

COMMON COUNCIL AGENDA

Monday, July 6, 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:

Proclamation recognizing July as Parks and Recreation Month in the City of Manitowoc and urging all citizens of Manitowoc to celebrate Parks and Recreation month.

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 (09-388) of Great Lakes Utilities Board of 4/30/09 & 5/19/09; Harbor Commission of 1/29/09; Rahr-West Art Museum Board of 6/17/09; Manitowoc Area Visitor & Convention Bureau of 4/19/09; Zoning Board of Appeals of 6/16/09.

Communication (09-381) from James H. Pleuss submitting his resignation from Citizen's Physical & Sensory Disability Committee effective immediately.

Notice (09-408) before the Dept. of Natural Resources Air Management Program regarding the air pollution permit for Carmeuse Lime and Stone - Rockwell Operation, 4110 Rockwood Rd., Manitowoc.

COMMITTEE OF THE WHOLE

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

FINANCE

Report (09-383) of City Planner David Less recommending consent and approval of subordination from Wis. Dept. of Commerce relative to CDBG-ED grant contract - Orion Energy Systems, Inc.

Communication (09-384) from Cold Stone Creamery requesting tax forgiveness relative to 2008 delinquent personal property tax.

Waiver & Release of Claims (09-386) between Karl C. Puestow and City of Manitowoc, as detailed therein.

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.

Communication (09-394) from County Treasurer Cheryl M. Duchow enclosing public notice of tax foreclosure In Rem 2009 for properties located in the City of Manitowoc.

Notice of Injury/Claim for Damages (09-400) of Hannah Braun-Allen of July 1, 2009 to City of Manitowoc, et al, Claim No. 09-1025.

PARKS AND RECREATION

Request (09-393) from Manitowoc Public School District to amend contract dated August 17, 1998, in order to rename Municipal Field to "Ron Rubick Municipal Field".

Lease Agreement (09-395) between City of Manitowoc and Rollaire Skate Center LLC for property at 930 N. 18th Street.

PUBLIC PROPERTY AND SAFETY

Report (09-380) of City Clerk Jennifer Hudon on parking leases entered into during the period of June 1, 2008, through May 31, 2009.

Copy (09-387) of County's Resolution terminating joint dispatch agreements and stating intent to enter into new dispatch agreements.

Special Events Request (09-405) from Global Youth Leadership Institute to set up and sleep in 7 or 8 tents on public land between the Manitowoc River and Best Western Lakefront Hotel overnight on Monday, July 13, 2009, as detailed therein.

PUBLIC UTILITIES AND LICENSING

None.

LICENSE APPLICATIONS

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

25	Norma Coronado Escamilla	2205 Marshall St.
26	Las Brisas, LLC Dora Sandoval, Agent	1228 S. 10 th St.

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

63	Las Brisas LLC Dora Sandoval, Agent	3535 Calumet Ave.
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CLASS "B" TEMPORARY BEER

34*	St. Francis of Assisi Parish	1121 N. 14 th Street
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NEAR BEER (NON-INTOXICATING BEVERAGE) LICENSE - 2009-10

31	Norma Coronado Escamilla	2205 Marshall St.
32	Las Brisas, LLC Dora Sandoval, Agent	1228 S. 10 th St.

TEMPORARY OPERATOR'S LICENSE - 2009-10

1*	Barbara E. Bundy-Jost	5519 Point Creek Rd., Cleveland
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ONE YEAR OPERATOR'S LICENSE 2009-10

10*	Jamie Buhk	2433 State Hwy.42
11*	Susan Sittman	2000 Johnston Dr.
12*	Chad MacDonald	1116 Windiate St.
13*	Thomas Berger	1703 Cedar Grove Dr.
14*	Todd Pagliaro	1425 N. 9 th St.
15*	Nick Lambrecht	4613 Arbor Ct., Two Rivers
16*	Jeffrey Rathsack	4752 W. Whitetail Ct.

17*	Felicia Yauger	1316 S. 14 th St.
18*	Samantha Faber	103 S. 4 th St., St. Nazianz
19*	Patrick Downey	1409 Gunnell Lane
20*	Kylie Beaver	1150 S. 39 th St.
21*	Sara Champion	925 S. 19 th St.
22	Rachelle Rosado	2118 10th St., Two Rivers
23	Marna Hayes	2417 Dewey St., Unit 20

TWO YEAR OPERATOR'S LICENSE 2008-10

426*	Mandy Grube	920 7 th St., Kiel
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TWO YEAR OPERATOR'S LICENSE 2009-11

152*	Roxane Siewert	921 S. 21 st St.
153*	Danielle Rezachek	861 N. 9 th St.
154*	Wayne Popp	4430 Valley View Ct., Newton
155*	Amanda Kowalski	1502A Madison St.
156*	Brent Boeldt	820 S. 24 th St.
157*	Sheena Quintana	826A S. 24 th St.
158*	Hailey Virnoche	938 Shorewood Blvd.
159*	Rodney Bubolz	3328 Brodtke Rd., Cato
160*	Guy O'Connor	3206 Serenity Dr.
161*	Thomas Albright	1526 George St.
162*	Jerry Shedal	4364 Valley View Circle, Newton
163*	Randall Popp	8606 Northeim Rd., Newton
164*	Christy Jaeger	1715 Berge Ct.
165*	Frank Bender	424 N. Lake St.
166*	David Hacker	1440 N. 8 th St.
167*	Clint Drescher	3519 Foxfire Ct.
168*	Janemarie Kabat	1215 S. 21 st St.
169*	Julie Schreiber	715 E. Cedar Ave.
170*	Sara Shoman	1715 Madison St.
171*	Elizabeth Messmann	901 Hamilton St.
172*	Amanda Hermans	2410 Mirro Dr.
173*	Katrina Leifer	811 State St.
174*	Alicia Coffman	2013 S. 10 th St.
175*	Stacy Hall	2414 S. 35 th St.
176*	Constance Bartels	1425 N. 9 th St.
177*	Phillip Herman	828 N. 19 th St.
178*	Emily Walker	2019 Granger Rd.
179*	Jennifer Edwards	1332 S. 13 St.
180*	Bryan Orth	2240 Menchl Dr.
181*	Brenda Bellin	3009 Stokes Ln.
182*	Kristy Stahl	175 Hoover St., Whitelaw
183*	David Wilke	4511 Woodfield Ct.
184*	Terri Bunnell	813 Wilson St.

185*	Clayton Bunnell, Sr.	813 Wilson St.
186*	Donna Sprang	1135 S. 25 th St.
187*	Lisa Wright	2221 S. 22 nd St.
188*	Holly Jennrich	1918 School St., TR
189*	Sandra Moreno	2001 Madison St.
190*	Kim Behnke	1116 Hamilton St.
191*	Susan Curtis	1010 S. 17 th St.
192*	Amy Farr	1021 S. 20 th St.
193*	Joel Schmitt	708 S. 23 rd St.
194*	Joshua Qualman	812 State St.
195*	Mark Burt	1414 S. 37 th St.
196*	Margaret Schweppe	1106 Bellevue Place, TR
197*	Cherie Peterman	2210 Michigan Ave
198	Leah Pink	2723 S 23rd St.
199	Alan Brandt	719A S 16th St.
200	Stacy Rutherford	811 Huron St.
201	Scott Johnson	7125 Boldt Rd., Valders
202	Lee O'Leary II	521 S 27th St
203	Heidi Harris	918 Chicago St.
204	Katrina Shedal	4364 S Valley View Cir., Newton
205	Jeffry L. Anhalt	1303 Ahrens St.
206	Kelly L. Kurtzbach	1144 S. 24 th St.
207	Brooke M. Paider	1201 Green St.
208	Tyler J. Plekan	853 N. 10 th St.
209	Karen K. Wordell	1601 Johnston Dr.
210	Brian K. Blashka	1505 Cherry Rd.
211	Jesse A. Sukowaty	1826 Belmont St.

STREETS AND SANITATION

Amendment No. 2 (09-385) to Professional Services Agreement dated December 9, 2008, between City of Manitowoc and AECOM Technical Services, Inc. for Stormwater Management Facility Design North 12th St. and Waldo Blvd.

Communication (09-377) from Felician Village requesting a conditional use permit to relocate St. Mary's Nursing Home from its current location at 2005 Division St. to a new location at 1635 S. 21st St. and to expand The Court at 1903 Division St.

Special Events Request (09-378) from Manitowoc Track Club to hold a 5K run in honor of former Lincoln High football coach Ron Rubick on August 8, 2009 beginning at Lincoln High parking lot and finishing at Municipal Field with map of race course attached. (*Copy to Parks & Recreation Committee*).

Special Events Request (09-379) from St. Francis of Assisi to close N. 14th St. between Menasha Ave. and Waldo Blvd. on August 7 & 8, 2009 for their annual fish boil and pizza party. (*Copy to Public Property & Safety*).

Progress invoice (09-397) from Wisconsin Dept. of Transportation in the amount of \$13,182.20 for Madison Street - 10th St. - 8th St., Project No. TP 2008019.

Progress invoice (09-398) from Wisconsin Dept. of Transportation in the amount of \$30,312.40 for 8th Street - Madison St. - Washington St., Project No. NH 2008018.

Progress invoice (09-399) from Manitowoc County Highway Commission in the amount of \$19,646.36 for Custer Street - Alverno Rd. - Vista Rd., Project No. STP 2004149.

Communication (09-401) from Lakeshore Unitarian Universalist Fellowship requesting a conditional use permit to operate a church at 620 Park Street.

Report (09-402) of Board of Public Works of July 1, 2009, regarding quotes received for two new 2010 1-ton single rear wheel regular cab 4 x 4 pick up trucks with plows for Dept. of Public Works, Quote QE-09-5R.

Report (09-403) of Board of Public Works of July 1, 2009, regarding bids received for So. 30th Street Detention Pond, Project WU-09-20.

Report (09-404) of Board of Public Works of July 1, 2009, regarding bids received for 2009 Tree Planting, Project WS-09-15.

Report (09-406) of the Board of Public Works of July 1, 2009, recommending 33rd and final payment to AECOM in the amount of \$747.99 for Professional Services for the Newton Gravel Pit.

Report (09-407) of the Board of Public Works of July 1, 2009, recommending 2nd and final payment to Visu-Sewer Clean & Seal, Inc. in the amount of \$16,137.90, Project WU-09-7.

PERSONNEL

Communication (09-389) from Wisconsin Professional Police Assn. wishing to commence bargaining for successor agreement for Manitowoc Police Dept. Employees Assn.

Labor Agreement (09-409) between City of Manitowoc and City of Manitowoc Firefighters International Association of Firefighters Local 368, AFL-CIO.

RESOLUTIONS

Resolution (09-382) declaring intent to use Clean Water Fund Loan proceeds for reimbursement of eligible project costs relative to Wastewater Treatment Facility Raw Wastewater Fine Screening project, as detailed therein, was referred to Finance Committee.

Resolution (09-396) supporting Wisconsin Harbor Assistance Program Grant Application for rehabilitation of a section of the south bank of Manitowoc River, was referred to Public Utilities & Licensing Committee.

COMMITTEE REPORTS

Streets & Sanitation Committee returned 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, recommending placing on file.

Streets & Sanitation Committee returned 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., recommending referral to Safety, Traffic & Parking Commission.

Streets & Sanitation Committee returned communication (09-312) from Harvey Krish requesting a reduced assessment for resurfacing of street in front of 1816 Nagle Avenue, recommending referral to Board of Public Works.

Streets & Sanitation Committee returned 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, recommending placing on file.

ORDINANCES

None.

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 "B" TEMPORARY BEER

34 St. Francis of Assisi Parish 1121 N. 14th Street

TEMPORARY OPERATOR'S LICENSE - 2009-10

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ONE YEAR OPERATOR'S LICENSE 2009-10

10 Jamie Buhk 2433 State Hwy.42
11 Susan Sittman 2000 Johnston Dr.
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TWO YEAR OPERATOR'S LICENSE 2008-10

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196	Margaret Schweppe	1106 Bellevue Place, TR
197	Cherie Peterman	2210 Michigan Ave

**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.

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

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.

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

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 (09-375) 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.

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).

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.

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.

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.

PENDING APPLICATIONS

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

63	Ozone Nightclub, LLC Douglas Scherwinski, Agent	1819 S. 9 th St.	(TO BE PLACED ON FILE)
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CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE 2009-10

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26	Las Brisas, LLC Dora Sandoval, Agent	1228 S. 10 th St.

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

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

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ONE YEAR OPERATOR'S LICENSE 2009-10

22	Rachelle Rosado	2118 10th St., Two Rivers
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23 Marna Hayes 2417 Dewey St., Unit 20

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199 Alan Brandt 719A S 16th St.
200 Stacy Rutherford 811 Huron St.
201 Scott Johnson 7125 Boldt Rd., Valders
202 Lee O'Leary II 521 S 27th St
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211 Jesse A. Sukowaty 1826 Belmont St.