

COMMON COUNCIL AGENDA

Monday, January 21, 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.

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 (13-034) of Manitowoc Public Utilities Commission of 11/26/12 and 12/17/12.

COMMITTEE OF THE WHOLE

General City Claims (12-027) in the amount of \$10,825,450.92 enumerated on list thereof.

FINANCE

Memo (13-026) from City Assessor recommending rescinding the 2012 personal property taxes of \$2.17 on parcel 000-137-661 due to palpable error.

Invoice (13-037) from Balestrieri relative to Riverland Ag silos.

PARKS AND RECREATION

Special Events Request (13-020) of Kenny's Athletic Klub to hold annual Slowpitch Men's Softball Tourney at Citizen's Park from July 26 - August 3, 2013.

PUBLIC PROPERTY AND SAFETY

Joint Powers Agreement (13-023) with Manitowoc County Joint Dispatch Center for the Period March 1, 2013 to March 1, 2014.

PUBLIC UTILITIES AND LICENSING

Report (13-024) on 2013 Weights & Measures assessments for various businesses, as detailed herein.

LICENSE APPLICATIONS REFERRED

TWO YEAR OPERATOR'S LICENSE - 2012-14

348	Aaron Keil	1310 Hamilton St.
349	Daniel Franz	3230 Samuel Rd.
350	Collin Senglaub	4625 Broadway St.

351	Wesley A. Pautz	1317 N. 12 th St.
352	Elizabeth G. Kalbes	416A N. 6 th St.
353	Willie Howard	1611 Jasmine Dr.
354	Melissa Kersten	954 N. 5 th St.
355	Christine Patt	1301 Columbus St.
356	Elizabeth V. Mehall	1414 S. 19 th St.
357	Stacy Hall	2414 S. 35 th St.
358	Scott DeFere	1801 S. 12 th St.

STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITON DERBY

2 Manitowoc County Expo 4921 Expo Drive; Grandstand Area

STREETS AND SANITATION

Report (13-021) of the Board of Public Works of January 9, 2013, recommending 2nd and final payment to Northeast Asphalt in the amount of \$8,657.78 for 2012 Asphaltic Concrete Paving Program, WS-12-4.

Report (13-022) of the Board of Public Works of January 9, 2013, recommending 1st and final payment to Vinton Construction in the amount of \$24,213.52 for Repairs at Maritime Drive Bridge Over Little Manistowic River.

Special Events Request (13-025) from Liz Becker, Carol Rose Wester Memorial Walk/Run, requesting to hold a walk/run event on Saturday, August 17, 2013, starting and ending at Red Arrow Park, as detailed therein. (copy to Parks & Recreation Committee).

Zoning Amendment Protest Petitions (13-029) and (13-030) relative to the proposed change in zone in an area north of Cleveland Avenue, east of Maritime Drive and southeast of Hawthorne Court.

Report (13-031) of City Plan Commission recommending not to approve requested zone change for 1.01 acre area on Cleveland Avenue from "R-5" Low Density Multiple-Family District to "B-1" Office Residential District.

City Plan Commission, to whom was referred quit claim deed (13-008) from Burbey Ponderosa, LLC to City of Manistowic of property for Goodwin Road purposes, returned same with report (13-032) recommending Council approve and accept the deed.

Report (13-033) of City Plan Commission with their annual review of Community Living Arrangements and recommending that Council approve the associated licenses for these facilities for 2013.

Memo (13-035) from City Attorney Straun Boston advising that protest petitions (13-029) and (13-030) are valid and sufficient to trigger the requirement of a 3/4 vote by Council.

Special Events Request (13-036) from Irish Fellowship Club to hold St. Patrick's Day parade on March 15, 2013, beginning at 6:30 p.m. at 8th and Washington Street, proceeding north to Bank First National, with fireworks to follow.

PERSONNEL

None.

RESOLUTIONS

Resolution (13-028) to approve on-call duty rotation for a five person rotation for Dept. of Public Infrastructure including compensation of \$150.00 per week of on-call duty, was referred to Personnel 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 B” INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2012-13

65 Gary Alan Siebold 2015 Marshall Street

TWO YEAR OPERATOR'S LICENSE - 2012-14

348 Aaron Keil 1310 Hamilton St.
349 Daniel Franz 3230 Samuel Rd.
350 Collin Senglaub 4625 Broadway St.
351 Wesley A. Pautz 1317 N. 12th St.
352 Elizabeth G. Kalbes 416A N. 6th St.
354 Melissa Kersten 954 N. 5th St.

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

COMMITTEE OF THE WHOLE
Previously Referred

Ordinance (12-695) to amend Section 15.450 of the Manitowoc Municipal Code dealing with signage.

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

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.

PARKS AND RECREATION

Previously Referred

Communication (13-004) from Douglas Koch requesting suspension of rental of Cabin No. 2 in Lincoln Park for the Lights in Lincoln Park event for the month of December, 2013.

PUBLIC PROPERTY AND SAFETY

Previously Referred

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.

Ordinance (12-706) to repeal Section 3.130 of the Manitowoc Municipal Code relative to Safety, Traffic & Parking Commission.

Communication (13-001) from Fire Chief William P. Manis II reporting Police & Fire Commission and well as his recommendations for staffing, etc. at the Fire Department.

Communication (13-010) from The Crossing requesting a change in the parking time limit for the 800 block of Washington Street.

PUBLIC UTILITIES & LICENSING

Previously Referred

PENDING APPLICATIONS

TWO-YEAR OPERATOR'S LICENSE - 2012-2014

353	Willie Howard	1611 Jasmine Dr.
355	Christine Patt	1301 Columbus St.
356	Elizabeth V. Mehall	1414 S. 19 th St.
357	Stacy Hall	2414 S. 35 th St.
358	Scott DeFere	1801 S. 12 th St.

STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITON DERBY

2	Manitowoc County Expo	4921 Expo Drive; Grandstand Area
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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 (12-417) from Luisier Plumbing relative to sewer repair at 1403 Nagle Avenue.

Ordinance (12-711) to amend Section 22.010 of the Municipal Code entitled "Official Map - Master Subdivision Plans" for an area north of Viebahn Street and west of S. 42nd Street.

Ordinance (12-713) to amend Section 15.050 of the Municipal Code to amend the amended zone map for an area located north of Cleveland Avenue, east of Maritime Drive, and southeast of Hawthorne Terrace to be changed from "R-5" Low Density Multiple Family to "B-1" Office - Residential District.

PERSONNEL

Previously Referred

None.