

# COMMON COUNCIL AGENDA

**Monday, June 4, 2012**  
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:** 7:10 p.m. - Proposed change to the Official Map to remove certain areas of Clay Pit Road located north of Riverview Drive, east of Union Place and south of the Manitowoc River.

**CLOSED SESSION: None.**

## **REPORTS OF OFFICERS:**

Presentation by Dick Weber & Jean Wakefield - Habitat for Humanity

Presentation by Garth Neustadter

Mayor presents proclamation designating June 11, 2012 as a Day of No Kill in Manitowoc, WI

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 (12-342) of Great Lakes Utilities of 3/27/12; Great Lakes Utilities Lakeswind Project Committee of 3/27/12; Great Lakes Utilities Power Supply Project Committee of 3/21/12; Manitowoc Public Utilities of 4/30/12; Rahr-West Art Museum of 4/18/12; Sustainability Committee of 2/23/12.

## **COMMITTEE OF THE WHOLE**

General City Claims (12-356) in the amount of \$561,884.19 enumerated on list thereof.

Amendment (12-347) to Council Rules.

## **FINANCE**

Fifth Amendment (12- ) to Tax Incremental Financing Performance Agreement between City, Dewey Properties LLC and Dewey Too, LLC.

## **PARKS AND RECREATION**

Communication (12-338) from Mona Moen relative to necessity of porta potty at home plate at Citizen Park.

Request (12-340) from Party Pizzazz to sell novelties at the 4<sup>th</sup> of July picnic and fireworks.

Special Events Request (12-341) from The Crossing to show a movie using the Metro Stage at Washington Park on August 10 & 11, 2012, and waive the fee for same.

Communication (12-345) from Chair Jason Sladky, relative to funding of the recreation building through this year and for a five-year commitment.

Request for Proposal (12-354) for roller skating business for City of Manitowoc Armory Building.

### **PUBLIC PROPERTY AND SAFETY**

Communication (12-332) from MPO Ben Kraynek relative to building a new training structure at 3820 Dewey Street.

Communication (12-334) from Doneff Companies relative to the S. 9<sup>th</sup> and Jay Street parking lot and possibilities for parking for future occupants of the Schuette Building.

Communication (12-336) from Glenn and Connie Gilbert, 2614 Wollmer Street, requesting an exemption to the "blocking the sidewalk" City ordinance to allow them to park in their driveway.

Communication (12-337) from Mona Moen expressing concerns regarding citizens' safety on the corner of N. 21<sup>st</sup> and Rankin Streets.

Special Events Request (12-339) from Cellcom to have no parking on the north side of Harbor Town Lane for their event on June 11 & 12, 2012.

Ambulance Service Agreement (12-343) between Roncalli High School and Manitowoc Fire Department for the period August 24, 2012 through December 31, 2012.

Request (12-348) from Salvation Army for special parking dispensation from 11:15 to 12:15 every weekday in front of Jefferson School.

Memorandum of Understanding (12-349) for mutual aid and fire suppression services.

Communication (12-353) from Alderperson Brey expressing concerns of Chad Neuser relative to traffic and its possible effect on pedestrians in the vicinity of the YMCA.

### **PUBLIC UTILITIES AND LICENSING**

Request (12-330) from Tom Peterson, Time Out Sports Bar for extension of noise ordinance to 12:00 midnight and extension of liquor license premise on June 30, 2012 for private wedding. (Copy to Public Property & Safety).

Transportation Services Agreement (12-331) between Manitowoc County and City of Manitowoc to provide special transportation services for elderly and disabled residents of rural areas in Manitowoc County under the Manitowoc Elderly and Disabled Transportation Services Program.

Communication (12-333) from Lake Michigan Carferry Service requesting a 50% cost share for painting improvements at the dock facility.

Special Events Request (12-344) from Replay, Inc. to extend their liquor license premise on June 16, 2012, as detailed therein.

### **LICENSE APPLICATIONS REFERRED**

#### **TEMPORARY CLASS B FERMENTED MALT BEVERAGE LICENSE - 2012-13**

30 St. Francis of Assisi 1408 Waldo Blvd.

#### **CLASS "B" RETAIL FERMENTED MALT BEVERAGE LICENSE - 2012-13**

7 NITIS Fork & Knife, LLC 2209 S. 44<sup>th</sup> St.  
Ramazan Fejza, Agent

#### **"CLASS A" RETAIL INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2012-13**

8 Walgreen Co. 2702 Calumet Ave.  
Kris A. Adams, Agent

9 Zorica Dent 807 Jay St.

#### **CLASS "A" RETAIL FERMENTED MALT BEVERAGE - 2012-13**

21	ADITHI 2, LLC Chandra Vasireddy, Agent	3930 Calumet Ave.
22	Dhara Ventures, Inc. Kailas S. Patel, Agent	1710 S. 10 <sup>th</sup> St.
23	Dhara Ventures, Inc. Kailas S. Patel, Agent	1807 Washington St.

“CLASS B” INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2011-12

52A	Breanna Mueller	3535 Calumet Ave.
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“CLASS B” INTOXICATING LIQUOR & FERMENTED MALT B **EVERAGE - 2012-13**

61	Rattfan Sports LLC David E. Stuebs, Agent	214 N. 8 <sup>th</sup> St.
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“CLASS C” WINE LICENSE - 2012-13

4	NITIS Fork & Knife, LLC Ramazan Fejza, Agent	2209 S. 44 <sup>th</sup> St.
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NEAR BEER (NON-INTOXICATING BEVERAGE) LICENSE - 2012-13

27	Hendricks Beverage	4402 Custer St.
28	ADITHI 2, LLC Chandra Vasireddy, Agent	3930 Calumet Ave.
29	Walgreen Co. Kris A. Adams, Agent	2702 Calumet Ave.
30	Dhara Ventures, Inc. Kailas S. Patel, Agent	1710 S. 10 <sup>th</sup> St.
31	Dhara Ventures, Inc. Kailas S. Patel, Agent	1807 Washington St.

**ONE YEAR OPERATOR’S LICENSE - 2012 -13**

2	Kathleen M. Moser	1805 S. 13 <sup>th</sup> St.
3	Tori M. Sciortino	
4	Scott Lutz	5002 Brookfield Cir.

TWO YEAR OPERATOR’S LICENSE - 2011-13

384	Clint M. Rusch	935 S. 20 <sup>th</sup> St.
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TWO YEAR OPERATOR’S LICENSE - 2012-14

60	Lexie C. Moser	3209 Division St.
61	Richard J. Orth	1608 Columbus St.
62	Melissa M. Antonissen	1413 S. 21 <sup>st</sup> St.
63	Tracy L. Johnson	1430 N. 7 <sup>th</sup> St. #A
64	Donna M. Rasmussen	1540 Langlade Ave., Green Bay, WI
65	Robin R. Blackwell	2302 Fairmont St.
66	Becky R. Bradl	5004 Cty. Rd. R
67	Brittany A. Siehr	1485 N. 7 <sup>th</sup> St. #101
68	Donna M. Yelvington	3504 Monroe, Two Rivers, WI
69	Ruth C. Radzenske-Kortens	935 S. 19 <sup>th</sup> St. #A
70	Ryan Morris	1212 Green St.
71	Amy J. Schneider	508 S. Alverno Rd.
72	Scott R. Smith	1118A S. 10 <sup>th</sup> St.
73	Valerie Powers	522 S. 31 <sup>st</sup> St.
74	Debra A. Sieracki	1704 Lissa Ln.
75	Doretta J. Klein	2602 16 <sup>th</sup> St., Two Rivers, WI
76	Natasha Tilkens	PO Box 55, St. Nazianz, WI
77	Brenna L. Olsen	1238 S. 21 <sup>st</sup> St.
78	Danielle M. Krerowicz	505 Buffalo St.
79	Ashley A. Orlovski	520 E. Reed Ave. #11
80	Tiffany M. Duprey	812 N., 9 <sup>th</sup> St.
81	Wanda Kjelgaard	1128 New York Ave.
82	Matthew T. Reed	1815 Belmont St.
83	Riley W. Haupt	1815 Belmont St.
84	Frederic M. Schnell	4327 Madson Rd.

85	Kimberly Kennedy	814 N. 12 <sup>th</sup> St.
86	Kathy Jacobs	1923 Richmond Ave.
87	Robyn Hahn	3131 Southbrook Ct., #301
88	Rebecca Zahn	2138 S. 14 <sup>th</sup> St.
89	Heidi M. Butz	1110 S. 22 <sup>nd</sup> St.
90	Karleen A. Brown	308 Mark St., Mishicot, WI
91	Kay M. Satori	506 S. 31 <sup>st</sup> St.
92	Michelle K. Rusboldt	2237 Russell Ln.
93	Sue E. Loeh	15100 Hwy. Q, Mishicot, WI
94	Jennifer J. Fahley	2530 S. Cty. Hwy. W, Chilton, WI
95	Tania L. Brown	1916 Hamilton St.
96	Lisa A. Mueller	3419 Menasha Ave.
97	Jason J. Prah	2113 LaFollette Ave.
98	Matthew L. Lambries	1511 Reed Ave.
99	Jacqueline L. Bellin	204 N. 8 <sup>th</sup> St.

### **STREETS AND SANITATION**

Special Events Request (12-329) from St. Francis of Assisi Parish to close N. 14<sup>th</sup> St. from Waldo to Menasha on August 10 & 11, 2012 for their fish boil/jazz mass along with no parking on portions of Menasha Avenue.

Communication (12-335) from Doneff Companies relative to streetscape improvements and changes to Jay Street between 8<sup>th</sup> and 9<sup>th</sup>.

Report (12-346) of the Board of Public Works on bids received for 2012 Epoxy Painting-Pavement Marking Program, WS-12-9.

Report (12-351) of Board of Public Works of May 30, 2012, recommending 3<sup>rd</sup> and final payment to Green Bay Pipe & TV in the amount of \$796.20 for 2012 Televising Miscellaneous Sewers I, WS-12-5.

Report (12-352) of Board of Public Works of May 30, 2012, recommending to amend 3<sup>rd</sup> and final payment to Scenic Landscape Company in the amount of \$3,129.91 for 2011 Lincoln Park Zoo Remove and Replace Donor Bricks, QS-11-7.

Communication (12-355) from Felician Village for a conditional use permit to open Solutions resale shop at 1920 Grand Avenue.

### **PERSONNEL**

None.

### **RESOLUTIONS**

Resolution (12- ) authorizing the purchase of excess liability insurance for volunteers for DPW, Parks and Cemetery projects, was referred to Finance Committee.

Resolution (12-350) relative to rate of pay for adult crossing guards, was referred to Public Property and Safety Committee.

Resolution (12- ) setting the minimum fee in lieu of on-site stormwater management for the Panda Express development in Harbor Town, was referred to Streets and Sanitation Committee.

Resolution (12- ) approving the hiring of volunteers for DPW, Parks and Cemetery projects, was referred to Personnel 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)

**TEMPORARY CLASS B FERMENTED MALT BEVERAGE LICENSE - 2012-13**

- 30 St. Francis of Assisi 1408 Waldo Blvd.  
"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2011-12
- 52A Breanna Mueller 3535 Calumet Ave.  
"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2012-13
- 58 Capitol Civic Centre, Inc.  
Matthew Schliesman, Agent 913 S. 8<sup>th</sup> St.
- 59 A & M Hospitality Group, LLC  
Christopher R. Foresta, Agent 200 E. Waldo Blvd.
- 60 A & M Hospitality Group, LLC  
Christopher R. Foresta, Agent 4101 Harbor Town Ln.

**"CLASS C" WINE LICENSE - 2012-13**

- 1 Mary's Country Market Inc. 905 Washington St.  
Mary O. Williams, Agent
- 2 Brocher Foods & Catering LLC 823 Buffalo St.  
Lee W. Brocher, Agent

**ONE YEAR OPERATOR'S LICENSE - 2012-13**

- 2 Kathleen M. Moser 1805 S. 13<sup>th</sup> St.
- 3 Tori M. Sciortino

**TWO YEAR OPERATOR'S LICENSE - 2012-14**

- 52 Heidi Luchsinger 425 N. 9th St.
- 58 Doreen L. Drescher 3519 Foxfire Ct.
- 59 Stacy Engelbrecht 912A S. 20th St.
- 60 Lexie C. Moser 3209 Division St.
- 61 Richard J. Orth 1608 Columbus St.
- 62 Melissa M. Antonissen 1413 S. 21<sup>st</sup> St.
- 63 Tracy L. Johnson 1430 N. 7<sup>th</sup> St. #A
- 64 Donna M. Rasmussen 1540 Langlade Ave., Green Bay, WI
- 65 Robin R. Blackwell 2302 Fairmont St.
- 66 Becky R. Bradl 5004 Cty. Rd. R
- 67 Brittany A. Siehr 1485 N. 7<sup>th</sup> St. #101
- 68 Donna M. Yelvington 3504 Monroe, Two Rivers, WI
- 69 Ruth C. Radzenske-Kortens 935 S. 19<sup>th</sup> St. #A
- 70 Ryan Morris 1212 Green St.
- 71 Amy J. Schneider 508 S. Alverno Rd.
- 72 Scott R. Smith 1118A S. 10<sup>th</sup> St.
- 73 Valerie Powers 522 S. 31<sup>st</sup> St.
- 74 Debra A. Sieracki 1704 Lissa Ln.
- 75 Doretta J. Klein 2602 16<sup>th</sup> St., Two Rivers, WI
- 76 Natasha Tilken PO Box 55, St. Nazianz, WI
- 77 Brenna L. Olsen 1238 S. 21<sup>st</sup> St.
- 78 Danielle M. Krowicz 505 Buffalo St.
- 79 Ashley A. Orlovski 520 E. Reed Ave. #11
- 80 Tiffany M. Duprey 812 N., 9<sup>th</sup> St.
- 81 Wanda Kjelgaard 1128 New York Ave.
- 82 Matthew T. Reed 1815 Belmont St.
- 83 Riley W. Haupt 1815 Belmont St.
- 84 Frederic M. Schnell 4327 Madson Rd.
- 85 Kimberly Kennedy 814 N. 12<sup>th</sup> St.
- 86 Kathy Jacobs 1923 Richmond Ave.
- 87 Robyn Hahn 3131 Southbrook Ct., #301
- 88 Rebecca Zahn 2138 S. 14<sup>th</sup> St.
- 89 Heidi M. Butz 1110 S. 22<sup>nd</sup> St.

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

**COMMITTEE OF THE WHOLE**

**Previously Referred**

**FINANCE**  
**Previously Referred**

Notice of Claim (12-217) from EMC Insurance Companies on behalf of Patricia McCarthy of April 10, 2012, Claim File No. 12-1083.

Notice of Determination (12-263) of State Board of Assessors relative to Jagemann Stamping Co., Petitioner.

Notice of Claim and Claim (12-261) of April 18, 2012, from Kevin Schroeder, Claim No. 12-1084.

Summons and Complaint (12-303) between Bank of America vs. Hrudka, et al, Case No. 12 CV 0256.

Communication (12-304) from Jagemann Stamping Co. relative to 2011 real estate tax refund request, parcel no. 827-403-041.

**PARKS AND RECREATION**  
**Previously Referred**

Ordinance (12-150) to amend Section 21.030(4)(f)(5) of the Manitowoc Municipal Code regulating the use of funds provided by developers in lieu of parkland dedication, was referred to Parks and Recreation Committee.

Communication (12-220) from Kummer, Lambert, Fox & Glandt, on behalf of Northland Associates relative to moving forward with development of City park located in Siveridge Subdivision, as detailed therein.

Request (12-221) from Autism Society to waive fees for use of City equipment for their event to be held on May 19, 2012 at the Lincoln Park Zoo and also to place temporary signage for the event at the two Lincoln Park signs at N. 8<sup>th</sup> and Waldo.

**PUBLIC PROPERTY AND SAFETY**  
**Previously Referred**

Communication (10-285) from Manitowoc Yacht Club requesting extension of their occupancy of the real property commonly known as the Manitowoc Yacht Club.

Agreement (12-113) with Manitowoc County Joint Dispatch relative to time system indirect agency access.

Request (12-219) from Andrew Swetlik to reduce invoice for large spill on February 16, 2012 from \$500 to \$250.

Request (12-225) from Alderperson Schema on behalf of Joe Bauknecht to purchase City owned parking lot on Buffalo Street.

Communication (12-294) from Gustavo and Tammi Gags, 815 Hawthorne Terrace, relative to purchase of parcel no. 681-001-010.

Request (12-297) from Dale and Wendy Schroeder, to have signage installed at 30<sup>th</sup> and Lindbergh and 29<sup>th</sup> and Coolidge.

Communication (12-309) from Police Chief Oscar Dick relative to expanding Municipal Court jurisdiction for thefts and related fines.

Communication (12-310) from Municipal Court Judge Steve Olson relative to expanding Municipal Court jurisdiction for thefts and related bond amounts.

Communication (12-277) from C. Kangas, 1623 S. 24<sup>th</sup> St. relative to traffic safety concerns at S. 24<sup>th</sup> Street between Grand and Division.

Ordinance (12-328) to create Section 14.200 of the Manitowoc Municipal Code prohibiting graffiti and requiring property owners to abate graffiti when requested by the Police Dept.

**PUBLIC UTILITIES & LICENSING**  
**Previously Referred**

**PENDING APPLICATIONS**

"CLASS A" RETAIL INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2012-13

8	Walgreen Co.	2702 Calumet Ave.
	Kris A. Adams, Agent	
9	Zorica Dent	807 Jay St.

CLASS "A" RETAIL FERMENTED MALT BEVERAGE - 2012-13

21	ADITHI 2, LLC	3930 Calumet Ave.
	Chandra Vasireddy, Agent	
22	Dhara Ventures, Inc.	1710 S. 10 <sup>th</sup> St.
	Kailas S. Patel, Agent	
23	Dhara Ventures, Inc.	1807 Washington St.
	Kailas S. Patel, Agent	

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE - 2011-12

62	El Caballo Loco-Crazy Horse, LLC	1802 Washington St.
	Arlene A. DeGuzman, Agent	

CLASS "B" RETAIL FERMENTED MALT BEVERAGE LICENSE - 2012-13

7	NITIS Fork & Knife, LLC	2209 S. 44 <sup>th</sup> St.
	Ramazan Fejza, Agent	

CLASS "B" RETAIL FERMENTED MALT BEVERAGE LICENSE - 2012-13

6	Abba, LLC	
	Abby Garcia, Agent	202 N. 8 <sup>th</sup> St.

"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE - 2012-13

58	Capitol Civic Centre, Inc.	
	Matthew Schliesman, Agent	913 S. 8 <sup>th</sup> St.
59	A & M Hospitality Group, LLC	
	Christopher R. Foresta, Agent	200 E. Waldo Blvd.
60	A & M Hospitality Group, LLC	
	Christopher R. Foresta, Agent	4101 Harbor Town Ln.
61	Rattfan Sports LLC	214 N. 8 <sup>th</sup> St.
	David E. Stuebs, Agent	

"CLASS C" WINE LICENSE - 2012-13

3	Abba, LLC	
	Abby Garcia, Agent	202 N. 8 <sup>th</sup> St.

"CLASS C" WINE LICENSE - 2012-13

4	NITIS Fork & Knife, LLC	2209 S. 44 <sup>th</sup> St.
	Ramazan Fejza, Agent	

NEAR BEER (NON-INTOXICATING BEVERAGE) LICENSE - 2012-13

27	Hendricks Beverage	4402 Custer St.
28	ADITHI 2, LLC	3930 Calumet Ave.
	Chandra Vasireddy, Agent	
29	Walgreen Co.	2702 Calumet Ave.
	Kris A. Adams, Agent	
30	Dhara Ventures, Inc.	1710 S. 10 <sup>th</sup> St.
	Kailas S. Patel, Agent	
31	Dhara Ventures, Inc.	1807 Washington St.
	Kailas S. Patel, Agent	

ONE YEAR OPERATOR'S LICENSE - 2012-13

4 Scott Lutz 5002 Brookfield Cir.

TWO YEAR OPERATOR'S LICENSE - 2011-1 3

384 Clint M. Rusch 935 S. 20<sup>th</sup> St.

TWO YEAR OPERATOR'S LICENSE - 2012-14

90 Karleen A. Brown 308 Mark St., Mishicot, WI  
91 Kay M. Satori 506 S. 31<sup>st</sup> St.  
92 Michelle K. Rusboldt 2237 Russell Ln.  
93 Sue E. Loeh 15100 Hwy. Q, Mishicot, WI  
94 Jennifer J. Fahley 2530 S. Cty. Hwy. W, Chilton, WI  
95 Tania L. Brown 1916 Hamilton St.  
96 Lisa A. Mueller 3419 Menasha Ave.  
97 Jason J. Prah 2113 LaFollette Ave.  
98 Matthew L. Lambries 1511 Reed Ave.  
99 Jacqueline L. Bellin 204 N. 8<sup>th</sup> St.

**STREETS AND SANITATION**  
**Previously Referred**

Request (10-506) from SMI as representatives of the Allie Family Partnership and St. Francis of Assisi Parish for a change to the Official Map removing three streets south of Michigan Ave. and west of N. Rapids Rd.

Utility Easement (10-585) to Manitowoc Public Utilities for the purpose of constructing, maintaining, repairing and replacing electrical utility facilities.

Communication (11-192) from Director of Public Works and City Engineer Valerie Mellon regarding DOT Project on USH 151 (Calumet Avenue) - STH 42 to I-Tec Drive Reconstruction.

Request (11-343) from Wisconsin Aluminum Foundry Co. to privatize sanitary sewer line that currently services the right-of-way that WAF had requested the City to vacate and amend its Official Map.

Lease (11-746) between Lease Finance Group and City of Manitowoc Evergreen Cemetery for credit card equipment.

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

Resolution (12-244) to vacate 2 portions at the end of Clay Pit Road, located north of Riverview Dr. and east of Union Place, extended.

Ordinance (12-243) amending Section 22.010 of the Municipal Code, Official Map, Master Subdivision Plans, in an area at the end of Clay Pit Road located north of Riverview Dr. and east of Union Place, extended.

**PERSONNEL**  
**Previously Referred**