIL AGENDA

Monday, July 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: 7:10 p.m. - For the purpose of hearing any and all interested parties in the matter of the following:

Text Amendment No. 1 to TIF District No. 10 to amend the project plan to designate said district as a "donor" district for proposed "recipient" TIF districts No. 8, 11 and 12.

Text Amendment No. 1 to TIF District No. 13 to amend the project plan to designate said district as a "donor" district for proposed "recipient" TIF districts No. 8, 11 and 12.

Text Amendment No. 2 to TIF District No. 15 to amend the project plan to designate said district as a "donor" district for proposed "recipient" TIF districts No. 8, 11 and 12.

Text Amendment No. 1 to TIF District No. 17 to amend the project plan to designate said district as a "donor" district for proposed "recipient" TIF districts No. 8, 11 and 12.

Designation of TIF District No. 8 as "distressed" to allow the extension of said district's maximum life by up to 10 years beyond the original termination date (until 2030) in order to repay its obligations.

Designation of TIF District No. 11 as "distressed" to allow the extension of said district's maximum life by up to 10 years beyond the original termination date (until 2029) in order to repay its obligations.

Designation of TIF District No. 12 as "distressed" to allow the extension of said district's maximum life by up to 10 years beyond the original termination date (until 2031) in order to repay its obligations.

CLOSED SESSION: Notice is hereby given that the above governmental body will adjourn to the First Floor Hearing Room - East for a closed session during the recess of the meeting as authorized by Section 19.85(1)(g) of Wisconsin Statutes, which authorizes the governmental body to convene in closed session for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The specific subject matter which will be considered in the closed session is the following: Discussion and update relative to Case No. 11-CV-366, Tara Novak v. City of Manitowoc on the action as well as possible settlement consideration.

Notice is hereby given that the above governmental body will adjourn to the First Floor Hearing Room - East for a closed session during the recess of the meeting as authorized by Section 19.85(1)(e) of Wisconsin Statutes, which authorizes the governmental body to convene in closed session for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session. The specific subject matter which will be considered in the closed session is the following: Discussion, negotiation, strategies and possible action regarding the submitted proposals for Temporary Legal Services for Municipal Ordinance prosecutions.

REPORTS OF OFFICERS:

Mayor Nickels presentation on Room Tax.

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 (12-465) of Community Development Authority of 6/13/12; Great Lakes Utilities Board of 5/23/12; Great Lakes Utilities Lakeswind Project of 5/23/12; Transit Commission of 5/9/12; Plan Commission of 6/13/12; Wastewater Treatment Facility of 6/12/12.

COMMITTEE OF THE WHOLE

General City Claims (12-446) in the amount of \$986,019.47 enumerated on list thereof.

FINANCE

Communication (12-441) from Nash, Sprindler, Grimstad & McCracken LLP relative to final settlement of Novak v. Cities and Villages Mutual Insurance Co., et al, Case No. 11-CV-366.

Report (12-449) of City Planner David Less relative to various tax deeded properties and possible purchase of property at 1104 N. 8th St. (copy to Public Property & Safety).

Report (12-457) of City Plan Commission relative to public hearing pursuant to Wis. Stat. Section 66.1105(4)(h)1 and (4e)(a)3 on proposed 2012 tax incremental financing (TIF) district activities.

PARKS AND RECREATION

Communication (12-427) from Mainly Manitowoc on behalf of the friends of Jerry Dick requesting permission to place a tree in Jerry's honor at a downtown location.

Special Events Request (12-429) from Lincoln Park Zoological Society to hold Breakfast with the Bison event in Lincoln Park on September 15, 2012, with waiver of fees request attached.

Vendor Agreements (12-431), from Manitowoc County Dairy Promotion Committee for 7/15/12 with request for waiver of fee attached; (12-432) from Late's for 7/4/12; and (12-433) from Party Pizzazz for 7/4/12.

Special Events Request (12-434) from Roncalli High School to hold 45th Annual Roncalli Cross Country Invite at Lincoln Park on September 8, 2012, with waiver of fees request attached.

Amendment (12-435) to Special Events Request from Manitowoc Sunrise Rotary for use of streets, sidewalks and Lincoln Park for 5K run on October 20, 2012, instead of October 13, 2012.

Special Events Request (12-442) from Kennys Athletic Klub to hold their annual softball tournament at Citizen Park on July 27 - 29, 2012 with rain dates of August 3 or 4.

Special Events Request (12-445) from New Beginnings Community Church to hold block party at Union Park on July 21, 2012 from 12:00 p.m. to 4:00 p.m.

Proposal (12-447) for Roller Skating Operation

PUBLIC PROPERTY AND SAFETY

Special Events Request (12-428) from Wagner's RV Center Inc. for waiver of the noise ordinance for Campfest Customer Appreciation Campout at the County Expo, September 7 - 9, 2012

Ambulance Service Agreement (12-448) between Elkhart Lake Multisports, Inc. and City for coverage on August 4, 2012.

PUBLIC UTILITIES AND LICENSING

Communication (12-444) from Clint Michael Rusch requesting reconsideration of denial of 2011-13 Two Year Operator's license #384.

Capital Assistance Contract (12-454) Section 5311 with State of Wisconsin Dept. of Transportation for 2012 to administer the Federal Small Urban and Rural Public Transportation Program (Nonurbanized Area).

Small Urban Operating Assistance Contract (12-455) with State of Wisconsin Dept. of Transportation for 2012 to administer the Federal Small Urban and Rural Public Transportation Program.

Urban Mass Transit Operating Assistance Contract (12-456) with State of Wisconsin Dept. of Transportation for 2012.

LICENSE APPLICATIONS REFERRED

ONE YEAR OPERATOR'S LICENSE - 2012 -13

23	Malachi Irlbeck	1550 Assman Rd., Mishicot, WI
24	Wyatt J. Castro	1623 George St.
25	Alan L. Brandt	719A S. 16 th St.

TWO YEAR OPERATOR'S LICENSE - 2012-14

228	Jennifer G. Witczak	1601 Waldo
229	Debra A. O'Connor	1135 N. 17 th St.
230	Travis J. Garcia	904 N. 12 th St.
231	Mary Bonfigt	811 N. 20 th St.
232	Aaron D. Tienor	2003 Ruby Lane
233	Matthew York	825 N. 10 th St.
234	Tori Remaker	2231 Lafollette Ave.
235	Sally J. Rettinger	1406 N. 7 th St.
236	Nancy L. Wester	1406 N. 2 nd St.
237	Holly A. Dueno	866A N. 14 th St.
238	Margaret A. Jeske	724 Woodlawn Dr.
239	Christee L. Schlorf	2931 40 th St., Apt. F, Two Rivers, WI
240	Ann M. Plekan	853 N. 10 th St.
241	Keshia K. Davis	924 Washington St.
242	James N. Foote	932 Rosemere Circle
243	Jason A. Jacobs	372 Gwynn St., Green Bay, WI 54301
244	Kevin M. Schmidt	947 N. 5 th St.
245	Ann Chapman-Norten	1310 S. 21 st St.
246	Kelly S. Sharlein	524 Washington St., Mishicot, WI 54225
247	Brandi Marie Damman	2001 Hamilton St., Apt. D
248	Danielle Budnik	838 N. 10 th St.
249	Dean Duescher	1322 S. 13 th St.
250	Margaret S. Harley	1316 S. 14 th St.
251	Megan Schmidtman	1633 S. 10 th St.
252	Kayla M. Nelson	14605 Mineral Spring Rd., Newton, WI 53063
253	Kenneth Qualman	929 S. 18 th St.
254	Miranda D. Wiebensohn	4909 County Rd. VV, Two Rivers, WI 54241
255	David N. Musselman	722 N. 9 th St.

STREETS AND SANITATION

Communication (12-430) from Patrick Young relative to street sweeping parking regulations.

Declaration of Dedication (12-440) of property for Clay Pit Road purposes.

Revised Report (12-443) of the Board of Public Works of November 30, 2011, recommending 13th and final payment to McMahon in the amount of \$258.00 for So. 30th St. Pond Vegetation.

Report (12 453) of City Plan Commission authorizing issuance of special permit for the construction of a fixed animated sign at Auto Dynamics of Manitowoc property at 1227 Washington St., as detailed therein.

PERSONNEL

Seasonal Employment Policy (12-436) revised 7/16/12.

RESOLUTIONS

Resolution (12-458) adopting the amended project plan of Tax Incremental Financing District No. 8, was referred to Finance Committee.

Resolution (12-459) adopting the amended project plan of Tax Incremental Financing District No. 11, was referred to Finance Committee.

Resolution (12-460) adopting the amended project plan of Tax Incremental Financing District No. 12, was referred to Finance Committee.

Resolution (12-461) adopting the amended project plan of Tax Incremental Financing District No. 10, was referred to Finance Committee.

Resolution (12-462) adopting the amended project plan of Tax Incremental Financing District No. 13, was referred to Finance Committee.

Resolution (12-463) adopting the amended project plan of Tax Incremental Financing District No. 15, was referred to Finance Committee.

Resolution (12-464) adopting the amended project plan of Tax Incremental Financing District No. 17, was referred to Finance Committee.

Resolution (12-426) authorizing that the Adult Crossing Guard rate of pay be adjusted to \$10.00 per hour for actual time worked, as detailed therein, was referred to Public Property and Safety Committee.

Resolution (12-450) authorizing the hiring of a part-time Transit Driver to provide coverage in the Department of Public Works Transit Division at the rate specified in the Transit Teamsters Collective Bargaining Agreement, was referred to Personnel Committee.

Resolution (12-451) authorizing to hire a full-time Evidence Room Clerk position in the Police Department at an hourly rate of \$21.35, was referred to Personnel Committee.

Resolution (12-452) updating the Employee Policy Manual to include Battalion Chiefs working 24 hour shifts, was referred to Personnel Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (12-437) to amend Section 10.390 of the Municipal Code regulating prohibited parking on So. 8th Street, was referred to Public Property and Safety Committee.

Ordinance (12-438) to amend Section 14.600(5) of the Municipal Code establishing the maximum dollar value of a retail theft permitted to be prosecuted in Municipal Court, was referred to Public Property and Safety Committee.

Ordinance (12-439) to amend the Deposit Schedule for the Municipal Code, Section 14.600 Retail Theft, was referred to Public Property and 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)

ONE YEAR OPERATOR'S LICENSE - 2012-13

23 Malachi Irlbeck
24 Wyatt J. Castro

1550 Assman Rd., Mishicot, WI
1623 George St.

25 Alan L. Brandt 719A S. 16th St.

TWO YEAR OPERATOR'S LICENSE - 2012-14

227 Kathleen Schaaf 4716 Calumet Ave.
228 Jennifer G. Witczak 1601 Waldo
229 Debra A. O'Connor 1135 N. 17th St.
230 Travis J. Garcia 904 N. 12th St.
231 Mary Bonfigt 811 N. 20th St.
232 Aaron D. Tienor 2003 Ruby Lane
233 Matthew York 825 N. 10th St.
234 Tori Remaker 2231 Lafollette Ave.
235 Sally J. Rettinger 1406 N. 7th St.
236 Nancy L. Wester 1406 N. 2nd St.
237 Holly A. Dueno 866A N. 14th St.
238 Margaret A. Jeske 724 Woodlawn Dr.
239 Christee L. Schlorf 2931 40th St., Apt. F, Two Rivers, WI
240 Ann M. Plekan 853 N. 10th St.
241 Keshia K. Davis 924 Washington St.
242 James N. Foote 932 Rosemere Circle
243 Jason A. Jacobs 372 Gwynn St., Green Bay, WI 54301
244 Kevin M. Schmidt 947 N. 5th St.
245 Ann Chapman-Norten 1310 S. 21st St.
246 Kelly S. Sharlein 524 Washington St., Mishicot, WI 54225
247 Brandi Marie Damman 2001 Hamilton St., Apt. D
248 Danielle Budnik 838 N. 10th St.
249 Dean Duescher 1322 S. 13th St.
250 Margaret S. Harley 1316 S. 14th St.
251 Megan Schmidtman 1633 S. 10th St.

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

**COMMITTEE OF THE WHOLE
Previously Referred**

None.

**FINANCE
Previously Referred**

Notice of Claim (12-217) from EMC Insurance Companies on behalf of Patricia McCarthy of April 10, 2012, Claim File No. 12-1083.

Notice of Claim and Claim (12-261) of April 18, 2012, from Kevin Schroeder, Claim No. 12-1084.

Summons and Complaint (12-303) between Bank of America vs. Hrudka, et al, Case No. 12 CV 0256.

Communication (12-391) from Manitowoc Two Rivers Visitor & Convention Bureau relative to the investment of additional revenues derived from increase of the city lodging tax.

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 (12-413) from County Treasurer Cheryl Duchow enclosing public notice of tax foreclosure In Rem 2012 for properties located in the City of Manitowoc.

**PARKS AND RECREATION
Previously Referred**

Ordinance (12-150) to amend Section 21.030(4)(f)(5) of the Manitowoc Municipal Code regulating the use of funds provided by developers in lieu of parkland dedication, was referred to Parks and Recreation Committee.

Request (12-221) from Autism Society to waive fees for use of City equipment for their event

to be held on May 19, 2012 at the Lincoln Park Zoo and also to place temporary signage for the event at the two Lincoln Park signs at N. 8th and Waldo.

Communication (12-338) from Mona Moen relative to necessity of porta potty at home plate at Citizen Park.

City Plan Commission, to whom was referred communication (12-220) from Kummer, Lambert, Fox & Glandt, on behalf of Northland Associates relative to moving forward with development of City park located in Silveridge Subdivision, as detailed therein, returned same with report (12-380) outlining the Commission's recommendations.

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.

Request (12-297) from Dale and Wendy Schroeder, to have signage installed at 30th and Lindbergh and 29th and Coolidge.

Communication (12-399) from Manitowoc City Center Association expressing their concerns regarding pedestrian safety in our cross walks.

Communication (12-367) from Patty Sturtz relative to a safety issue along the Mariner's Trail at the Maritime Drive wayside.

Communication (12-371) from Malcolm Shaw relative to posted two-hour parking limit in the 600 block of Chicago Street.

PUBLIC UTILITIES & LICENSING
Previously Referred

PENDING APPLICATIONS

TWO YEAR OPERATOR'S LICENSE - 201 2-14

252	Kayla M. Nelson	14605 Mineral Spring Rd., Newton, WI 53063
253	Kenneth Qualman	929 S. 18 th St.
254	Miranda D. Wiebensohn	4909 County Rd. VV, Two Rivers, WI 54241
255	David N. Musselman	722 N. 9 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 (11-343) 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.

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.

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

Communication (12-422) from Building Inspector Rick Schwartz for permission to use volunteer.