

COMMON COUNCIL AGENDA

Monday, July 20, 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:

Report by Tom Karman, Schenck & Associates, on Comprehensive Annual Financial Report for City of Manitowoc.

Presentation by R. A. Smith National on GIS Needs and Assessment Plan.

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 (09-412) of Community Development Authority of 6/10/09; Manitowoc Public Utilities Commission of 6/8/09; Plan Commission of 6/10/09; Wastewater Treatment Facility Board of 6/9/09; Maritime Metro Transit Development Program Review Committee of 5/6/09.

COMMITTEE OF THE WHOLE

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

FINANCE

Memo (09-414) from Dir. of Building Inspection/Facilities Manager, Jim Muenzenmeyer, requesting transfer of \$2,800 from the unused 2009 capital funds to replace concrete hazard at Fire Station #3, 3820 Dewey Street, as detailed therein. (Copy to Public Property & Safety).

Communication (09-417) from City Assessor Sarah Hoppe requesting that 2008 personal property taxes for parcel 000-917-626 be rescinded.

City Plan Commission, to whom was referred 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, returned same with report (09-428) recommending that the communication from Manitowoc County be placed on file, and that no further action be taken regarding the properties identified therein.

City Plan Commission, to whom was referred Communication (09-332) from Recreation & Parks Director Joe McLafferty requesting the use of room tax money to upgrade the Washington Park sign, returned same with Report (09-424), with recommendations contained therein.

PARKS AND RECREATION

Special Events Request (09-420) of Kiwanis Club of Greater Manitowoc 8/8/09 and 8/9/09 Antique Car Show in Washington Park. (Copies to Streets and Sanitation and Public Utilities & Licensing).

PUBLIC PROPERTY AND SAFETY

Communication (09-411) from Marie Hawkins relative to changing the curfew hours.

Special events request (09-413) from Randy Heinzen, Chr., Lakeshore Weekend, requesting a variance of the sound and beverage ordinance for the annual Lakeshore Weekend event to be held on August 7, 8 & 9, 2009, until 12:00 midnight on Friday & Saturday, and permission to block off the access street to the boat launch north of the YMCA, and the use of various equipment, as detailed therein; copies to Public Utilities & Licensing and Parks and Recreation Committees.

Report (09-423) of City Plan Commission regarding PC35-2009 Lehman; Proposed Animated Sign at 1440 S. 39 St. Pursuant to Section 15.45(18) of the Manitowoc Municipal Code, with recommendations contained therein.

Report (09-425) of City Plan Commission regarding PC5-2009: Bugarino; Discussion of Public Right-of-way on South 22 Street, with recommendations contained therein.

Report (09-426) of City Plan Commission regarding PC33-2009: Degener/Bartow Builders; Erosion Hazard Area at 1311 Michigan Under Section 15.37(23) of Manitowoc Municipal Code. with recommendations detailed therein.

City Plan Commission, to whom was referred , 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, returned same with Report (09-427) recommending that Council approve the location and design as detailed therein.

Report (09-432) of City Plan Commission regarding PC32-2009: City of Manitowoc; Proposed Land Sale in Manitowoc Industrial Park under s. 62.23(5) Wis. Stats. with recommendations contained therein.

Communication (09-436) of Christopher Sanchez, 1210 Hamilton Street, expressing concerns for erratic driving and need for more stop signs near his home.

Communication (09-)from Chief Manis recommending implementing fees for vehicle clean up spills.

PUBLIC UTILITIES AND LICENSING

LICENSE APPLICATIONS

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

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

(Change of Agent)

49 Manitowoc Lodging Associates LLP 101 Maritime Dr.
Mike Shriver, Agent

CLASS "B" TEMPORARY BEER

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

TEMPORARY OPERATOR'S LICENSE - 2009-10

2 Orville Langohr 14230 Pigeon River Rd., Cleveland
3 David Nickels 604 Pine Street

4 Richard J. Orth 1608 Columbus St.

ONE YEAR OPERATOR'S LICENSE 2009-10

24 Tara Novak 910 Huron Street

25 Riley Mayer 811 Huron Street

26 Mandi J. Weina 2629 S. 23rd Street

TWO YEAR OPERATOR'S LICENSE 2009-11

211 Jesse A. Sukowaty 1826 Belmont Street

212 Douglas E. Dewane 2710 Two Creeks Rd., Mishicot

213 Karen L. Morrow 2815 34th St., Two Rivers

214 Monica A. Kiszka 4212 S. Union Road

215 Cindel A. Morreau 1504 S. 35th Street

216 Robert J. Graff 1216A S. 21st Street

217 Brittany J. Gabel 11509 Tannery Road, Mishicot

218 Lynn Miller 1807 Lincoln Street, Two Rivers

219 Margaret M. Stangel 1229 N. 9th Street

220 Scott D. Musial 519 N. 9th Street

221 Dodie Groelle 2343 - 9th Pl., Two Rivers

222 Carla Schmidlkofer 2002 Washington Street

223 Ronald V. Hablewitz 1902 Western Ave.

224 Eric R. Waniger 928 Lincoln Blvd.

225 Russell A. Buretta 911 N. 17th Street

226 Enver Ademi 813 Sequoia Ct.

STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITION DERBY

3 Randall Heinzen/Lakeshore Weekend Manitowoc Harbor - Inside Breakwater
Near Marina & YMCA Beach

STREETS AND SANITATION

First Amendment (09-416) to a contract for services with Kindness Architecture + Planning, Inc. related to 2008 Wisconsin Community Development Block Grant Wisconsin Waterfront Initiative Planning Grant Contract.

Communication (09-415) from Wis. Dept. of Commerce giving notice of change in 2008 Wisconsin Community Development Block Grant Wisconsin Waterfront Initiative Planning Grant Contract.

Communication (09-421) of Wayne R. Popp, WRP Properties, LLC requesting a temporary access easement over an unimproved right of way on S. 21st Street.

City Plan Commission, to whom was referred, Communication (09-401) from Lakeshore Unitarian Universalist Fellowship requesting a conditional use permit to operate a church at 620 Park Street, returned same with report (09-429) recommending approval of the CUP subject to conditions contained therein.

City Plan Commission, to whom was referred, 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, returned same with report (09-430) recommending approval of the CUP subject to conditions contained therein.

City Plan Commission, to whom was referred, Request (09-025) from Ellen Reinertson to move a home to the corner lot on Pine and N. 9th Streets, returned same with Report (09-431), recommending approval of the report and placing the request on file, with no further action required.

Special Events Request from Manitowoc County Special Olympics to hold the 10th annual 5K run/walk at the Manitowoc County Fair on August 25, 2009 at 6:00 p.m. Copy to Public Property & Safety.

Communication (09-433) of S. M. I., as representatives of the Doneff Company, owners of Custer

Village Apartments, requesting revisions to easements to facilitate construction of new apartment buildings and garages.

PERSONNEL

Agreement (09- 434) between City of Manitowoc and City of Manitowoc Public Works Employees, Teamsters Local No. 662 for 2008 and 2009.

RESOLUTIONS

Resolution (09-418) regarding withdrawal from post-employment health plan for Manitowoc Professional Police Association Local No. 20 was referred to Personnel Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (09-419) Amending Section 16.35(b) Fences and Hedges, was referred to Public Property and Safety.

Ordinance (09-422) Creating Sections 10.061(26m)(c) and Section 10-065 of the Municipal Code relative to a stop sign in the alley between Park Row Boulevard and North 21st Street was referred to Public Property and Safety.

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

TEMPORARY OPERATOR'S LICENSE - 2009-10

| | | |
|---|-----------------|-----------------------------------|
| 2 | Orville Langohr | 14230 Pigeon River Rd., Cleveland |
| 3 | David Nickels | 604 Pine Street |
| 4 | Richard J. Orth | 1608 Columbus Street |

ONE YEAR OPERATOR'S LICENSE 2009-10

TWO YEAR OPERATOR'S LICENSE 2009-11

| | | |
|-----|----------------------|---------------------------------------|
| 211 | Jesse A. Sukowaty | 1826 Belmont St. |
| 212 | Douglas E. DeWane | 2710 Two Creeks Rd., Mishicot |
| 213 | Karen L. Morrow | 2815 34 th St., Two Rivers |
| 214 | Monica A. Kiszka | 4212 S. Union Rd. |
| 215 | Cindel A. Morreau | 1504 S. 35 th St. |
| 216 | Robert J. Greff | 1216A S. 21 st St. |
| 217 | Brittany J. Gabel | 11509 Tannery Rd., Mishicot |
| 218 | Lynn Miller | 1807 Lincoln St., Two Rivers |
| 219 | Margaret M. Stangel | 1229 N. 9 th St. |
| 220 | Scott D. Musial | 519 N. 9 th St. |
| 222 | Carla R. Schmidkofer | 2002 Washington 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.

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.

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 (09-351) 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).

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.

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

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

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.

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.

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.

PENDING APPLICATIONS

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

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

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

- 63 Las Brisas LLC 3535 Calumet Ave.
Dora Sandoval, Agent

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

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

ONE YEAR OPERATOR'S LICENSE 2009-10

- 24 Tara Novak 910 Huron Street
- 25 Riley Mayer 811 Huron Street
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TWO-YEAR OPERATORS LICENSE 2009-11

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| 225 | Russell A. Buretta | 911 N. 17 th Street |
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STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITION DERBY

- 3 Randall Heinzen/Lakeshore Weekend Manitowoc Harbor - Inside Breakwater
Near Marina & YMCA Beach

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Mike Shriver, Agent