

COMMON COUNCIL AGENDA

Monday, February 1, 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: None.

CLOSED SESSION: 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

Tonnage Report (10-045) for the Port of Manitowoc for the year ending 12/31/09.

Thank You (10-032) from The Salvation Army for donation from Schuette, Wernecke, Wilda, Rank Christmas Fund.

Minutes (10-046) of Crime Prevention Committee of 12/3/09; Great Lakes Utilities Board of Directors of 12/15/09; Great Lakes Utilities Board of Directors of 1/5/10; Safety, Traffic & Parking Commission of 10/27/09.

COMMITTEE OF THE WHOLE

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

FINANCE

Memorandum (10-041) from Asst. City Attorney Kathleen McDaniel relative to PHH Mortgage Corp. v. Gosz, et al, Case No. 09-CV-197 with Order Confirming Sale attached.

Memorandum (10-033) from Asst. City Attorney Kathleen McDaniel relative to Wells Fargo Bank v. Schroeder, et al, Case no. 08-CV-662 with Order Confirming Sale attached.

Claim (10-031) from Jeanette Kakuk of December 30, 2009, Claim File No. 10-1038-1.

Notice of Claim and Claim (10-035) from Richard Bouril of December 11, 2009, Fleet Claim File 09-183.

Communication (10-047) from City Assessor Sarah Hoppe to rescind 2009 personal property taxes of \$204.89 on parcel #000-317-402.

Communication (10-048) from City Assessor Sarah Hoppe to rescind 2009 personal property taxes of \$69.66 on parcel #000-918-121.

Communication 10-049) from City Assessor Sarah Hoppe to rescind 2009 personal property

taxes of \$204.89 on parcel #000-917-726.

Report (10-055) of City Planner David Less relative to Collateral Assignment of Development Agreement with Dermatology Associates of Wisconsin.

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

PARKS AND RECREATION

Special Events Request (10-050) from The Crossing Pregnancy Support Services to use Mariners Trail on Saturday, May 15, 2010 for a Walk for Life fundraiser.

Special Events Request (10-051) from Kiwanis Club of Greater Manitowoc to use Washington Park on August 7 & 8, 2010 for 28th Annual Car Show and requesting waiver of alcohol in park. (Copy to Public Utilities & Licensing).

PUBLIC PROPERTY AND SAFETY

Communication (10-037) from Tonya Wolf requesting permission to have outdoor music for graduation party from 6 p.m. to 9 p.m. on June 19, 2010.

Services Contract (10-039) with William Nichols to provide electrical inspection services for commercial electric work, as detailed therein, for a five year period.

PUBLIC UTILITIES AND LICENSING

None.

LICENSE APPLICATIONS REFERRED

ONE YEAR OPERATOR'S LICENSE 2009-10

53 Laura J. McGinnis 2408 Wollmer St.

TWO YEAR OPERATOR'S LICENSE 2009-11

337 Cassandra Carter 1026 S. 16th St.
338 Nicholas Munoz 141 N. Jackson St. #26, Valders, WI
339 Michael J. Stokes 803 N. 3rd St.
340 Lynn M. Ihde 510 E. Reed Ave. #15
341 Amanda K. Schmitt 1726 27th St, Two Rivers
342 Ann M. Krueger 815 S. 35th St.
343 Taylor L. Rohr 1730 Ahrens Ct.
344 Justin J. Neuman 1117 S. 23rd St.

STREETS AND SANITATION

Permanent Utility Easement (10-038) from Garceau Properties LLC for storm sewer to drain from So. 41st St. into stormwater pond at So. 41st and Custer.

Communication (10-040) from Drews-Bleser Post No. 88 requesting permission to use certain streets for the annual Memorial Day Parade on Monday, May 31, 2010, beginning 9:00 a.m. and in case of inclement weather, the use of the Citizen Park Building for the ceremonies. (Copy to Parks and Recreation Committee).

Release (10-034) of Easement to R & J Property Management for a portion of an existing storm sewer easement.

Agreement (10-053) with Aero-Metric for photogrammetric orthophoto imaging services, as detailed therein.

Report (10-054) of City Planner David Less relative to Construction Staging Area License Agreement with Miron Construction Co. for Dermatology Associates of Wisconsin redevelopment project.

Communication (10-056) from Kathie Bundy, St. Patrick's Day Parade Coordinator, requesting permission to hold the annual St. Patrick's Day Parade on Friday, March 12, 2010, following the route described therein, with fireworks to follow, as in the past.

PERSONNEL

None.

RESOLUTIONS

Resolution (10-036) awarding the sale of \$5,850,000 Taxable General Obligation Corporate Purpose Bonds, Series 2010A (Build America Bonds - Direct Payment), was referred to Finance Committee.

Resolution (10-042) to vacate a portion of So. 22nd Street containing 1,649 square feet, was referred to Streets & Sanitation Committee.

COMMITTEE REPORTS

Streets & Sanitation Committee, to whom was referred ordinance (09-699) to amend Section 16.07 regarding demolition of buildings, returned same recommending approval of ordinance.

Streets & Sanitation Committee, to whom was referred ordinance (09-741) to amend Section 25.05(8) of the Municipal Code to adjust rates for sewer service charges effective January 1, 2010, returned same recommending approval of new rate structure.

ORDINANCES

Ordinance (10-044) to amend Section 3.15(1) of the Municipal Code establishing members of the Citizens Physical & Sensory Disability Commission, was referred to Public Property & Safety Committee.

Ordinance (10-052) creating various sections of Chapter 10 of the Municipal Code relating to U-turns and parking, was referred to Public Property & Safety Committee.

Ordinance (10-043) amending Section 22.10 of the Municipal Code entitled "Official Map-Master Subdivision Plans" in an area located on South 22nd Street, was referred to Streets & 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)

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- 343 Taylor L. Rohr 1730 Ahrens Ct.
- 344 Justin J. Neuman 1117 S. 23rd St.

DOCUMENTS PREVIOUSLY REFERRED AND/OR SUBJECT MATTER

WHICH MAY BE CONSIDERED AT THIS SESSION

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 (09-014) of Wells Fargo Bank, N.A. v. Schroeder, City of Manitowoc and Capital One Bank, Case No. 08-CV-662.

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.

Amended Summons & Complaint (09-300) from PHH Mortgage Corporation vs. Gosz & City of Manitowoc, Case No. 09-CV-0197.

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 (09-391) of BAC Home Loans Servicing, LP vs. Hammersley, et al, Case No. 09 CV 243.

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. Kedingger of December 10, 2009, Claim File No. 09-1036.

Notice of Claim and Claim (09-707) from Dawn Herzog of December 16, 2009, Claim File No. 09-1037.

Summons & Complaint (09-745) between Brian W. Swetlik v. Former Mayor Kevin Crawford, et al, Case No. 09-C-1157.

Request (09-747) from Judge Steven R. Olson for Municipal Court software change, as detailed therein.

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

Notice of Claim and Claim (10-001) from Beth Dodge of January 11, 2010, Fleet Claim File No. 10-182.

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

PARKS AND RECREATION **Previously Referred**

Proposal (09-702) from Riederer Engineering for engineering services for the replacement of the HVAC system in the Parks and Recreation building at 930 N. 18th St., as detailed therein.

Contractor Agreement (09-703) with Look Creative, LLC for fabrication of various signs, as detailed therein.

Special Events Request (10-009) for Manitowoc Jaycees to hold Quadrathlon on August 15, 2010, as detailed therein.

PUBLIC PROPERTY AND SAFETY **Previously Referred**

Communication (08-461) from Manitowoc Cranes, Inc. relative to traffic flow on So.30th Street between Dewey and Viebahn Streets.

Communication (09-438) from Chief Manis recommending implementing fees for vehicle clean up spills.

PUBLIC UTILITIES & LICENSING
Previously Referred

PENDING APPLICATIONS
TWO YEAR OPERATOR'S LICENSE 2009-11

STREETS AND SANITATION
Previously Referred

Streets & Sanitation Committee to whom was referred request (09-662) from Tony Bugarino, Tony's Pizza, relative to four foot overhang on garage in City right-of-way,

Ordinance (09-700) to amend Section 7.09(6) requiring sidewalks.

Request (10-013) on behalf of AJBL, Ltd. and Anthony J. Bugarino to establish a parking lot in a residential zoning district directly to the north of Tony's Pizza business.

PERSONNEL
Previously Referred

Resolution (10-027) establishing nonrepresented employee compensation for 2010, was referred to Personnel Committee.