

**REVISED
COMMON COUNCIL AGENDA**

Monday, December 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:

Presentation of awards for Lakeshore Holiday Parade.

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.

OPEN SESSION OF COMMITTEE OF THE WHOLE DURING RECESS: Discussion and possible action regarding Memorandum of Understanding with Holy Family Memorial Medical Center.

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 Yous (12-686), (12-687) & (12-688) from Holy Family Memorial, Society of St. Vincent DePaul and Diocese of Green Bay relative to recent donations from the Schuette, Wernecke, Wilda, Rank Christmas Fund.

Minutes (12-677) of Crime Prevention Committee of 10/4/12 & 11/1/12; Downtown Streetscape Committee of 10/10/12; Public Utilities Commission of 11/12/12.

Notice (12-674) of air pollution permit of Red Arrow Products, 1226 S. Water Street.

COMMITTEE OF THE WHOLE

Communications (12-678) from Hope House, Deborah Knox and Darlene Wellner, in support of The Haven shelter for homeless men.

General City Claims (12-681) in the amount of \$628,786.68 enumerated on list thereof.

Memorandum of Understanding (12-690) with Holy Family Memorial.

FINANCE

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.

County Clerk's apportionment (12-685) of state taxes in the amount of \$324,887.67 and county taxes and special charges in the amount of \$9,861,635.58.

Amendment No. 1 (12-684) to Services Agreement Between City of Manitowoc and Mainly Manitowoc, Inc.

Communication (12-689) from Manitowoc Public Library relative to the transfer of funds from the Library to the City's General Fund.

Discussion and possible action on rescinding the 2013 Levy Amount allocated to the Manitowoc Public Library and setting a possible new Library and Non-Library Levy amount.

PARKS AND RECREATION

Contract (12-682) with MCM Excavating and Landscaping to grade and seed 7.6 acres at southwest corner of Crossing Meadows Drive and Meadow Park Drive for the sum of \$10,070.00.

PUBLIC PROPERTY AND SAFETY

Acknowledgement and Consent (12-675) in accordance with Site Agreement with Sprint for modifications to tower at 736 Revere Dr.

Report (12-693) of Board of Public Works of November 28, 2012, regarding quotes for up to four new identical 2013 full size four door automobiles (Police package) for Police Department, QE-12-2.

PUBLIC UTILITIES AND LICENSING

LICENSE APPLICATIONS REFERRED

MOBILE HOME PARK LICENSE - 2013

1	Trails End Park, Inc.	2000 Johnston Drive
2	Pentler Family Limited Partnership	88 Albert Drive
3	Pentler Family Limited Partnership	770 E. Albert Drive

ONE YEAR OPERATOR'S LICENSE - 2012-13

44	Sean Sheridan	844 Schatzie Lane
45	Todd Jauquet	812 State St., Apt. 1E

TWO YEAR OPERATOR'S LICENSE - 2012-14

331	Jeanne Brauer	1221 Summit St.
332	Jamie Fisher	404 Washington St., Valders, WI 54245
333	Faith Klein	851 N. 6 th St.
334	Dave E. Vanderweele	2210 S. 42 nd St., #6
335	Erica M. Tedesco	3639 Tannery Rd., Two Rivers, WI 54241
336	Katherine J. Lindemann	4128 Ray St.
337	Victoria J. Bartels	614 Chicago Street

STREETS AND SANITATION

Report (12-680) of Deputy City Planner Paul Braun with agreement with CFT Developments LLC (Panda Express) attached for placement of private improvements in a public easement area.

Report (12-692) of Board of Public Works of November 28, 2012, regarding quotes for one new 2013 anti-icing unit for the Department of Public Works, QE-12-3.

Report (12-694) of Board of Public Works of November 28, 2012, regarding quotes for up to four new 2013 9-foot V-Box spreaders with pre-wet system for the Department of Public Works, QE-12-4.

Agreement (12-691) with Excel Underground, LLC for underground facilities locating and marking service.

PERSONNEL

Resignation (12-676) from employment from Dir. Public Works/Engineer/Parks & Recreation Valerie Mellon effective December 6, 2012.

RESOLUTIONS

Resolution (12-683) authorizing the necessary efforts of a pollutant minimization program and the subsequent appropriation of Wastewater Treatment Facility funds for mercury reduction activities and safe collection and recycling of mercury and mercury containing devices was referred to Streets and Sanitation Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (12-695) to amend Section 15.450 of the Manitowoc Municipal Code dealing with signage, was referred to Committee of the Whole.

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)

MOBILE HOME PARK LICENSE - 2013

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335	Erica M. Tedesco	3639 Tannery Rd., Two Rivers, WI 54241

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

COMMITTEE OF THE WHOLE **Previously Referred**

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.

PARKS AND RECREATION
Previously Referred

Special Events Request (12-616) from Manitowoc County Miracles to hold softball practices and tournament on various dates and in various parks during the summer of 2013, with waiver of fee request attached.

Special Events Request (12-635) from Debbie Seehafer to hold four tennis tournaments at the Lincoln Park courts in June, July and August of 2013.

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 (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.

Communication (12-557) from Jay Xiong expressing concerns regarding the current traffic problems around Lincoln High School.

Communication (12-573) from Rita Schroeder, requesting the removal of no parking sign at 819 S. 20th St.

Request (12-624) from Tracey Klickman on behalf of Carrie Curcio to waive fee for ambulance transport on 7/25/11.

Request (12-637) from Chris Stanke for consideration of placement of traffic signage at intersection of Woodridge Drive, Woodridge Court and Stoneybrook Drive.

Communication (12-638) from Jeff Beyer, Director of Public Works, Manitowoc County, notifying City of tax deed properties.

Ordinance (12-651) creating Section 8.250 of the Manitowoc Municipal Code regarding ejection and exclusion from parks.

Memorandum (12-661) from Alderperson Soeldner relative to a constituent's concern regarding the parking situation in the neighborhood surrounding St. Francis of Assisi Parish on Waldo Blvd.

Memorandum (12-659) from Alderperson Soeldner relative to inconsistencies relative to the accident spill cleanup fee and requesting that this rule be looked at again and possibly tightened up to be more consistent.

Memorandum (12-660) from Alderperson Soeldner relative to a constituent's concern regarding traffic coming out of Kwik Trip on Dewey Street and S. 42nd Street.

Ordinance (12-670) amending Section 14.020(5) of the Municipal Code regulating dogs in City Parks.

PUBLIC UTILITIES & LICENSING
Previously Referred

PENDING APPLICATIONS

MOBILE HOME PARK LICENSE - 2013

2	Pentler Family Limited Partnership	88 Albert Drive
3	Pentler Family Limited Partnership	770 E. Albert Drive

ONE YEAR OPERATOR'S LICENSE - 2012-13

45	Todd Jauquet	812 State St., Apt. 1E
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TWO-YEAR OPERATOR'S LICENSE 2012- 2014

336	Katherine J. Lindemann	4128 Ray St.
337	Victoria J. Bartels	614 Chicago Street

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 (12-335) 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.

Communication (12-603) from TLC Homes for an exception to the 2500' rule for CBRF's at 703-705 E. Cedar Avenue.

Request (12-632) from S.M.I. as representatives of Peter and Alex Allie to change the Official Map eliminating So. 44th Street from the existing end of the street near the Manitowoc Company office to So. 42nd Street.

Request (12-633) from S.M.I. as representatives of Peter and Alex Allie for a change in zone from I-1 to B-2 for an area north of Viebahn Street and west of So. 42nd Street.

Application (12-641) for zone change from R-5 Low Density Multiple Family District to B-1 Office Residential District for property at 118 Cleveland Avenue.

PERSONNEL
Previously Referred

Resolution (12-658) to create a seasonal Street Maintenance Worker (Limited Term Employment-Casual) non-benefited position in the Department of Public Works.