

COMMON COUNCIL AGENDA

Monday, October 18, 2010

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. - Proposed change to Official Map for property located between N. Rapids Rd. and River Bluff Dr., south of Michigan Avenue.

CLOSED SESSION: None.

REPORTS OF OFFICERS:

Proclamation on "Jaycees Week".

Economic Development Corporation Report by Andy Steimle.

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 (10-572) of Community Development Authority of 9/22/10; Harbor Commission of 3/31/10; Plan Commission of 9/115/10; Manitowoc Area Visitor & Convention Bureau of 6/10/10.

Notice (10-576) of Hearing from Public Service Commission of Wisconsin relative to strategic energy assessment (SEA) for the years January 1, 2010 through December 31, 2016.

COMMITTEE OF THE WHOLE

General City Claims (10-) in the amount of \$ enumerated on list thereof.

FINANCE

Manitowoc Public School District budget document (10-573) for 2010-2011.

PARKS AND RECREATION

Communication (10-568) from Alderperson James Brey relative to Manitowoc Aquatic Center staff.

Agreement (10-575) for professional services with Martenson & Eisele, Inc. for Park, Recreation and Open Space Plan Five Year Update.

PUBLIC PROPERTY AND SAFETY

Agreement (10-577) for ambulance services between City and Town of Manitowoc for the period ending December 31, 2015.

Agreement (10-578) for ambulance services between City and Town of Centerville for the period ending December 31, 2015.

Communication (10-579) from City Clerk Jennifer Hudon indicating that Manitowoc County will no longer contract with Lakeshore Humane Society as the County pound for 2011.

PUBLIC UTILITIES AND LICENSING

None.

LICENSE APPLICATIONS REFERRED

TWO YEAR OPERATOR'S LICENSE 2010-12

301	Ian S. Nelson	1116 Huron St.
302	Scott Schindler	1136A S. 10th St.
303	Roger Nowakowski	545 S. 34th St.
304	Derek Meidl	3714 Mangin St.
305	David N. Musselman	4055 Lancer Circle
306	James G. Feifarek	429 N. 10th St.
307	Kelly L. Zahn	1301 Philippen St.
308	Eric Shoman	1115A S. 14th St.
309	Timothy Saunier	1225 S. 22nd St.

STREETS AND SANITATION

Special Events Request (10-567) of Patch of Lakeshore Quilters to display flags in March, 2011 along Eighth Street and Washington Street.

Special Events Request (10-566) to hold 3rd Annual Festival Turkey Trot on Thanksgiving Day, November 25, 2010, on route detailed therein.

Sidewalk Privilege Agreement (10-574) between City and Stephen E. and Tammy L. Kohlbeck to increase driveway area at 1401 Cherry Rd.

PERSONNEL

None.

RESOLUTIONS

Resolution (10-571) authorizing the submittal and implementation of a FY 2011-12 application under the Wisconsin Coastal Management Grant Program, was referred to Committee of the Whole.

Resolution (10-569) urging Great Lakes Small Harbors Coalition to advocate for a more equitable, sustainable, needs-based system to allocate funds for adequate maintenance of small Great Lakes harbors, was referred to Public Utilities and Licensing Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (10-570) revising Section 10.061(93) and to create Section 10.104 (48c) of the Manitowoc Municipal Code regarding traffic and parking on streets, was referred to Public Property and Safety Committee.

Ordinance (10-) to amend Section 3.32 of the Manitowoc Municipal Code changing the term

of office of members of the Code Review Committee, 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)

TWO YEAR OPERATOR'S LICENSE 2010-12

300	Brandi M. Damman	2001 Hamilton St. Apt. D
301	Ian S. Nelson	1116 Huron St.
302	Scott Schindler	1136A S. 10th St.
303	Roger Nowakowski	545 S. 34th St.
304	Derek Meidl	3714 Mangin St.
305	David N. Musselman	4055 Lancer Circle
306	James G. Feifarek	429 N. 10th St.
307	Kelly L. Zahn	1301 Philippen St.
308	Eric Shoman	1115A S. 14th 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

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

Amended Summons and Complaint (09-105) between MTGLQ Investors and Radke et al.

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

Summons, Complaint and Lis Pendens (09-278) from Mark Balaban vs. Don Klein, Robin Klein & Daniel Tupper et al, Case No. 09-CV-0363.

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.

Summons & Complaint (09-349) from Mercedes M. Wilda v. Shoreline Leasing, Inc., et al, Case No. 09-CV-387.

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

Amended Summons & Complaint (09-392) of Wells Fargo Bank vs. Brooks, et al, Case No. 09 CV 0190.

Summons and Complaint (09-459) between M & I Marshall & Ilsley Bank v. Herman/Knox et al.

Notice of Injury (09-494) from Lynn S. Groeschel and Steven Kaczecka, of August 24, 2009, Claim File No. 09-1026.

Summons & Complaint (09-498) from BAC Home Loans Servicing, L.P. v. Eric J. & Kristin N. Hrudka et al, Case No. 09CV622.

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.

Notice of Claim (09-751) from Jeanette Kakuk of December 30, 2009, Claim File No. 09-1038.

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

Summons & Complaint (10-057) of First National Bank v. Sittman, et al, Case No. 10-CV-77.

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

Communication (10-111) from Manitowoc Area Visitor & Convention Bureau to consider a new animated sign, replacing the current signage, for the VIC at 4221 Calumet Ave.

Affidavit (10-172) of No Objection and Order of U.S. Bank National Association for Relief from Automatic Stay and Abandonment and Relief of Co-debtor Stay in re: Teresa M. Bonino f/k/a Teresa M. Strzyzewski.

Application (10-180) and Order for Dismissal relative to BAC Home Loan Servicing LP v Bohart, et al, Case No. 10 CV 218.

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

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

Summons & Complaint (10-311) of June 4, 2010, Investors Community Bank v. Schuette Building LLC, Case No. 10 CV 465.

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

Notice of Claim (10-383) of Deborah S. Kerr of July 8, 2010, Claim File No. 10-1047.

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

Answer and Affirmative Defenses (10-421) relative to Investors Community Bank Plaintiff, v. Schuette Building LLC and Thomas D. Hansen and John W. Raettig Defendants, and W-1 Management, LLC and City of Manitowoc and John Doe and Jane Doe, Added Defendants.

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

Summons and Complaint (10-431) of BAC Home Loans Servicing, L.P. v. Sherry L. Close et al, Case No. 10 CV 582.

Notice of Claim and Claim (10-446) from Maple Ventures, LLC of August 4, 2010, Claim File No. 10-1050.

Notice of Claim and Claim (10-447) from Maple Ventures, LLC of August 4, 2010, Claim File No. 10-1049.

Notice of Claim (10-451) from Mary E. Schleis of August 9, 2010, Claim File No. 10-1051.

Notice of Claim and Claim (10-452) from Richard A. Yanda of August 9, 2010, Claim File No. 10-1052.

Notice of Claim and Claim (10-488) from Janet Dokey of August 13, 2010, Claim File No. 10-1053.

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.

Notice of Claim and Claim (10-521) of September 13, 2010, from Larry Dehne, Claim File No. 10-1055.

Notice of Claim and Claim (10-547) of September 23, 2010, from Manitowoc Properties, Claim File No. 10-1056.

PARKS AND RECREATION
Previously Referred

Ordinance (10-557) to create Section 8.15(1) of the Municipal Code creating a Park Donation Fund.

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.

Report (10-429) of Public Property and Safety Committee relative to various traffic, parking and signage issues referred to Safety, Traffic and Parking Commission for consideration.

Ordinance (10-548) to amend Section 26.01(2) of the Municipal Code changing the term of office for Municipal Judge from two to four years.

PUBLIC UTILITIES & LICENSING
Previously Referred

PENDING APPLICATIONS

TWO YEAR OPERATOR'S LICENSE 2010-12

309	Timothy Saunier	1225 S. 22nd St.
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STREETS AND SANITATION
Previously Referred

Resolution (10-042) to vacate a portion of So. 22nd Street containing 1,649 square feet.

Ordinance (10-043) amending Section 22.01 of the Municipal Code entitled "Official Map-Master Subdivision Plans" in an area located on South 22nd Street, was referred to Streets & Sanitation Committee.

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

Report (10-359) of Dir. of Public Works/City Engineer Valerie Mellon requesting unimproved right-of-way access agreement for parcel 719-005-010 at 3608 Menasha Ave.

Permanent Utility Easement (10-524) from Airgas - North Central, Inc. for an area located west of So. 41st Street and north of Clipper Drive.

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.

Communication (10-544) from Kummer, Lambert and Fox LLP requesting removal of restriction contained in a 1977 land contract for property sold by the City to Michael J. Dickey.

Ordinance (10-536) amending Section 22.01 of the Municipal Code for property south of Michigan Avenue and east of River Bluff Drive.

PERSONNEL
Previously Referred
