

COMMON COUNCIL AGENDA

Monday, March 16, 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:

Police Officer Jason Allen Erickson to be sworn by the City Clerk.

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.

Mayor may announce appointments to fill vacancies and/or reappointments to various Boards, Committees, Commissions and Ad-Hoc Committees, and requests Council action.

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 (09-167) of Crime Prevention Committee of 2/12/09; Community Development Authority of 2/11/09; Plan Commission of 2/11/09; Manitowoc Public Utilities Commission of 2/9/09.

COMMITTEE OF THE WHOLE

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

FINANCE

Claim (09-157) of Todd Blashka received March 3, 2009, Claim File No. 09-1016.

Communication (09-163) from David Ross, GetMOR Enterprises proposing a third option for the City's health care strategy.

Communications (09-165) and (09-166) from State of Wisconsin, Dept. of Natural Resources, amending grant agreements for properties at 1512 Washington St. and 828 Memorial Dr.

Request (09-170) from Recreation and Parks Director Joe McLafferty to direct purchase the supplies and materials for the Red Arrow Park & Conservancy Shoreline Stabilization project.

Agreement (09-177) between Wis. Dept. of Commerce, City of Manitowoc and Federal-Mogul Piston Rings, Inc. relative to grant funds to be utilized for the purpose of economic development, as detailed therein.

PARKS AND RECREATION

Professional Services Agreement (09-) with NES Ecological Services to assist with preparation of bid specifications and implementation of the Red Arrow Park & Conservancy Stabilization project.

PUBLIC PROPERTY AND SAFETY

Indemnification Agreement (09-) with Orthopaedic Associates, Inc. allowing the Manitowoc Fire Dept. to utilize their building located at 914 State St. for purposes of conducting live fire training exercises prior

to demolition, as well as burning of the structure at the conclusion of the training exercises.

Special events request (09-179) from Tom Drill for the use of the City Hall parking lot and various equipment for Showtime 2009 scheduled August 13 & 14, 2009; copies to Streets & Sanitation, Parks & Recreation, and Public Utilities & Licensing.

PUBLIC UTILITIES AND LICENSING

Report (09-158) of City Clerk on 2009 Weights & Measures assessments for various businesses, as detailed therein.

Report (09-173) of City Plan Commission reviewing the Three Year Harbor Assistance Program Statement of Intentions for 2009-2012 and confirming its support for the Statement.

LICENSE APPLICATIONS

2008-2010 TWO YEAR OPERATOR'S LICENSE

393	Sara Klein	2111 S. 2th St.
394	Becky Conard	1213 S. 11 th St.
395	Adam Musil	4423 Menasha Ave.
396	Lisa Leist	2000 Johnston Dr. #58
397	Eric Neumann	934A S. 20 th St.
398	Stacie Robinson	612 N. Packer Dr.
399	Jordan Thomas	607 E. Linden Ave.
400	Gregory Place	520 Reed Ave. #2
401	Chelsey L. Swiggum	917A S. 26 th St.
402	Scott G. Groelle	934 N. 9th St.

STREETS AND SANITATION

Easement (09-175) from Aurora Medical Group, Inc. for the Dewey Street/County CR Project for utility and traffic signal purposes.

Special Events Request (09-159) from Joseph Metzen, Education Director, Rahr-West Art Museum Board for bike safety and ride event on June 13, 2009, as detailed therein.

Communication (09-160) from Veterans of Foreign Wars Otto Oas Post No. 659 Ladies Auxiliary requesting permission to hold their poppy sale on Friday and Saturday, May 15 & 16, 2009.

Communication (09-161) from Walter J. Specht requesting permission to sell American flag pins and give out 4" x 6" flags on Memorial Day, as detailed therein.

Communication (09-162) from David Naidl requesting permission to erect three crosses on the southeast hillside of Evergreen Cemetery from April 4 through April 13, 2009.

Special Events Request (09-164) from First Candle representatives to hold the 1st Annual Travis William Bubolz Memorial Day motorcycle ride to benefit SIDS research on July 11, 2009, as detailed therein.

Report (09-168) of Board of Public Works regarding bids received for 2009 Epoxy Pavement Marking Program, WS-09-9.

Report (09-169) of Board of Public Works regarding bids received for 2009 Concrete Paving Reconstruction, WS-09-8.

City Plan Commission, to whom was referred communication (09-131) from Felician Village requesting a conditional use permit to relocate their Community Based Residential facilities to a new location at 1600 So. 18th Street within the Felician Village campus, returned same with report (09-174) recommending the Council grant the CUP to Felician Village, Inc. and St. Mary's Home for the Aged, Inc., subject to the attached

conditions, as detailed therein.

Report (09-171) of City Plan Commission relative to request for exception to 2,500' separation requirement for establishment of a 32-bed CBRF at 1600 S. 18th St., recommending that Council grant the siting exception as to Felician Village, Inc. and St. Mary's Home for the Aged, Inc. as detailed therein.

City Plan Commission, to whom was referred communication (09-136) from Ancient Rites Tattoo & Body Piercing, LLC requesting a conditional use permit to relocate their business to a new location at 1802 Washington Street, returned same with report (09-172) recommending that the Council issue a 2009 CUP exclusively to Scott and Kristine Zahn d/b/a Ancient Rites Tatoo & Body Piercing, LLC for operation of a tatoo and body piercing establishment at 1802 Washington St., subject to the attached conditions.

Special Events Request (09-178) from First Lutheran Church relative to 12th Annual Shanty Town to be held on April 18, 2009.

PERSONNEL

None.

RESOLUTIONS

Resolution (09-176) approving the Three-Year Harbor Development Statement of Intentions for 2009-2012, was referred to Public Utilities & Licensing Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (09-) amending Chapter 14 of the Municipal Code regulating public nuisance properties in the City of Manitowoc was referred to Public Property & Safety 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)

2008-2010 TWO YEAR OPERATOR'S LICENSE

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

Communication (08-277) from Ronald F. DeMark requesting that the City vacate a proposed street east of 2014 Lexington Dr., and report (08-322) of City Plan Commission recommending that the Council place communication on file.

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

Communication (08-513) from Donald Vogt submitting an ethics complaint against the Mayor and Common Council.

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.

Communication (09-033) from Tony Burgarino relative to purchase of strip of City land adjacent to 2204 Washington St.

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.

Ordinance (09-106) to create Section 10.1015 of the Manitowoc Municipal Code regulating parking for the purposes of street sweeping from April 1st thru September 30th of each year, was referred to Public Property & Safety Committee and Streets & Sanitation Committee.

Communication (09-137) from Champs of Manitowoc, LLC, Allen Kubsch, Agent, surrendering the tavern license for 807 Quay Street in favor of PhoolFoz Properties, LLC, Allan Lee Erickson, Agent, effective upon granting of license and issuance.

Communication (09-139) from Eastern Wisconsin Stock Cars asking the City of Manitowoc for a racing permit for the 2009 race season and extension of the noise ordinance to 10:45 p.m. with a grace period of 15 minutes to 11:00 pm. on race dates per attached schedule.

Communication (09-140) from Eastern Wisconsin Stock Cars asking for an extension of beer sales to 12:00 midnight on race dates.

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

Claim (09-095) from Trudy Strauss received February 5, 2009, Fleet Claim No. 09-177.

Fleet Claim (09-123) of Dolores R. Berg received February 17, 2009, Fleet Claim No. 09-178.

Services Agreement (09-141) between City of Manitowoc and Mainly Manitowoc, Inc.

Notice of Claim (09-069) of Jane Barton received January 21, 2009, Claim File No. 09-1015.

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 Douglas Scherwinski, Agent	1819 S. 9th St.
27A	PhoolFoz Properties LLC Allan Lee Erickson, Agent	807 Quay St.

STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITION DERBY

2	Eastern Wisconsin Stock Cars	4921 Expo Dr.; Grandstand Area
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