

COMMON COUNCIL AGENDA

Monday, October 5, 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:

National Disability Employment Awareness Month Proclamation.

White Can Safety Day Proclamation.

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 (09-566) of Committee on Aging of 1/19/09, 4/13/09, 5/11/09 & 9/14/09; Cemetery Commission of 8/20/09; Citizens Advisory Committee of 9/8/09; Crime Prevention Committee of 9/3/09; Recreation Board of 3/23/09, 5/18/09, 7/27/09 & 9/28/09; Manitowoc Public Library Board of 8/24/09; Manitowoc Public Library Board Finance Committee of 9/10/09.

Thank you (09-571) from NAMI for waiver of bandshell fee for their event in the park.

Resignation (09-573) of Jim Becka from Harbor Commission.

Notice (09-575) before the Dept. of Natural Resources Air Management Program regarding the air pollution permit for Manitowoc Public Utilities 838 So. 16th St.

COMMITTEE OF THE WHOLE

Offer to Purchase Agreement (09-) for property on So. 10th Street for a storm water pond.

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

FINANCE

Capital Improvement Plan (09-569) for the years 2009-2013.

PARKS AND RECREATION

None.

PUBLIC PROPERTY AND SAFETY

Notice (09-576) from Office of Commissioner of Railroads relative to petition of Fox Valley & Western Ltd. for determination of adequacy of protective devices at grade crossings at So. 14th Street, So. 21st Street, So. 26th Street and S. Water Street.

PUBLIC UTILITIES AND LICENSING

None.

LICENSE APPLICATIONS

BOWLING ALLEY LICENSE - 2009-10

4 Revolutions Bar & Grill, LLC 902 York St.
Dana Rohr, Agent

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

64 Revolutions Bar & Grill, LLC 902 York St.
Dana Rohr, Agent

CLASS "B" TEMPORARY BEER & TEMPORARY WINE LICENSE

54 (Beer) St. Francis of Assisi 2000 Mirro Dr.

6 (Wine) St. Francis of Assisi 2000 Mirro Dr.

ONE YEAR OPERATOR'S LICENSE 2009-10

44 Jason C. Maki 3101 Yorkshire Ln. #B

45 Jacqueline A. Klusmeyer 922 S. 29th St.

TWO YEAR OPERATOR'S LICENSE 2009-11

285 Jennifer L. Hynek 950 S. 30th St.

286 Tammy L. Marcus 2205 Franklin St.

287 Peter Holm 2640 S. 14th St.

288 Georgette Krajna 1406 Main St., Kellnersville, WI

289 Denise A. Herman 1417 S. 14th St.

290 Cecelia Lewis 906 S. 35th St.

291 Zachary J. Holzer 573 E. Riverside Dr., Kohler, WI

292 Chad J. Christel 11853 Steinthal Rd., Kiel, WI 53042

STREETS AND SANITATION

Special Events Request (09-559) from Manitowoc/Two Rivers YMCA to hold first annual Festival Foods Turkey Trot on Thursday, November 26, 2009, from 8:30 a.m. to 10:30 a.m. with run to start and end at Festival Foods.

No Street Access Agreement (09-560) with Arlene Rhein to forego 2008 concrete paving special assessments on Spring Street.

No Street Access Agreement (09-561) with Beverly A. Deem to forego 2008 concrete paving special assessments on Spring Street.

No Street Access Agreement (09-562) with James and Dana W. Kornely to forego 2008 concrete paving special assessments on Michigan Ave.

No Street Access Agreement (09-563) with Edson P. Foster, Jr. Living Trust to forego 2008 asphaltic concrete paving special assessments on Michigan Ave.

No Street Access Agreement (09-577) with Peter J. Peterson Revocable Trust to forego 2008 asphaltic concrete paving special assessments on Michigan Ave.

No Street Access Agreement (09-564) with Richard J. Krueger to forego 2008 concrete paving special assessments on Spring Street.

No Street Access Agreement (09-578) with Rachael A. and Joseph N. Goethals to forego 2008 concrete paving special assessments on Spring Street.

No Street Access Agreement (09-579) with Karin Savage to forego 2008 concrete paving special assessments on Spring Street.

Public Works Petition (09-568) from Northland Associates, LLC for permanent paving, sidewalks, storm and sanitary sewers, water, electric, and other public utilities to be installed on property abutting on Twin Ponds Drive, as described therein, and shown on the attached map (Parcel No. 833-304-101).

Communication (09-570) from Eric G. Nycz, 1437 Hazelwood Dr., contesting an invoice for brush removal on June 4, 2009, in the amount of \$32.75.

Special Events Request (09-572) from Yo-Yo Balloons to sell balloons and Christmas novelties along the Christmas Parade route on November 25, 2009.

Sidewalk Privilege Agreement (09-) with Tony Burgarino to allow for the construction of a deck in the City right-of-way on So. 22nd Street.

Memorandum (09-) from Dir. of Public Works/City Engineer Valerie Mellon with revised site plan for the proposed chapel at Evergreen Cemetery.

PERSONNEL

None.

RESOLUTIONS

Resolution (09-580) supporting Assembly Bill 403/Senate Bill 282 to provide relief at the local level due to an unusually large surplus in the State's Local Government Property Insurance Fund, was referred to Committee of the Whole.

Resolution (09-567) authorizing Wisconsin Harbor Assistance Program Grant Application for rehabilitation of a section of the south bank of the Manitowoc River, was referred to Public Utilities & Licensing Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (09-565) to amend Section 7.32 of the Manitowoc Municipal Code relative to assessment for seal coating of streets, was referred to Streets & Sanitation Committee.

Ordinance (09-581) establishing employee residency requirements, was referred to Personnel 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 "B" TEMPORARY BEER & TEMPORARY WINE LICENSE

- | | | |
|----|------------------------------|----------------|
| 54 | (Beer) St. Francis of Assisi | 2000 Mirro Dr. |
| 6 | (Wine) St. Francis of Assisi | 2000 Mirro Dr. |

ONE YEAR OPERATOR'S LICENSE 2009-10

- | | | |
|----|-------------------------|-----------------------------|
| 44 | Jason C. Maki | 3101 Yorkshire Ln. #B |
| 45 | Jacqueline A. Klusmeyer | 922 S. 29 th St. |

TWO YEAR OPERATOR'S LICENSE 2009-11

- | | | |
|-----|-------------------|----------------------------------|
| 285 | Jennifer L. Hynek | 950 S. 30 th St. |
| 286 | Tammy L. Marcus | 2205 Franklin St. |
| 287 | Peter Holm | 2640 S. 14 th St. |
| 288 | Georgette Krajna | 1406 Main St., Kellnersville, WI |

289	Denise A. Herman	1417 S. 14 th St.
290	Cecelia Lewis	906 S. 35 th St.
291	Zachary J. Holzer	573 E. Riverside Dr., Kohler, WI
292	Chad J. Christel	11853 Steinthal Rd., Kiel, WI 53042

**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.

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

Communication (09-438) from Chief Manis recommending implementing fees for vehicle clean up spills.

Communication (09-475) from Abundant Life Hearing & Health, 2525 Washington St., requesting "Senior Parking Only" for their elderly patients.

Application (09-450) from Anthony M. Hoffman, Sr. for a change in zone from C-1 Commercial District to I-1 Light Industrial District for property located at 2410 N. Rapids Rd., as detailed therein.

Ordinance (09-507) to switch yield signs to stop signs on Hamilton St. at So. 22nd St. and to create Sections 10.10(51) (e) and (f) and 10.10(109) (e) and (f) regarding parking around Jackson School.

Resolution (09-457) implementing fees for vehicle clean up spills, possible reconsideration.

Ordinance (09-555) to amend, repeal and recreate various sections of Chapter 6 of the Manitowoc Municipal Code, entitled "Fire Department and Fire Protection", was referred to Public Property & Safety Committee.

An ordinance (09-553) to amend the amended zone map in an area located south of Michigan Avenue, southeast of Winnetka Court, and north of the Manitowoc River, was referred to Streets & Sanitation Committee.

Temporary Access Easement Agreement (09-542) over unopened street between City of Manitowoc and Gary D. Retzak and Lynn P. Retzak.

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 (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.

Summons and Complaint (09-459) between M & I Marshall & Ilsley Bank v. Herman/Knox et al.

Notice of Claim & Claim (09-499) from Bradley J. Olivera of September 1, 2009, Claim File No. 09-1029.

Summons & Complaint (09-498) from BAC Home Loans Servicing, L.P. v. Eric J. & Kristin N. Hrudka et al, Case No. 09CV622.

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

Notice of Claim and Claim (09-518) from Kevin Crawford of September 4, 2009, Claim File No. 09-1030.

Notice of Claim and Claim (08-536) from Darcy & Nathaniel Roethel from September 15, 2008, Claim No. 08-1011.

PENDING APPLICATIONS

BOWLING ALLEY LICENSE - 2009-10

4	Revolutions Bar & Grill, LLC Dana Rohr, Agent	902 York St.
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"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2008-09

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