

COMMON COUNCIL AGENDA

Monday, April 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:

Mayor to present Award of Valor Manitowoc County Deputy Sean Littlefield.

Mayor to present Award of Valor to Patrol Officer Jason R. Delsman.

Presentation by Council President Lee Thennes to Mayor Kevin M. Crawford.

Election of Interim Council President.

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 (09-210) of Cemetery Commission of 2/19/09; Community Development Authority of 3/11/09; Manitowoc Public Utilities Commission of 3/9/09; City Plan Commission of 3/11/09; Wastewater Treatment Facility Board of 3/24/09.

COMMITTEE OF THE WHOLE

Report (09-226) of City Plan Commission advising Council of their recommendation encouraging Michael and Susan Jinks, 5100 W. Custer St., to file a Petition for Direct Annexation into the City of Manitowoc.

General City Claims (09-211) in the amount of \$5,798,758.74 enumerated on list thereof.

FINANCE

Notice of Claim (09-209) received April 6, 2009, from James Szymczyk, Claim File No. 09-1018.

Notice of Claim (09-236) received April 16, 2009, from Gimbel, Reilly, Guerin & Brown representing Brian Swetlik.

Communication (09-238) from City Clerk/Deputy Treasurer Jennifer Hudon to rescind the 2008 personal property tax for parcel no. 000-917-568 due to a palpable error.

PARKS AND RECREATION

Report (09-232) of Board of Public Works of April 15, 2009, regarding bids received for Red Arrow Park - Beach Erosion Control, Project WS-09-12.

PUBLIC PROPERTY AND SAFETY

Ambulance Service Agreement (09-213) with Eastern Wisconsin Stock Car, Inc. for the period May 1, 2009 through September 5, 2009.

Ambulance Service Agreement (09-214) with Metz Martial Arts Academy for May 2 -3, 2009.

Report (09-233) of Board of Public Works of April 15, 2009, regarding bids received for Senior Center HVAC, Project, WB-09-13.

City Plan Commission, to whom was referred communication (09-033) from Tony Burgarino relative to purchase of strip of City land adjacent to 2204 Washington St., returned same with report (09-228) recommending that the City Attorney be authorized to negotiate with Mr. Burgarino and prepare a ground lease for that portion of the So. 22nd Street right-of-way upon which the private encumbrances are located.

Report (09-) of City Planner David Less regarding prior authority to purchase property located east of So. Parkview Rd. and adjacent to Camp Vits.

PUBLIC UTILITIES AND LICENSING

Statement of Board of Canvassers (09-219) of municipal election returns of the April 7, 2009, Spring Election.

Statement of Board of Canvassers (09-220) of municipal election returns for Mayor of the recount of the April 7, 2009 Spring Election.

Request (09-223) from Charcoal Grill for extension of their liquor license to cover a portion of their parking lot for October Fest event on September 26, 2009 from 11:00 am to 5:00 pm, as detailed therein, with sketch attached.

LICENSE APPLICATIONS

BOWLING ALLEY LICENSE - 2009-10

- 1 Meadow Sports Complex, LLC 1540 Johnston Dr.
Steven T. Skarda, Agent
- 2 Meadow Lanes West, LLC 3701 Meadow Lane
Amy E. Swanson, Agent
- 3 Three T's, Inc. 2202 Marshall St.
Theodore J. Frisch, Agent

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

- 12 Pine River Mini Marts, Inc. 3300 Dewey St.
Denise Thomas, Agent
- 13 Pine River Mini Marts, Inc. 3930 Calumet Ave.
Denise Thomas, Agent
- 14 Hendricks Beverage, Inc. 4402 Custer St.
John Hendricks, Agent
- 15 Dhara Ventures, Inc. 1807 Washington St.
Kailus S. Patel, Agent
- 16 Dhara Ventures, Inc. 1710 S. 10th St.
Kailus S. Patel, Agent
- 17 Rob's Family Market, LLC 2330 Menasha Ave.
Robert C. Hollen II, Agent
- 18 3WC, LLC 505 Hecker Road
Cary McMasters, Agent
- 19 Manitowoc Shell, LLC 1701 S. 41st St.
James Kostka, Agent

"CLASS A" RETAIL INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE

- 5 NCG, Inc. 4355 Calumet Ave.
Kristin A. Renzelmann, Agent
- 6 CSW Spirits LLC 839 S. 19th St.
Mary Stuibler, Agent
- 7 Barbfest, Inc. 2151 S. 42nd St.
John L. Bilski, Agent

8 Wisconsin CVS Pharmacy LLC 701 E. Reed Ave.
Mary Mueller, Agent

SIX-MONTH CLASS "B" RETAIL FERMENTED MALT BEVERAGE LICENSE - 2009

1 Manitowoc Amateur Baseball, Inc. So. 23rd St. & Grand Ave.
James H. Maurer, Agent

"CLASS B" FERMENTED MALT BEVERAGE - 2009-10

2 Liang Zhang 908 Washington St.
3 Phoenix of Manitowoc LLC 50 Maritime Dr.
Linda A. Steckert, Agent
4 Get Reel, Inc. 1118 Washington St.
Vicki Radue, Agent
5 Mary's Country Market, Inc. 905 Washington St.
Mary O. Williams, Agent
6 Lakeshore Cigar Co. 1130 Washington St.
Joseph M. Donati, Agent
7 Brocher Foods & Catering LLC 823 Buffalo St.
Lee W. Brocher, Agent

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2009-10

11 Time Out Sports Bar & Grill, Inc. 1027 N. Rapids Rd.
Thomas Peterson, Agent
12 Knox Ventures, LLC 1222 S. Alverno Rd.
Debra s. Knox, Agent
13 Felician Village, Inc. 1700 S. 18th St.; 1635 S. 21st St.
Gary Solberg, Agent
14 A & M Hospitality Group, LLC 4101 Harbor Town Ln.
Christopher R. Forester, Agent
15 Ce-Van, Inc. 1801 S. 10th St.
Paul Tanck, Agent
16 Meadow Sports Complex, LLC 1540 Johnston Dr.
Steven T. Skarda, Agent
17 Tijuana Rose Baja Grill & Cantina, LLC 1202 S. 10th St.
Steven A. Kuehnl, Agent
18 Glenn A. Helgerson 902 S. 14th St.
19 WHG Real Estate East, LLC 4435 Calumet Ave.
Dennis Reinhardt, Agent
20 Thomas G. Piaskowski 215 N. 8th St.
21 TLM Investments, Inc. 1421 S. 39th St.
Donald E. Murray, Agent
22 TNT Linebacker, Inc. 527 N. 10th St.
Tara Nate, Agent
23 Mustang Sally's Ultra Lounge 1144 S. 21st St.
Mary Jo Ann McBurney, Agent
24 Van's LLC 426 N. 9th St.
Stacey L. VanderBloomen, Agent
25 Goldiggers, Inc. 924 Washington St.
Dale R. Trostorff, Agent
26 Replay, Inc. 1502 Madison St.
Steven G. Gauthier
27 Denny's Pizza Garden, LLC 4709 Menasha Ave.
Dennis Lochmann, Agent
28 Meadow Lanes West, LLC 3701 Meadow Lane
Amy E. Swanson, Agent
30 Zefam Co., Inc. 4601 Calumet Ave.
Marvin A. Zetley, Agent
31 LES LLC 3713 Division St.
Larry E. Schuricht, Agent
32 Progressive Investors, Inc. 3702 Calumet Ave.
Jack A. Knipple, Agent

33	Jade Palace of Manitowoc, Inc. Eddie Moy, Agent	1103 S. 10th St.
34	Riverbank Partners LLC Benjamin P. Cress, Agent	902 Jay St.
35	Gary A. Siebold	2015 Marshall St.
36	David J. Scheurell	714 Buffalo St.
37	Our World I, LLC Robert J. Vogel, Agent	2315 Washintgon St.
38	KJ Operating Co., LLC Keith D. Klein, Agent	901 Buffalo St.
39	Kenny B's LLC Kenneth J. Bellin, Agent	1216 Washington St.
40	Luigi's Italian Restaurant, Inc. Sara A. Gallina, Agent	6124 Calumet Ave.
41	Four Season's Restaurant, Inc. Benjula Ademi, Agent	3920 Calumet Ave.
42	Bene. & Pro. Order of Elks #687 Jeff Wigen, Agent	200 E. Waldo Blvd.
43	Courthouse Pub LLC John Jagemann, Agent	1001 S. 8th St.
44	Diana J. Shimek	1134 S. 10th St.
45	Von Ceil K. Otto	401 N. 10th St.
46	Kathleen M. Bundy	701 Franklin St.
47	Richard H. Cater	1228 Memorial Dr.
48	Legend Larry's LLC Larry J. Schaefer, Agent	712 York St.
49	Manitowoc Lodging Asso., LLP Howard Silverstein, Agent	101 Maritime Dr.
50	Three T's, Inc. Theodore J. Frisch, Agent	2202 Marshall St.
51	Tyler's Tap & Grill LLC Tyler R. Wicichowski, Agent	921 S. 10th St.
52	B & T Enterprises LLC, John P. Tobin, Agent	214 N. 8th St.
53	Wisconsin Maritime Museum Norma Bishop, Agent	75 maritime Dr.

"CLASS C" WINE LICENSE - 2009-10

1	Phoenix of Manitowoc, LLC Linda Steckert, Agent	50 Maritime Dr.
2	Mary's Country Market, Inc. Mary O. Williams, Agent	905 Washington St.
3	Brocher Foods & Catering LLC Lee W. Brocher, Agent	823 Buffalo St.

CLASS "B" TEMPORARY BEER & TEMPORARY WINE LICENSE - 2009-10

5	(Beer) Roncalli Pierside Auction	2000 Mirro Dr.
2	(Wine) Roncalli Pierside Auction	2000 Mirro Dr.

MOBILE HOME PARK LICENSE - 2009

None

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

16	NCG, Inc. Kristin A. Renzelmann, Agent	4355 Calumet Ave.
17	Pine Rier Mini Marts, Inc. Denise Thomas, Agent	3930 Calumet Ave.
18	Pine River Mini Marts, Inc. Denise Thomas, Agent	3300 Dewey St.

19	CSW Spirits LLC Mary Stuibler, Agent	838 S. 19th St.
20	Hendricks Beverage, Inc. John Hendricks, Agent	4402 Custer St.
21	Dhara Ventures, Inc. Kailus S. Patel, Agent	1807 Washington St.
22	Dhara Ventures, inc. Kailus S. Patel, Agent	1710 S. 10th St.
23	Rob's Family Market, LLC Robert C. Hollen II, Agent	2330 Menasha Ave.
24	3WC, LLC Cary McMasters, Agent	5050 Hecker Road
25	Manitowoc Shell, LLC Jim Kostka, Agent	1701 S. 41st St.
26	Barbfest, Inc. John Bilski, Agent	2151 S. 42nd St.
27	Wisconsin CVS Pharmacy LLC Mary Mueller, Agent	701 E. Reed Ave.

ONE YEAR OPERATOR'S LICENSE 2009 - 2010

2	Tracy Stover	141 N. Jackson St. #6, Valders
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TWO YEAR OPERATOR'S LICENSE 2008-10

409	Lou Groh	915 Parkway Ct., Two Rivers
410	Shannon Schad	7307 Lax Chapel Rd., Kiel
411	Debra Erickson	4518 Harvest Cir
412	Amanda Andrews	2519 39 th St., Two Rivers
413	Anthony Brull	122 Lincoln St., Valders
414	Breeya Spencer	2350 S. 23 rd St. Lot 1005
415	Allen Kubsch	2227 Fairmont St.

TWO YEAR OPERATOR'S LICENSE 2009-11

7	Danielle Coenen	1523 19 th St., Two Rivers
8	Julie Jeske	6161 Silver Hills Dr.
9	Patricia Nelson	909 S. 25 th St.
10	Lisa Ramage	524 Ridge Lane
11	Robert Thompson	764 E. Raymond Lane
12	Zachary Barneson	1038 N. 14 th St.
13	Gina Monka	4427A Knuell Ct.
14	Wendy Neuman	1117 S. 23 rd St.
15	Mary Schneider	508 S. Alverno Rd.
16	Lu Ann Ellerman	1716 Menasha Ave.
17	Gerald Kukoski	2135 S. 23 rd St.
18	Gary E. Solberg	1711 Cedar Grove Dr. #38
19	Julie A. Larson	2113 S. 22 nd St.
20	Melissa M. Barnard	1220 Woodland Dr.

STOCK CAR RACES, RACING EXHIBITIONS, DEMOLITION DERBY

None

WHOLESALE FERMENED MALT BEVERAGE - 2009

1	Hendricks Beverage, Inc. John Hendricks, Agent	4402 Custer St.
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STREETS AND SANITATION

Report (09-212) of the Board of Public Works of April 15, 2009, recommending 3rd and final payment to Vinton Construction in the amount of \$12,275.10 for 2008 Storm Sewer/Storm Drainage Way Repairs, Project WU-08-14.

Temporary Construction Agreement (09-222) from Shipbuilders of Wisconsin, Inc. relative to the 2009-10 Reconstruction of the Revere Drive viaduct.

Report (09-234) of Board of Public Works of April 15, 2009, regarding bids received for 2009 Asphaltic Concrete Paving, Project WS-09-4.

Report (09-231) of Board of Public Works of April 15, 2009, regarding quotes received for two new 2009 1-ton single rear wheel, regular cab 4x4 pick up trucks with plows for Dept. of Public Works, Project, QE-09-5.

Report (09-235) of Board of Public Works of April 15, 2009, regarding quotes for ready-mixed concrete for 2009 construction season, Project QM-09-7.

City Plan Commission, to whom was referred development agreement (09-192) signed by Steven K. Notz and Isaac D. Notz, vendor and vendee of a recorded land contract for property located in the Town of Manitowoc, returned same with report (09-224) recommending Council approve and accept the agreement.

City Plan Commission, to whom was referred easement (09-175) from Aurora Medical Group, Inc. for the Dewey Street/County CR Project for utility and traffic signal purposes; and quit claim deed (09-191) from Steven K. Notz and Isaac D. Notz for a parcel of land containing 0.49 acres more or less, to be used for South 19th Street purposes, as described therein and shown on the attached sketch, returned same with report (09-225) recommending approval of the deed and easement.

Report (09-227) of City Plan Commission authorizing issuance of special permit for the construction of a fixed animated sign at Kwik Trip's property at 910 Hamilton/1137 So. 10th Street, as detailed therein.

Report (09-229) of City Plan Commission authorizing issuance of special permit for the construction of a fixed animated sign at Kwik Trip's property at 2819 Meadow Lane, as detailed therein.

Report (09-230) of City Plan Commission authorizing issuance of special permit for the construction of a fixed animated sign at Kwik Trip's property at 401 N. 8th Street, as detailed therein.

Quit Claim Deed (09-237) from City of Manitowoc for .457 acres for So. 42nd Street purposes.

PERSONNEL

Side Letter of Agreement (09-215) to the 2007-09 Labor Agreement between City of Manitowoc and City of Manitowoc Employees Local 731, AFSCME AFL-CIO.

Labor Agreement (09-) between City of Manitowoc and City of Manitowoc Police Patrolmen for 2009, 2010 and 2011 with Side Letters of Agreement attached.

RESOLUTIONS

Resolution (09-216) requesting modification to Governor Doyle's proposed biennial state budget, AB 75, to ensure that all government activities that are exempt from federal prevailing wage requirements also be exempt from state requirements, was referred to Finance Committee.

Resolution (09-217) relative to funding solutions for local infrastructure needs in light of 18 years of frozen shared revenue aids and state's own fiscal condition, was referred to Finance Committee.

Resolution (09-218) urging governor and Legislature to exempt all grants from the limits of the Expenditure Restraint Program and establish a 3% floor on the inflation factor as well as allowing non-property tax sources of revenue for local governments in Wisconsin, as detailed therein, was referred to Finance Committee.

COMMITTEE REPORTS

None.

ORDINANCES

Ordinance (09-221) to amend Chapter 3 of Municipal Code regarding Police and Fire Commission, were 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)

ONE YEAR OPERATOR'S LICENSE 2009 - 2010		
2	Tracy Stover	141 N. Jackson St. #6, Valders
TWO YEAR OPERATOR'S LICENSE 2008-10		
409	Lou Groh	915 Parkway Ct., Two Rivers
TWO YEAR OPERATOR'S LICENSE 2009-11		
7	Danielle Coenen	1523 19 th St., Two Rivers
8	Julie Jeske	6161 Silver Hills Dr.
9	Patricia Nelson	909 S. 25 th St.
10	Lisa Ramage	524 Ridge Lane
11	Robert Thompson	764 E. Raymond Lane
12	Zachary Barneson	1038 N. 14 th St.
13	Gina Monka	4427A Knuell Ct.
14	Wendy Neuman	1117 S. 23 rd St.
15	Mary Schneider	508 S. Alverno Rd.

**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.

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.

Communication (09-195) from Bartow Builders requesting an option of 10 years to pay back the street assessments from the improvements scheduled to take place in 2009 for Executive Estates Subdivision No. 7 due to the economic times.

Communication (09-205) from Amvets Post 99 requesting the use of wristbands in place of fencing off the beer tent for their Memorial Day picnic, as detailed therein.

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

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

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.

Notice of Claim (09-194) from Ciro Mares of March 26, 2009, Claim File No. 09-1017.

PENDING APPLICATIONS

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2009-10

63 Ozone Nightclub, LLC 1819 S. 9th St.
Douglas Scherwinski, Agent

TWO YEAR OPERATOR'S LICENSE 2008-10

407 Brett R. Hicks 1313 S. 12th St.