

COMMON COUNCIL AGENDA

Monday, July 5, 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:

City Clerk swears in new police officer, Craig W. Kunick.

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 (11-436) of Great Lakes Utilities Board of 5/10/11; Rahr-West Art Museum Board of 6/15/11; Zoning Board of Appeals of 6/21/11.

COMMITTEE OF THE WHOLE

Communication (11-417) from State of Wisconsin Legislative Reference Bureau enclosing the official results of the 2010 Federal Census of Population to be used for establishing municipal wards and election districts.

Copy of resolution (11-416) adopted by the Manitowoc County Board of Supervisors on June 21, 2011, adopting a tentative supervisory district plan.

Report (11-426) of City Plan Commission relative to their review of the Municipal Ward Plan related to the establishing of wards based on the results of the 2010 Federal Census.

General City Claims (11-450) in the amount of \$719,266.18 enumerated on list thereof.

FINANCE

Summons and Complaint (11-412) in the matter of Manitowoc County Habitat for Humanity, Inc. v. Estate of Wendy Koepke et al.

Report (11-448) of City Planner David Less relative to TIF District No. 15 - Tax Incremental Financing Review Note Related to Developer-Funded TIF at Dewey and CTH CR authorizing payment to PBJC Fest Too, LLC, as detailed therein.

PARKS AND RECREATION

Special events request (11-415) from Hmong Community Center, Inc. requesting approval for Hmong Manitowoc Pre-New Year Festival celebration to be held at Silver Creek Park on August 27-

28, 2011, from 7:00 a.m. to 7:00 p.m. with Waiver of Fees attached.

Reduction/Waiver of Fees (11-439) from Dawn Evenson for recreation programs.

Concession Stand Agreement (11-440) from D'Angelo Cowley for sale of concessions at July 4th picnic.

Special Events Request (11-444) from Misty Mrotek to hold benefit in Washington Park on July 23, 2011, with Waiver of Fees attached.

Special Events Request (11-452) with Manitowoc Co. Dairy Promotion Committee for MOO at the Zoo Event on July 17, 2011, including children's games and free ice cream treats.

Special Events Request (11-451) from Tom Chermak requesting the use of Washington Park for Metro Jam Weekend, June 15 & 16, 2012, 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 and Public Property & Safety).

PUBLIC PROPERTY AND SAFETY

Communication (11-433) from Police Chief Oscar Dick to fill opening for Clerk I position at the Police Department.

Report (11-423) of City Plan Commission relative to proposed changes to Chapters 7, 15, 16 and 21 of the Municipal Code relating to streets, zoning, buildings and subdivisions. (copy to Streets & Sanitation Committee).

City Plan Commission, to whom was referred memo (11-330) from Manitowoc County Public Works Dept. notifying City of tax deed property that will be offered for sale (parcel no. 000-157-010), returned same with report (11-425) recommending that Council place on file and no further action be taken.

PUBLIC UTILITIES AND LICENSING

Special Events request (11-434) of Shoto Conservation Club requesting extension of noise ordinance until 11:30 p.m. and extension of the beer sales until midnight on Friday, August 26th and Saturday, August 27th, 2011 and extension of the noise ordinance until 11:00 p.m. and extend beer sales until 11:30 p.m. on August 23rd, 24th, 25th, and 28th, 2011. (Copy to Public Property & Safety).

Sidewalk Café Permit Application (11-449) from Patricia Roth, Manitowoc Coffee for 836 S. 8th Street.

LICENSE APPLICATIONS REFERRED

BOWLING ALLEY LICENSE - 2011-12

4 Three T's Inc. 2202 Marshall St.
Theodore Frisch, Agent

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE

62 El Caballo Loco-Crazy Horse, LLC 1802 Washington St.
Arlene A. DeGuzman, Agent

ONE YEAR OPERATOR'S LICENSE 2011-12

14 Jeanette Deschene 839 Hopkins Hill Rd, W. Greenwich, RI 02817
15 Susan Sittman 2000 Johnston Dr., #31
16 Clayton D. Bunnell, Sr. 813 Wilson St.
17 Ruby R. McRae 822 S. 19th St.
18 Jessica L. Landt 1530 Kuhl St.

19	Alan L. Brandt	719A S. 16th St.
20	Donna Sprang	1135 S. 25th St.

TWO YEAR OPERATOR'S LICENSE 2011-13

140	Marna Herdina	2220 S. 42nd St., Apt. 6
141	Perry Prochnow	1326 S. 10th St.
142	Curtis J. Olson	1822 S. 10th St.
143	Treasa Wohlgemuth	18001 U.S.H. 151, Valders, WI 54245
144	Tammy M. Jensen	2000 Johnston Dr., Lot 78
145	Lori Belland	1425 N. 9th St., Apt. 3
146	Cindel Morreau	2410 Clark St., Apt. A
147	Lori St. Cyr	1102 New York Ave.
148	Denise Kadow	4212 Ray St.
149	Amanda L. Behnke	1023 S. 25th St.
150	Bryant Bartels	1601 Atlanta Ct.
151	Bradley Bartels	340 Albert Dr., Apt. 5
152	Jennifer Fruzen	6827 Oakwood Lane, Whitelaw, WI 54247
153	Amy Laduke	1215 Fairmont Lane
154	Lynn Komorowski	1521 S. 16th St.
155	Julie Dellemonache	1802 Clermont St.
156	Thomas Hudon	948 Rosemere Cir.
157	Brittany Gabel	3917 Tannery Rd., Two Rivers, WI 54241
158	Morgan Sickinger	2711 Woodland Dr.
159	Susan Curtis	1010 S. 17th St.
160	Clint Drescher	3519 Foxfire Ct.
161	Denise Hattick	1708 Cedar Grove Dr., #1A
162	Vicki L. Schiesl	1027 S. 11th St.
163	Margaret Schweppe	1106 Bellevue Pl., Two Rivers, WI 54241
164	Tammy S. Robinson	1662 Skyline Dr.
165	Kevin W. Fabian	2938 39th St., Two Rivers, WI 54241
166	Colin P. Rayford	930 N. 16th St.
167	Julie Jeske	6161 Silver Hills Dr.
168	David Zander	1700 24th St., Two Rivers, WI 54241
169	Angela Cortte	914 S. 19th St.
170	Jamie L. Johnson	1422 S. 14th St.
171	Amanda Kowalski	1621 Hillcrest Dr.
172	Bradley Tavares	718 N. Water St., #1
173	Sara Dorvinen	2826 S. 15th St.
174	Trevor Snyder	2401 Dewey St., #2
175	Arsene H. Breuninger	630 S. 35th St.

176	Lindsey Corbeil	2720 Jackson St., Two Rivers, WI 54241
177	Julie Larson	2113 S. 22nd St.
178	Sherry Gadzinski	515 Cleveland Ave
179	Matthew B. Yule	7528 CTH B, Two Rivers, WI 54241
180	Russell A.. Buretta	911 N. 17th St.
181	Dawn Jolin	1519 Madison St.
182	Brenda Bellin	3009 Stokes Lane
183	Kristy Stahl	175 Hoover St., Whitelaw, WI 54247
184	Brent Boeldt	820 S. 24 th St.
185	Cesar Alvarez	814 Madison St., Apt. B
186	Casey Mott	1136 N. 18 th St.

STREETS AND SANITATION

Report (11-410) of the Board of Public Works of June 15, 2011, regarding bids received for 2011 Televising Miscellaneous Sewers II, Project WU-11-13.

Special Events Request (11-418) from Rahr-West Art Museum to hold Sputnikfest on September 10, 2011, at Rahr-West and close a portion of Park Street.

Request (11-431) from Terra Interests, LLC to move a residential structure within the City limits. from 728 N. 4th St. to 725 N. 5th St.

Special Events Request (11-432) from Special Olympics Wisconsin to hold 12th annual 5K run/walk on Tuesday, August 23, 2011, beginning at Manitowoc County Expo at 6:00 p.m., with map attached.

Report (11-419) of City Plan Commission relative to annual review of special permits for fixed animated signs in the City.

City Plan Commission, to whom was referred communication (11-378) from Regional Real Estate to move an existing garage from Cato to 1911 Wild Oak Drive, returned same with report (11-420) recommending that Council approve the request for structure moving, as detailed therein.

City Plan Commission, to whom was referred Request (11-290) from Wisconsin Aluminum Foundry Co., Inc. for a vacation of a portion of S. 17th St., south of Clark St. and request (11-291) from Wisconsin Aluminum Foundry Co., Inc. for a change to the Official Map for a portion of S. 17th St., south of Clark St., returned same with report (11-421) recommending that Council approve resolution and ordinance for the vacation and Official Map amendment for a portion of S. 17th St.

City Plan Commission, to whom was referred 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, returned same with report (11-422) recommending that Council approve resolution and ordinance for the vacation and Official Map amendment for a portion of S. 21st St.

City Plan Commission, to whom was referred request (11-304) from Shady Lane, Inc. for conditional use permit to operate current 52 bed CBRF with permission to expand by 36 beds within the next 5 years, returned same with report (11-424) recommending that Council grant a 2,500' location exception and approval of the CUP subject to attached conditions.

Progress invoice (11-437) from Wisconsin Dept. of Transportation in the amount of \$7,564.20 for N. 21st Street Bridge Viaduct, Project No. 4991-02-71.

Request (11-438) from Coldwell Banker for a special permit to extend parking lot into residential district to the north of office at 2406 Washington Street.

Special Events Request (11-441) from Holy Family Memorial to use right-of-way to place pink ribbons on banner light poles in downtown during October, 2011.

Amendment No. 1 (11-442) to consulting agreement with AECOM Technical Services for City Centre LLC dockwall improvements and dredging project.

142	Curtis J. Olson	1822 S. 10th St.
143	Treasa Wohlgemuth	18001 U.S.H. 151, Valders, WI 54245
144	Tammy M. Jensen	2000 Johnston Dr., Lot 78
145	Lori Belland	1425 N. 9th St., Apt. 3
146	Cindel Morreau	2410 Clark St., Apt. A
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177	Julie Larson	2113 S. 22nd St.
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180	Russell A.. Buretta	911 N. 17th St.
181	Dawn Jolin	1519 Madison St.
182	Brenda Bellin	3009 Stokes Lane
183	Kristy Stahl	175 Hoover St., Whitelaw, WI 54247

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.

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

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.

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

Notice (09-705) of Event giving rise to claim from D. T. Keding 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.

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

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

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.

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

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.

Summons and Complaint (11-276) between Zetley Real Estate Co., LLC and City of Manitowoc, Case No. 11 CV 296.

Notice of Claim and Claim (11-293) of May 2, 2011 from Bradley A. Jacobson, Claim File No. 11-1066.

Notice of Claim (11-361) of Joaquim Martinez, Claim File No. 11-1068.

Communication (11-380) from City Assessor Sarah Hoppe to refund personal property tax on parcel 000-917-803.

Notice of Claim and Claim (11-364) of Yorkshire Lane Apartments, Claim File No. 11-1069.

PARKS AND RECREATION

Previously Referred

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

Special Events Request (11-401) from D'Angelo Cowley to sell inflatable and light-up novelty items at this summer's Park and Recreational events.

Special Events Request (11-358) from Manitowoc County Tennis Club to hold tennis tournament at Lincoln Park on July 14-27 and July 29-31, 2011, and waiver of all fees.

Waiver of Fees (11-402) from Manitowoc/Two Rivers YMCA to reduce the amount of \$8.00 per hour, per court for rental of Lincoln Park Tennis Courts.

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

Request (11-370) from Steimle Birschbach for 2-hour parking on east side of N. 9th Street adjacent to their building.

Request (11-382) from Veteran Claim Appeals for refund of \$182.99 for leased parking space in N. 9th and Maritime Dr. parking lot.

Communication (11-384) from County Treasurer Cheryl Duchow enclosing public notice of tax foreclosure In Rem 2011 for properties located 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.

PENDING APPLICATIONS

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE - 2011-12

46A	The Chunky Monkey, LLC Shelie M. Brooks, Agent	214 N. 8th St.
62	El Caballo Loco-Crazy Horse, LLC Arlene A. DeGuzman, Agent	1802 Washington St.

TWO YEAR OPERATOR'S LICENSE 2011-13

184	Brent Boeldt	820 S. 24 th St.
185	Cesar Alvarez	814 Madison St., Apt. B
186	Casey Mott	1136 N. 18 th St.

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 (11-192) 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.

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.

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

Resolution (11-251) to vacate a portion of So. 21st Street between Flambeau St. and Summit St.

Ordinance (11-252) amending Section 22.01 of the Municipal Code for a change in the Official Map in an area located along So. 21st Street between Flambeau St. and Summit St.

Resolution (11-328) to vacate a portion of So. 17th Street south of Clark St.

Ordinance (11-329) to amend Section 22.01 of the Municipal Code for a change to the Official Map in an area located at S. 17th and Clark Streets.

Request (11-343) from Wisconsin Aluminum Foundry Co. to privatize sanitary sewer line that currently services the right-of-way that WAF had requested the City to vacate and amend its Official Map.

Report (11-410) of Board of Public Works of June 15, 2011, regarding bids received for 2011 Televising Miscellaneous Sewers II, WU-11-13.

Special Events Request (11-359) from Apple Natural Health Clinic to hold Healthy Kids Manitowoc County Fun Day on August 6, 2011 with closure of Jay Street between S. 8th and S. 9th.

PERSONNEL
Previously Referred

Resolution (11-319) to adjust job titles for Business Manager of Dept. of Public Works, Fleet Manager and Administrative Assistant to Director.