

COMMON COUNCIL AGENDA

Monday, June 15, 2009

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:

Presentation by Kindness Architecture + Planning, Inc. - Scott Kindness will present Manitowoc Riverwalk Concept Designs.

Presentation by Jamie Zastrow, Executive Director of Mainly Manitowoc, giving Annual Report for 2008.

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 (09-355) of Community Development Authority of 5/13/09; Library Board of 12/22/08 & 4/27/09; Manitowoc Public Utilities Commission of 4/13/09 & 5/26/09; Plan Commission of 5/13/09; Rahr-West Art Museum Board of 5/13/09;

Thank you (09-343) from Wis. Dept. of Transportation for City's resolution regarding local transportation funding in Wisconsin.

COMMITTEE OF THE WHOLE

General City Claims (09-) in the amount of \$ enumerated on list thereof.

FINANCE

Notice of Claim and Claim (09-340) of GAB Robins on behalf of International Paper Co., as successor to Weyerhaeuser Co. relative to a slip and fall by Patricia Hall, Claim No. 09-1023.

Notice of Claim and Claim (09-345) of Jerome Zipperer dated May 30, 2009, Claim File No. 09-1022.

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.

PARKS AND RECREATION

Special Events Request (09-352) from Kim and Tom Martell, Party Pizzazz, requesting to sell novelties at the 4th of July picnic and fireworks; copy to Streets & Sanitation Committee.

Special Events Request (09-357) from Manitowoc Professional Police Association to host the 7th Annual MPPA Police Chase 4 Mile Run/Walk fundraiser on October 10, 2009 starting and ending at Silver Creek Park, as detailed therein. (Copy to Streets & Sanitation Committee).

PUBLIC PROPERTY AND SAFETY

Request (09-341) from Fire Chief William P. Manis II to replace public safety boat that is not repairable and use funds as detailed therein (copy to Finance Committee).

Special Events Request (09-338) from Saucy's Sports Bar relative to outdoor music playing from 6:00 pm to 10:00 pm in their outdoor beer garden on July 3, 2009.

Request (09-347) from Lee Troullier to purchase parcels 448-002-000 and 448-019-000 from the City in the Manitowoc Industrial Park.

Report (09-368) of City Plan Commission relative to proposed land sale to Lee Troullier and modification of easement in Manitowoc Industrial Park, recommending that Council sell the subject parcel as detailed therein.

PUBLIC UTILITIES AND LICENSING

Special Events Request (09-339) from Debra Andrusak, Skinny Dip Inn, to extend their premise on June 21 and July 12, 2009 with bands scheduled to play from 4:00 pm to 10:00 pm.

2009 Urban Mass Transit Operating Assistance Contract (09-350) between the City of Manitowoc and the State of Wisconsin, for Maritime Metro Transit, as detailed therein.

Communication (09-353) from Francis G. Holly on behalf of the Manitowoc County Expo/Fair entertainment pavilion purveyors requesting that they be allowed to extend live band music performance until 11:30 p.m. with beer sales ending at midnight on Friday and Saturday of the County Fair again this year; and for the remaining nights of the Fair to have music performances until 11:00 p.m., with beer sales ending at 11:30 p.m.

Special Events Request (09-356) from The Fat Seagull to have a band outside in their parking lot for their grand opening on Saturday, July 25, 2009 from 12:00 noon through 10:00 pm.

Communication (09-374) from Manitowoc Lodging Associates, LLP, 101 Maritime Dr, advising that the corporation has made a change of agent to Robert Scheiner, effective immediately.

LICENSE APPLICATIONS

MOBILE HOME PARK LICENSE - 2009

4	University Village Heights, LLC Dan Daniels, Applicant	2350 S. 23 rd St.
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2009 PAWNBROKER, SECOND-HAND DEALER, FLEA MARKET, ETC.

9	Auda Turczynski d/b/a Gia's Resale Downtown Boutique	902 S. 8 th St. Ste. 4
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ONE YEAR OPERATOR'S LICENSE 2009-10

4	Michael Gallagher	925 N. 22 St.
5	Brenda Karl	1802 Kellner St.
6	Thomas Anderson	1901 Wild Oak Dr.
7	Mary L. Worley	1144B S. 21 st St.
8	Derek J. Meidl	3714 Mangin St.
9	Leah A. Keller	410 E. Main St., Plymouth, WI 53073

TWO YEAR OPERATOR'S LICENSE 2009-11

87	Jamie Johnson	1422 S. 14 St.
88	Jane Krueger	401 S. Parkview Rd.
89	Perry Prochnow	1326 S. 10 St.
90	Dustin Petri	1848 Michigan Ave.
91	Nancy Becker	1210 Westwood Lane

92	Kathie Gabriel	1624 Mirro Dr.
93	Michael Koral	2640 College St.
94	Rick Schultz	1414 Division St.
95	Pat Krieser	826 S. 25 St.
96	Kaidan Whitehouse	2512 Adams St., Two Rivers
97	Chad VanderBloomen	88 W. Albert Dr., #57
98	Arsene Breuninger	630 S. 35 St.
99	Charleen Baumann	16532 W. Washington Rd., Kiel
100	Amy Smith	1626 Main St., Cato
101	Patricia Bushmaker	1525 Grand Ave.
102	Holly Behnke	1032 S. 10 St.
103	Megan Schultz	115 S. 6 St., Reedsville
104	David Basken	2310 Mirro Dr. #4
105	Jennifer Sowinski	1727 Berge Ct.
106	Thomas Hudon	948 Rosemere Circle
107	Skyler Zunker	1018 31 st St., Two Rives
108	Tammy Kluczinske	1325 S. 18 St.
109	Patricia McKay	818A York St.
110	Rebecca Sorge	2000 Johnston Dr., Lot 12
111	Angela DeJardine	7020 Gass Lake Rd.
112	Dennis Reinhardt	301 Hawthorne Terrace
113	Tom Kubichka	1510 S. 39 St.
114	Pamela Stone	2000 Johnston Dr., #34
115	Anita Reyna	924A Washington St.
116	John Janda	1213 Fleetwood Dr.
117	Gary Maylander	2813 11 th St., Two Rivers
118	Andrew Pribyl	2832 12 th St., Two Rivers
119	Shawna Voigt	1209 S. 10 St.
120	Barbara Krizizke	770 E. Albert Dr. #26
121	Derrick McDonald	3703 Parkway Blvd. Apt A, Two Rivers
122	Beth Ann Finch	3703 Parkway Blvd. Apt A, Two Rivers
123	Robert Haas	4503 Bleser Court
124	Tammy Jensen	1416A Hamilton St.
125	Karen Schroeder	1410 S. 20 th St.
126	David Soukup	1007 N. 15 th St.
127	Elizabeth Vogel	4570 Broadway St.
128	Todd Temme	P.O. Box 91, Francis Creek
129	Amy J. Campbell	1717 S. 10 th St.
130	Stephanie Horkman	2115 Clark St.
131	Cynthia Ayotte	2216 Clark St.
132	Deana Stakic	507 S. 27 th St.
133	Scott Lutz	5002 Brookfield Dr.
134	Samantha Piazza	1308A S. 15 th St. #3

135	Amber L. Slaby	829 N. 15 th St.
136	Christopher Valenta	1041 Dousman St.
137	Shelie M. Brooks	1516 Johnston Dr.
138	Jon E. Holschbach	920 N. 15 th St.
139	Katherine A. Ward	1310 S. 17 th St.
140	Megan N. Hoefert	7034 Gass Lake Rd.
141	Valarie M. Schwoerer	1608 20 th St., Two Rivers, WI
142	Linda K. Schultz	1718 Cedar Grove Dr. #1A
143	Bette L. Keehan	2307 Clark St.
144	Judy M. Bradl	715 S. 31 st St.
145	Kevin C. Herrmann	1521 Lone Oak Ln.
146	Joel P. Michaels	4604 Forest Hills Dr., Two Rivers, WI
147	Michelle M. Greetan	1306 Madison St.
148	Gary G. Stock	3510 Dewey St.
149	David P. Sanders	1413A Clark St.
150	Misty L. Hood	1025 28 th St., Two Rivers, WI
151	Aaron D. Wodsedalek	725A S. 26 th St.

STREETS AND SANITATION

Special Events Request (09-344) from Barbara Bundy-Jost of Rahr-West Art Museum to hold Sputnikfest on September 11 & 12, 2009 and to close portions of Park Street and N. 8th Street, as detailed therein.

Communication (09-351) from Patricia Roth, on behalf of Manitowoc City Center Association, requesting permission for use of sidewalks and various City equipment for Krazy Daze on Saturday, July 11, 2009, as well as the closing of Franklin St. between 7th and 8th and the use of Burger Park. (Copy to Parks & Recreation).

Agreement (09-354) with AECOM Technical Services, Inc. for 2009 Illicit Discharge Detection and Elimination Outfall Screening, as detailed therein.

Report (09-358) of Board of Public Works of June 10, 2009, regarding bids for 2009 Relay of Sanitary Sewers and New Storm Sewers, Project WU-09-10.

Report (09-359) of Board of Public Works of June 10, 2009, regarding bids for 2009 Televising Miscellaneous Sewers II, Project WU-09-14.

Report (09-360) of Board of Public Works of June 10, 2009, regarding bids for Clay Pit Road Detention Pond, Project WU-09-19.

Report (09-361) of the Board of Public Works of June 1, 2009, recommending 2nd and final payment to Steinbrecher Meneau, Inc. in the amount of \$8,737.00 for Design of Clay Pit Road Detention Pond.

Report (09-362) of the Board of Public Works of June 1, 2009, recommending 4th and final payment to Ronet Construction in the amount of \$13,228.13 for 2008 New and Relay Sewers, Project WU-08-13.

Consulting Agreement (09-363) and Authorization to Proceed with AECOM Technical Services, Inc. to conduct a Phase II Environmental Site Assessment within the Flambeau Street right of way and the adjacent private property located at 2418 S. 18th St.

2008 Compliance Maintenance Annual Report (09-365) as required by Ch. NR208 of the Wis. Administrative Code.

City Plan Commission, to whom was referred request (09-334) from SMI as representatives of United One Credit Union for special permit for parking lot expansion in a residential district at 1126 S. 10th Street, returned same with report (09-367) recommending that the Council allow the construction of the parking lot as detailed therein.

City Plan Commission, to whom was referred temporary access easement agreement (09-283) on unimproved right-of-way to Mike Check Builders for property located at 2727 Red Fox Lane, returned same with report (09-370) recommending that the Council not approve the original agreement but authorize the City Attorney to negotiate and prepare a replacement document with the current property owner as detailed therein.

Report (09-371) of City Plan Commission with their annual review of special permits for fixed animated signs with recommendations detailed therein.

City Plan Commission, to whom were referred quit claim deed (09-326) from Richard L. & Darla J. Klassen for a parcel of land containing 13,791 square feet, more or less, to be used for Fleetwood Drive purposes, as described therein and shown on the attached sketch; and quit claim deed (09-327) from Richard L. & Darla J. Klassen for a parcel of land containing 28,576 square feet, more or less, to be used for Waldo Blvd. purposes, as described therein and shown on the attached sketch, returned same with report (09-369) recommending that Council approve, accept and record the deeds.

Request (09-373) from Rachel Muchin Young on behalf of Manitowoc City Center Association to have sidewalk sales on Saturday, June 27, 2009 (River Rendezvous) and Saturday, July 11, 2009 (Krazy Daze).

Communication (09-375) from Dir. of Public Works/City Engr. Valerie Mellon recommending Council to move forward with bidding the Evergreen Cemetery Chapel project and transferring the funds.

PERSONNEL

None.

RESOLUTIONS

Resolution (09-342) authorizing Mayor Nickels as the City's officer in charge at the City picnic on July 4, 2009, to be held at Silver Creek Park, was referred to Committee of the Whole.

Resolution (09-346) recognizing the importance of the 2010 Census and agreeing to form a Complete Count Committee and to promote the Census to assure that all residents of our community are counted, was referred to Committee of the Whole.

Resolution (09-348) appointing Mayor Justin M. Nickels as the authorized representative for the purpose of filing applications for financial assistance from State of Wisconsin Environmental Improvement Fund, was referred to Finance Committee.

Resolution (09-366) to enter into Amendment No. 1 to contract with Bay Lakes Regional Planning Commission to extend the completion date to September 30, 2009 for Transportation Development Plan 2008-2012 for Maritime Metro Transit System dated 1/21/08, was referred to Streets & Sanitation Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (09-372) to amend Section 10.1015 of the Municipal Code establishing parking restrictions for the purpose of street sweeping, 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)

CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE 2009-10

24 Harbans Kaur 205 N. Rapids Rd.

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2009-10

38 KJ Operating Co., LLC 901 Buffalo St.
Keith D. Klein, Agent

NEAR BEER (NON-INTOXICATING BEVERAGE) LICENSE - 2009-10

30 Harbans Kaur 205 N. Rapids Rd.

ONE YEAR OPERATOR'S LICENSE 2009-10

4 Michael Gallagher 925 N. 22 St.

5 Brenda Karl 1802 Kellner St.
6 Thomas Anderson 1901 Wild Oak Dr.

TWO YEAR OPERATOR'S LICENSE 2009-11

74 Paul VanderBloomen 512 S. 26 St.
87 Jamie Johnson 1422 S. 14 St.
88 Jane Krueger 401 S. Parkview Rd.
89 Perry Prochnow 1326 S. 10 St.
90 Dustin Petri 1848 Michigan Ave.
91 Nancy Becker 1210 Westwood Lane
92 Kathie Gabriel 1624 Mirro Dr.
93 Michael Koral 2640 College St.
94 Rick Schultz 1414 Division St.
95 Pat Krieser 826 S. 25 St.
96 Kaidan Whitehouse 2512 Adams St., Two Rivers
97 Chad VanderBloomen 88 W. Albert Dr., #57
98 Arsene Breuning 630 S. 35 St.
99 Charleen Baumann 16532 W. Washington Rd., Kiel
100 Amy Smith 1626 Main St., Cato
101 Patricia Bushmaker 1525 Grand Ave.
102 Holly Behnke 1032 S. 10 St.
103 Megan Schultz 115 S. 6 St., Reedsville
104 David Basken 2310 Mirro Dr. #4
105 Jennifer Sowinski 1727 Berge Ct.
106 Thomas Hudon 948 Rosemere Circle
107 Skyler Zunker 1018 31st St., Two Rives
108 Tammy Kluczinske 1325 S. 18 St.
109 Patricia McKay 818A York St.
110 Rebecca Sorge 2000 Johnston Dr., Lot 12
111 Angela DeJardine 7020 Gass Lake Rd.
112 Dennis Reinhardt 301 Hawthorne Terrace
113 Tom Kubichka 1510 S. 39 St.
114 Pamela Stone 2000 Johnston Dr., #34
115 Anita Reyna 924A Washington St.
116 John Janda 1213 Fleetwood Dr.
117 Gary Maylander 2813 11th St., Two Rivers
118 Andrew Pribyl 2832 12th St., Two Rivers
119 Shawna Voigt 1209 S. 10 St.
120 Barbara Krizizke 770 E. Albert Dr. #26
121 Derrick McDonald 3703 Parkway Blvd. Apt A, Two Rivers
122 Beth Ann Finch 3703 Parkway Blvd. Apt A, Two Rivers
123 Robert Haas 4503 Bleser Court
124 Tammy Jensen 1416A Hamilton St.
125 Karen Schroeder 1410 S. 20th St.
126 David Soukup 1007 N. 15th St.
127 Elizabeth Vogel 4570 Broadway St.
128 Todd Temme P.O. Box 91, Francis Creek

129	Amy J. Campbell	1717 S. 10 th St.
130	Stephanie Horkman	2115 Clark St.
131	Cynthia Ayotte	2216 Clark St.

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

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

Resolution (08-531) regarding Performance Evaluation Review Committee review of 2007 performance of non-represented personnel and recommendations regarding merit adjustments retroactive to 2008.

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.

Request (09-025) from Ellen Reinertson to move a home to the corner lot on Pine and N. 9th Streets, as detailed therein.

Appeal (09-061) from August D. Krieser relative to accessibility issues that exist at the Rahr-West Art Museum.

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 and Claim (09-239) received April 20, 2009 from USPS, Fleet Claim No. 09-179.

Communication (09-284) from Jeff Leifer and Greg Wolff to hold a Freedom Walk on July 4, 2009, in support of "open carry" in the state of Wisconsin.

Communication (09-275) from Manitowoc Public School District and Felician Village requesting a change to make So. 21st Street a one-way street going south from Division St. to Grand Ave.

Communication (09-332) from Recreation & Parks Director Joe McLafferty requesting the use of room tax money to upgrade the Washington Park sign.

Communication (09-309) from Mark Pare and Kathy Beer of Lakeshore Humane Society with concerns regarding pets.

Special Events Request (09-328) from Liz Becker, Carol Rose Wester Memorial Walk/Run, requesting to hold a walk/run event on Saturday, August 15, 2009, starting and ending at Red Arrow Park as well as various street closures, as detailed therein. (copy to Streets & Sanitation Committee)

Communication (09-330) from Dana Bongle requesting a reduction in ambulance invoice 281149 for 4/20/08 services for his wife and daughter.

Special Events Request (09-307) from Jeff Leifer to hold a Freedom Walk on July 4, 2009, from 9:00 a.m. to 11:00 a.m. with route detailed therein.

Communication (09-312) from Harvey Krish requesting a reduced assessment for resurfacing of street in front of 1816 Nagle Avenue.

Petition (09-315) from vendors of the 2009 Manitowoc Farmers' Market opposing the closing of Quay Street on Saturday, June 27, 2009.

Communication (09-319) from Mark Balaban of North Valley Subdivision asking the committee to reconsider his prior request to postpone the paving of Albert Drive.

Ordinance (09-335) to revise Section 14.07 of the Municipal Code correcting scrivener's errors within the Social Host Ordinance, was referred to Public Property & Safety Committee.

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

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

PENDING APPLICATIONS

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2008-09

63 Ozone Nightclub, LLC 1819 S. 9th St.
Douglas Scherwinski, Agent

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2009-10

60 Michael E. Wampler 1036 S. 10th St.
61 Capitol Civic Centre, Inc. 913 S. 8th St.
James Kreutzberg, Agent
62 Jody L. Conard 602 N. Water St.

MOBILE HOME PARK LICENSE - 2009

4 University Village Heights, LLC 2350 S. 23rd St.
Dan Daniels, Applicant

2009 PAWNBROKER, SECOND-HAND DEALER, FLEA MARKET, ETC.

9 Auda Turczynski 902 S. 8th St. Ste. 4
d/b/a Gia's Resale Downtown Boutique

ONE YEAR OPERATOR'S LICENSE 2009-10

7 Mary L. Worley 1144B S. 21st St.
8 Derek J. Meidl 3714 Mangin St.
9 Leah A. Keller 410 E. Main St., Plymouth, WI 53073

TWO YEAR OPERATOR'S LICENSE 2009-11

132 Deana Stakic 507 S. 27th St.
133 Scott Lutz 5002 Brookfield Dr.
134 Samantha Piazza 1308A S. 15th St. #3
135 Amber L. Slaby 829 N. 15th St.
136 Christopher Valenta 1041 Dousman St.
137 Shelie M. Brooks 1516 Johnston Dr.
138 Jon E. Holschbach 920 N. 15th St.
139 Katherine A. Ward 1310 S. 17th St.
140 Megan N. Hoefert 7034 Gass Lake Rd.
141 Valarie M. Schwoerer 1608 20th St., Two Rivers, WI
142 Linda K. Schultz 1718 Cedar Grove Dr. #1A
143 Bette L. Keehan 2307 Clark St.
144 Judy M. Bradl 715 S. 31st St.
145 Kevin C. Herrmann 1521 Lone Oak Ln.
146 Joel P. Michaels 4604 Forest Hills Dr., Two Rivers, WI
147 Michelle M. Greetan 1306 Madison St.
148 Gary G. Stock 3510 Dewey St.
149 David P. Sanders 1413A Clark St.
150 Misty L. Hood 1025 28th St., Two Rivers, WI
151 Aaron D. Wodsedalek 725A S. 26th St.

