

COMMON COUNCIL AGENDA

Monday, March 1, 2010

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 by Mayor Nickels proclaiming April 11 - 17, 2010 as the "Week of the Young Child" and encouraging citizens to work to make a good investment in early childhood in Manitowoc.

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

Notice (10-093) before the Dept. of Natural Resources Air Management Program regarding the air pollution permit for Parker Hannifin Corporation, 1717 Dufek Dr.

2009 Annual Report (10-101) of Parks & Recreation Department.

Resignation (10-102) of Ryan Holl from Manitowoc Sustainability Committee.

Minutes (10-095) of Crime Prevention Committee of 2/4/10; Great Lakes Utilities Board of 1/19/10; Great Lakes Utilities Hydroelectric Project of 1/22 & 2/10/10; Great Lakes Utilities Renewable Resources Project of 1/19/10; Rahr-West Art Museum Board of 2/17/10; Wastewater Treatment Facility Board of 12/21/09.

COMMITTEE OF THE WHOLE

General City Claims (10-112) in the amount of \$762,891.20 enumerated on list thereof.

FINANCE

Notice of Claim and Claim (10-089) from Jeremiah Johnson of February 18, 2010, Fleet Claim No. 10-184-1.

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

Notice of Claim and Claim (10-097) from Maritime Plumbing of February 23, 2010, Case No. 10-1039.

Notice of Claim (10-098) from Gary Duggan of February 23, 2010, Case No. 10-1040.

Communication (10-111) from Manitowoc Area Visitor & Convention Bureau to consider a new

animated sign, replacing the current signage, for the VIC at 4221 Calumet Ave.

PARKS AND RECREATION

Special Events Request (10-096) from HFMMC to hold 2010 1st Annual No Cancer Bicycle Ride, utilizing Mariner’s Trail, as detailed therein, on July 11, 2010 (copy to Streets & Sanitation Committee).

Special Events Request (10-100) from Kenny’s Athletic Klub for use of Citizen Park for annual softball tournament in July, 2010, and use of benches, tables and waste receptacles.

PUBLIC PROPERTY AND SAFETY

Communication (10-103) from SMI on behalf of Christopher Allie requesting that the City quit claim a 22 foot strip of land along the west edge of the new cemetery land on Waldo Blvd., as detailed therein. (Copy to Streets & Sanitation Committee).

Report (10-106) of Board of Public Works of February 24, 2010, regarding quotes received for a new 2010 1-ton single rear wheel, 4-door crew cab, 4x4 pickup truck with plow for the Fire Department, QE-10-2.

Report (10-107) of Board of Public Works of February 24, 2010, regarding quotes received for 2 new identical 2010 Ford Crown Victoria full-size 4-door automobiles (Police Pkg.) for the Police Department, QE-10-1.

PUBLIC UTILITIES AND LICENSING

Statement (10-091) of the Board of Canvassers of the municipal election returns of the February 16, 2010, Spring Primary Election.

LICENSE APPLICATIONS REFERRED

ONE YEAR OPERATOR’S LICENSE 2009-10

None

TWO YEAR OPERATOR’S LICENSE 2009-11

350	Kristin M. Henry	917 Reed Ave.
351	Melissa Schlaeger	866A N. 11 th St.
352	Nathan S. Remaker	2003A S. 18 th St.
353	Jennifer M. Weber	400 E. Reed Ave. #5
354	Melissa L. Anhalt	1231 S. 13 th St.
355	Natalie M. Wentker	323 Kent, Mishicot, WI

STREETS AND SANITATION

Quit Claim Deed (10–094) from Town of Manitowoc for a parcel of land containing 1.1 acres more or less, to be used for Woodland Drive purposes, as described therein and shown on the attached sketch.

Special Events Request (10-090) from Leukemia & Lymphoma Society to hold Scenic Shore 150 Bike tour through the City, as detailed therein, on July 24 & 25, 2010.

Report (10-104) of Board of Public Works of February 24, 2010, regarding bids received for 2010 Remove & Replace Existing Sidewalks, Project WS-10-3.

Report (10-105) of Board of Public Works of February 24, 2010, regarding bids received for 2010 Concrete Paving Program, WS-10-1.

Special Events Request (10-108) from TBL Business Development, 836 S. 8th St., to allow vendor to prepare food on corner of 8th and Franklin every Saturday through May 8th from 9am - 2pm.

Report (10-109) of Board of Public Works of February 24, 2010, recommending 4th (99%)

payment to Vinton Construction in the amount of \$52,350.87 for 2009 Concrete Paving Reconstruction, WS-09-8.

Agreement (10-110) with Strand Associates, Inc. to update sanitary sewer capacity analysis.

PERSONNEL

None.

RESOLUTIONS

Resolution (10-099) authorizing various appropriations which were budgeted in 2009 for the departments listed therein to be carried forward into the respective 2010 departmental budgets effective as of December 31, 2009, was referred to Finance Committee.

COMMITTEE REPORTS

None.

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)

ONE YEAR OPERATOR’S LICENSE 2009-10

TWO YEAR OPERATOR’S LICENSE 2009-11

349	Amy B. Suchocki	1403 20 th St., Two Rivers, WI
350	Kristin M. Henry	917 Reed Ave.
352	Nathan S. Remaker	2003A S. 18 th St.
353	Jennifer M. Weber	400 E. Reed Ave. #5
354	Melissa L. Anhalt	1231 S. 13 th St.
355	Natalie M. Wentker	323 Kent, Mishicot, WI

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

FINANCE
Previously Referred

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

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

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.

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.

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

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

Notice (09-705) of Event giving rise to claim from D. T. Kedingler of December 10, 2009, Claim File No. 09-1036.

Notice of Claim and Claim (09-707) from Dawn Herzog of December 16, 2009, Claim File No. 09-1037.

Summons & Complaint (09-745) between Brian W. Swetlik v. Former Mayor Kevin Crawford, et al, Case No. 09-C-1157.

Request (09-747) from Judge Steven R. Olson for Municipal Court software change, as detailed therein.

Notice of Claim (09-751) from Jeanette Kakuk of December 30, 2009, Claim File No. 09-1038.

Notice of Claim and Claim (10-001) from Beth Dodge of January 11, 2010, Fleet Claim File No. 10-182.

Defendants' Answer (10-017) relative to Case No. 09-C-1157, Brian W. Swetlik vs. Former Mayor Kevin Crawford et al.

Summons & Complaint (10-057) of First National Bank v. Sittman, et al, Case No. 10-CV-77.

Notice of Claim (10-085) of February 11, 2010, from Jeremiah Johnson, Fleet Claim No. 10-184.

PARKS AND RECREATION
Previously Referred

Special Events Request (10-060) from Holy Family Memorial to use Silver Creek Park and allow alcoholic beverages to be sold on July 17, 2010 from 11:00 a.m. to 6:00 p.m. for picnic. (Copy to Public Utilities & Licensing Committee).

PUBLIC PROPERTY AND SAFETY
Previously Referred

Communication (10-037) from Tonya Wolf requesting permission to have outdoor music for graduation party from 6 p.m. to 9 p.m. on June 19, 2010.

Services Contract (10-039) with William Nichols to provide electrical inspection services for commercial electric work, as detailed therein, for a five year period.

PUBLIC UTILITIES & LICENSING
Previously Referred

PENDING APPLICATIONS

351 Melissa Schlaeger

866A N. 11th 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.

Declaration of Dedication of Property (10-063) for So. 10th Street purposes.

Communication (10-064) from SMI requesting that Streets and Sanitation Committee take action on various issues relating to storm water pond maintenance costs.

Resolution (10-073) that seal coating be placed on the streets listed therein in 2010, and assessments be made against the abutting property owners for the cost on a front foot basis.

PERSONNEL
Previously Referred

Resolution (10-027) establishing nonrepresented employee compensation for 2010, was referred to Personnel Committee.