

## COMMON COUNCIL AGENDA

Monday, November 19, 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.

**CLOSED SESSION:** None.

### **REPORTS OF OFFICERS:**

Clerk administers oath of office for new patrol officer, Nicholas Place.

Snow plowing value stream analysis report-out

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 (12-662) of Citizens Advisory Committee of 11/13/12; Crime Prevention Committee of 10/4/12; Great Lakes Utilities Board of 8/21/12, 9/25/12 & 10/11/12; Great Lakes Utilities Lakeswind Project Committee of 8/21/12; Great Lakes Utilities Power Supply Project Committee of 7/17/12; Manitowoc Public Utilities Commission of 9/24/12 & 10/22/12; Sustainability Committee of 8/29/12; Zoological Board of 9/12/12.

### **COMMITTEE OF THE WHOLE**

Communications (12-666) from Sue Berndt, Audrey DeBaere, Mary J. Franz, Rose Mary Jensen, Lakeshore Cap, Inc., Marcia Lemberger, Kathy Protsman, Mitch and Diane Schanke, St. James Episcopal Church, Lisa Stricklin, Nancy Slattery and the Board of Directors of RUTH, in support of The Haven shelter for homeless men.

General City Claims (12-665) in the amount of \$765,513.79 enumerated on list thereof.

### **FINANCE**

Agreement (12- ) with Tyler Technologies for assessment services.

### **PARKS AND RECREATION**

Communication (12-663) from Lincoln Park Zoological Society to amend their request to hold Lights in Lincoln Park event every night from December 7 to December 31, 2012.

### **PUBLIC PROPERTY AND SAFETY**

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. 42<sup>nd</sup> Street.

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.

### **PUBLIC UTILITIES AND LICENSING**

Communication (12-668) from Public Service Commission of Wisconsin relative to Strategic Energy Assessment for the Years January 1, 2012 through December 31, 2018.

### **LICENSE APPLICATIONS REFERRED**

#### **TWO YEAR OPERATOR'S LICENSE - 2012-14**

321	Caleb A. Waack	3715 Waldo Blvd.
322	Christopher J. Hartman	425A N. 8 <sup>th</sup> St.
323	Lukas K. Yang	1422 Viebahn St.
324	Ryan D. Ackley	1816 Wollmer St.
325	Thomas J. Rath sack	1610 S. 15 <sup>th</sup> St.
326	Chantal M. Cater	1228 Memorial Dr.
327	Brad M. Miller	1410 Whitewater Dr.
328	Emily L. Wallace	512 S. 25 <sup>th</sup> St.
329	Amanda M. Filipek	5141 Expo Dr., #204
330	Sara Mankovecky	1301 W. Van Buren St., Green Bay, WI

### **STREETS AND SANITATION**

Communication (12-652) from Capitol Civic Centre, Inc. requesting permission to install banner across S. 8<sup>th</sup> Street to increase awareness of their campaign to restore, repair and improve the Capitol.

Reports (12-654), (12-655) and (12-656) of the Board of Public Works of November 14, 2012, recommending 2<sup>nd</sup> and final payment to Jim Fischer, Inc. in the amount of \$3,311.95 for 2012 Sidewalk Construction Program New Sidewalk, WS-12-2; 5<sup>th</sup> and final payment to Seiler Bros. in the amount of \$9,569.27 for 2012 Remove and Replace Existing Sidewalks, WS-12-3; and 3<sup>rd</sup> and final payment to Vinton Construction Co. in the amount of \$21,792.95 for 2012 Miscellaneous Street Work for Asphalt Paving and Traffic Signal Replace, WS-12-10.

Communication (12-667) from Town of Manitowoc relative to City's portion for paving Nagle Avenue per Nagle Avenue Construction Agreement.

### **PERSONNEL**

None.

### **RESOLUTIONS**

Resolution (12-653) authorizing and designating public depositories, was referred to Finance Committee.

Resolution (12-657) providing for a primary election on February 19, 2013 if three or more candidates file nomination papers for a City office, was referred to Public Utilities and Licensing Committee.

Resolution (12-669) that the City is officially endorsing and urging the Wis. DOT to move forward with the design of the Waldo Blvd. reconstruction and rehabilitation project with the 4-lane highway option including landscaped boulevard, was referred to Streets and Sanitation Committee.

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

### **COMMITTEE REPORTS**

None.

### **ORDINANCES**

Ordinance (12-664) amending Section 10.390 of the Municipal Code regulating prohibited parking on North 8<sup>th</sup> Street, was referred to Public Property and Safety Committee.

Ordinance (12-670) amending Section 14.020(5) of the Municipal Code regulating dogs in City Parks, 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 - 2012-14

321	Caleb A. Waack	3715 Waldo Blvd.
322	Christopher J. Hartman	425A N. 8 <sup>th</sup> St.
323	Lukas K. Yang	1422 Viebahn St.
324	Ryan D. Ackley	1816 Wollmer St.

**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.

General City Budget (12-570) of proposed 2012 levy for 2013.

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 (12-631) from Tom Chermak requesting the use of Washington Park for Metro Jam Weekend, June 14 & 15, 2013, the use of the Metro Stage, a waiver of rules

prohibiting alcohol beverages to be consumed in the park for the weekend, closing So. 11th & So. 12th Street for a portion of the weekend, and City employees to help with the Children's Area and for setup and preparation of the event, as detailed therein. (Copy to Streets & Sanitation, Public Utilities & Licensing).

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. 20<sup>th</sup> 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.

**PUBLIC UTILITIES & LICENSING**  
**Previously Referred**

**PENDING APPLICATIONS**

TWO-YEAR OPERATOR'S LICENSE 2012- 2014

325	Thomas J. Rathsack	1610 S. 15 <sup>th</sup> St.
326	Chantal M. Cater	1228 Memorial Dr.
327	Brad M. Miller	1410 Whitewater Dr.
328	Emily L. Wallace	512 S. 25 <sup>th</sup> St.
329	Amanda M. Filipek	5141 Expo Dr., #204

**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 8<sup>th</sup> and 9<sup>th</sup>.

Communication (12-417) from Luisier Plumbing relative to sewer repair at 1403 Nagle Avenue.

Petition (12-598) from citizens of the City of Manitowoc requesting that a conditional use permit for the property at 610 29<sup>th</sup> Street for the purpose of operating a men's shelter be denied.

Communication (12-601) from Rebecca Watt requesting that the Plan Commission deny granting of a conditional use permit to The Haven for operation of a men's homeless shelter.

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

Report (12-609) of City Plan Commission recommending the Council grant a CUP to The Haven pursuant to Section 15.150(3)(1) of the Municipal Code, subject to conditions contained in the report.

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

Sidewalk Privilege Agreement (12-650) with The Bytof Family Limited Partnership for the purpose of constructing an addition to their building located at 2406 Washington Street which will extend 8" into the City right-of-way.

Report (12-647) of the Board of Public Works of Northern Pipe Equipment, recommending 2nd and final payment to Northern Pipe Equipment in the amount of \$1,002.41 for 2012 Televising Miscellaneous Sewers II, WU-12-13.

**PERSONNEL**  
**Previously Referred**

Ordinance (12-613) to adjust the salary for the position of Mayor for the terms beginning April 2013, April 2014, April 2015 and April 2016.