

COMMON COUNCIL AGENDA

Monday, April 4, 2011

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

Minutes (11-214) of Crime Prevention Committee of 3/3/11; Rahr-West Art Museum Board of 3/16/11; Manitowoc Public Utilities Commission of 2/14/11.

COMMITTEE OF THE WHOLE

General City Claims (11-215) in the amount of \$1,356,089.93 enumerated on list thereof.

FINANCE

Notice of Claim and Claim (11-181) from State Farm Insurance on behalf of Ryan J. Stokes of March 22, 2011, Fleet Claim File No. 11-196.

Notice of Claim and Claim (11-182) from Badger Office City of March 24, 2011, Fleet Claim File No. 11-197.

Summons and Complaint (11-200) from Manitowoc Properties LLC of March 2, 2011, Case No. 11 SC 0333.

Communication (11-208) from Recreation and Zoo Supervisor Jeremy Crees regarding request from Bandits Baseball regarding their purchase of a concession stand building at Municipal Field.

Notice of Claim and Claim (11-213) of March 31, 2011, from Flora Ann Nowak, Claim File No. 11-1064.

PARKS AND RECREATION

Request (11-196) for waiver of fees for rental of Lincoln Park Cabin 2 on October 22, 2011, from Manitowoc Sunrise Rotary Club.

Request (11-217) for waiver of fees for rental of Citizen Park Gym for various dates from September thru December, 2011, from Special Olympics.

Communication (11-193) from Peter Holm, RRMAF Committee, submitting plans for new Ron Rubick Municipal Athletic Field entrance and memorial.

Animal Loan Agreement (11-216) with Manitowoc County Farm Bureau for animals at Lincoln Park Zoo's Big Red Barn.

Indemnity Agreement (11-218) with Mike Check Builders, Inc. relative to woodcutting and harvesting for Lincoln Park Cabin #1 project.

PUBLIC PROPERTY AND SAFETY

Communication (11-197) from Karl Koch, Sr. regarding traffic traveling the wrong way on N. 8th Street.

Communication (11-205) from Mona Moen with safety concerns in the area of 21st and Rankin Street.

Communication (11-206) from Robert Madison, Mad about Music, requesting two hour parking on the north side of Wisconsin Ave. from 11th Street west, as detailed therein.

Regional Fire Department Hiring Process Agreement (11-) with Fox Valley Technical College to conduct testing of potential candidates for the position of firefighter.

PUBLIC UTILITIES AND LICENSING

Communication (11-210) from Robert Knox surrendering "Class B" Retail Intoxicating Liquor & Fermented Malt Beverage license for 939 S. 8th St. on or before 3/28/11.

Request (11-209) from Laiken Holding Group for refund of various liquor licensing fees associated with application #16A for "Class B" Intoxicating Liquor & Fermented Malt Beverage license.

LICENSE APPLICATIONS REFERRED

BOWLING ALLEY LICENSE - 2011-12

CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE - 2011-12

"CLASS A" RETAIL INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2011-12

"CLASS B" FERMENTED MALT BEVERAGE LICENSE - 2011-12

1 6 MO.	Manitowoc Amateur Baseball, Inc. James Maurer, Agent	S. 23 rd & Grand Ave. (Municipal Field)
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"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE - 2011-12

1	Harry J. Parker LLC Harry J. Parker, Agent	702 Buffalo St.
2	Fauson Enterprises LLC Brad Fischer, Agent	806 Buffalo St.
3	CT Crashes LLC Brad Fischer, Agent	1710 Western Ave.
4	Saucy's Inc. Travis Lauson, Agent	1915 Washington St.
5	Goldiggers, Inc. Dale Trostorff, Agent	924 Washington St.

6	AJBL Ltd. Anthony Burgarrino, Agent	2204 Washington St.
7	Van's Liquor & Beer Drive In, Inc. Richard Krueger, Agent	3920 Calumet Ave.
8	Knox Ventures, LLC Debra Knox, Agent	1222 S. Alverno Rd.

"CLASS C" WINE LICENSE - 2011-12

CLASS "B" TEMPORARY BEER & TEMPORARY WINE LICENSE

NEAR BEER (NON-INTOXICATING BEVERAGE) LICENSE - 2011-12

WHOLESALE FERMENATED MALT BEVERAGE LICENSE - 2011-12

MOBILE HOME PARK LICENSE - 2011

3	Lakeland Manor, LLC Jason Tracy, Applicant	3910 Waldo Blvd.
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TWO YEAR OPERATOR'S LICENSE 2010-12

378	Jamie L. Rahmlow	2110 E. River St., Apt A, Two Rivers, WI 54241
379	Michelle Hornes	1011 Washington St., #2
380	Nicholas Meyer	826 Dueno Ct.
381	Dana Sieracki	1814 Rankin St.
382	Ian Gauger	215 N. Jackson St., Valders, WI 54245

STREETS AND SANITATION

Communication (11-192) from Director of Public Works and City Engineer Valerie Mellon regarding DOT Project on USH 151 (Calumet Avenue) - STH 42 to I-Tec Drive Reconstruction.

Application (11-189) to amend the zone map of the City of Manitowoc from "R-2" Single Family District to "B-3" General Business District for property located at 200 E. Waldo Blvd. (Elk's Lodge 687).

Special Events Request (11-199) from Leukemia & Lymphoma Society to hold 2011 Bike Tour through City streets on July 23 & 24, 2011, as detailed therein.

State/Municipal Agreement (11-201) for highway improvement project USH 10 - Waldo Blvd. CTH R - Fleetwood Drive and Fleetwood Dr. - 8th St.

State/Municipal Agreement (11-202) for highway improvement project STH 42 - Waldo Blvd. 8th St. - 5th St. & 5th St. - Maritime Dr.

Request (11-203) from SMI on behalf of Popp Enterprises LLC (with Petition attached) for a vacation of a portion of an official map street reducing the right-of-way of So. 21st Street from Summit St. to Flambeau St.

Request (11-204) from SMI on behalf of Popp Enterprises LLC to approve revised preliminary plat of Popp Subdivision No. 3 on So. 21st St. between Summit St. and Flambeau St.

Report (11-207) of the Board of Public Works of March 30, 2011, regarding bids received for 2011 Asphalt Paving Program, Project WS-11-4.

Quit Claim Deed (11-211) from Basant Kumar for Custer Street purposes.

Quit Claim Deed (11-212) from Basant Kumar for Calumet Avenue purposes.

PERSONNEL

None.

RESOLUTIONS

Resolution (11-198) in support of community services block grants, was referred to Committee of the Whole.

Resolution (11-190) awarding the sale of \$3,280,000 General Obligation Corporate Purpose Bonds, was referred to Finance Committee.

Resolution (11-191) awarding the sale of \$1,605,000 General Obligation Promissory Notes, was referred to Finance Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (11-195) to amend Section 16.070(1) of the Manitowoc Municipal Code regarding demolition of buildings, was referred to Public Property and Safety Committee.

Ordinance (11-194) to amend Section 3.10(3)(a) of the Manitowoc Municipal Code regarding Wastewater Treatment Facility Reserve Fund, was referred to Streets and 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)

MOBILE HOME PARK LICENSE - 2011

3	Lakeland Manor, LLC Jason Tracy, Applicant	3910 Waldo Blvd.
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TWO YEAR OPERATOR'S LICENSE 2010-12

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382	Ian Gauger	215 N. Jackson St., Valders, WI 54245

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

COMMITTEE OF THE WHOLE **Previously Referred**

Communication (11-178) from City Clerk/Deputy Treasurer Jennifer Hudon requesting to fill Account Clerk position in Treasurer's office.

FINANCE

Previously Referred

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

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.

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

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.

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.

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 (10-389) 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.

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.

Summons and Complaint (10-613) between M & I Marshall & Ilsley Bank and Denise A. Herman and John Doe et al, Case No. 10 CV 925.

Summons and Complaint (10-636) of Associated Bank, N.A. vs. Granger, et al, Case No. 10-CV-944.

Claim (11-040) from James Decker of February 2, 2011, Fleet Claim No. 11-193.

Summons and Complaint (11-038) with Shipbuilders Credit Union vs. Duggan et al.

Claim (11-141) from Mitchell J. Steinmetz of March 10, 2011, Fleet Claim File No. 11-194.

Claim (11-142) from Sara Bentley of March 10, 2011, Claim File No. 11-1062.

Notice of Claim (11-143) from A T & T of March 11, 2011, Fleet Claim File No. 11-195.

Claim (11-144) from Wendy Jones of March 14, 2011, Claim File No. 11-1063.

PARKS AND RECREATION
Previously Referred

None.

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.

Report (10-625) from Public Property and Safety Committee Chair to refer the following requests to Safety, Traffic & Parking Commission: (1) request from Randy DeRoche, 1701 Washington St., to have parking along the east side of his building (10000 block of So. 17th St.); and (2) request from neighbors of N. 24th and N. 23rd Streets near Fairmont St. to have two hour parking on both sides of N. 24th St. near Federal Mogul and two hour parking extended on N. 23rd St. to Markham St.

Communication (11-104) from Sharon Strouf expressing concerns as to public safety in the City of Manitowoc.

PUBLIC UTILITIES & LICENSING
Previously Referred

Request (11-102) from Isaac Notz, 3205 S. 19th St. requesting electrical service to his property outside the city limits.

Ordinance (11-148) to create the Manitowoc Transit Commission.

Ordinance (11-180) to amend Section 17.105 of the Manitowoc Municipal Code regulating cross connections with the City water system.

PENDING APPLICATIONS

BOWLING ALLEY LICENSE - 2011-12

CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE - 2011-12

"CLASS A" RETAIL INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2011-12

"CLASS B" FERMENTED MALT BEVERAGE LICENSE - 2011-12

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6 MO.	James Maurer, Agent	(Municipal Field)

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5	Goldiggers, Inc. Dale Trostorff, Agent	924 Washington St.
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NEAR BEER (NON-INTOXICATING BEVERAGE) LICENSE - 2011-12

WHOLESALE FERMENED MALT BEVERAGE LICENSE - 2011-12

TWO YEAR OPERATOR'S LICENSE 2010-13

381	Dana Sieracki	1814 Rankin 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.

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.

Permanent Easement (10-656) by Holiday House of Manitowoc County to the City for area north of Meadow Lane and west of Riverview Drive.

Application (11-018) from Steven Kratz for a change in zone from R-4, Single and Two Family District, to B-3, General Business District, for property located at Custer Street.

Communication (11-057) from DP Enterprises, LLC asking for removal of the portion of sidewalk installation for their property in Shar-Ann Subdivision #2, Block 2, located on So. 21st Street between Dewey and Summit St. until their lots are sold or the economy improves.

Request (11-075) from Rodger D. Whiteside Jr., to pave alley behind his residence at 1021 N 8th Street.

Communication (11-113) from S.M.I. on behalf of Popp Enterprises requesting a change to the Official Map reducing the right-of-way of So. 21st Street between Summit and Flambeau Streets from 80 feet to 66 feet due to wetland issues.

Special Events Request (11-160) from Amvets Post 99 to use Conroe Street for the 2011 Gravity Hill Derby on June 18, 2011.

Ordinance (11-172) to amend the amended zone map of the City of Manitowoc in the area located south of Clark St. and east and west of S. 17th St. from "R-6" Multiple Family Residential and "B-2" Neighborhood Business District to "I-2" Heavy Industrial District.

PERSONNEL
Previously Referred

None.