

## COMMON COUNCIL AGENDA

**Monday, June 3, 2013  
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 (1) eliminate a portion of the right-of-way reservation between the current dedicated terminus of So. 44<sup>th</sup> St. extending south and southeast to the west line of So. 42<sup>nd</sup> St./CTH "CR", a distance of approximately 1,498' in length along the north line of the current Official Map, and 1,618' along its south line; and (2) add to the Official Map a cul-de-sac at the current terminus of dedicated So. 44<sup>th</sup> St. with a 60' radius bulb at its south end.

### **REPORTS OF OFFICERS:**

Update on State budget.

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**

Public Notice (13-257) of air pollution permit application review for Manitowoc Public Utilities, 5740 W. Custer St.

Minutes (13-279) of Community Development Authority of 3/13/13; Crime Prevention Committee of 4/4/13; Manitowoc Public Utilities Commission of 5/13/13; Plan Commission of 4/10/13.

### **COMMITTEE OF THE WHOLE**

Alfresco Cloud Guidelines (13-253) and implementation plan.

Request (13-272) from Alderpersons Sladky and McMeans to hold Committee of the Whole meeting relative to direction, rules, responsibilities and staffing of Planning Office with respect to economic development activities.

General City Claims (13-263) in the amount of \$843,612.80 enumerated on list thereof.

### **FINANCE**

First Amendment (13-259) to Services Agreement between City of Manitowoc, City of Two Rivers, City of Kiel and Manitowoc Economic Development Corporation to extend agreement for three year period commencing January 1, 2014.

Communication (13-268) from County Treasurer Cheryl Duchow relative to distribution of proceeds upon sale of In Rem property.

**LICENSING, PERMITS & INSPECTIONS  
(FORMERLY PUBLIC UTILITIES AND LICENSING)**

Sidewalk Encroachment Permit (13-261) for temporary sidewalk sales during 2013 Farmers' Market.

Quit Claim Deed (13-267) to Manitowoc Cinema, LLC, for 6.10 acres of vacant land located at Viebahn and So. 42<sup>nd</sup> Streets.

Report (13-270) of City Plan Commission relative to proposed street vacation and associated Official Map amendment impacting property at 4720 Broadway Street.

Report (13-271) of City Plan Commission relative to review of a request on behalf of Manitowoc Cinema LLC for a conditional use permit and review of General Development Plan as well as proposed PUD for land east of I-43 and So. 44<sup>th</sup> Street, and north of Viebahn St.

Report (13-273) of City Plan Commission relative to a proposed ordinance which amends and updates the City's regulation of home occupations.

Report (13-274) of City Plan Commission relative to request from Ron Leschke for conditional use permit and modification of previously issued permits to allow trucking, distribution and load assembly on lands to match area of 2013 rezoning.

Report (13-275) of City Plan Commission relative to request from Vesely and Maltby to amend the City's Official Map to eliminate a 60' wide, non-dedicated Official Map street east of So. 26<sup>th</sup> St. and south of Dewey St.

Report (13-276) of City Plan Commission relative to the termination of a conditional use permit for a wrecker service business at 734 N. 8<sup>th</sup> Street.

Report (13-277) of City Plan Commission recommending approval and acceptance of the Quit Claim Deeds for portions of So. 10<sup>th</sup> St., south of Viebahn St.

**LICENSE APPLICATIONS REFERRED**

**CLASS "B" RETAIL FERMENTED MALT BEVERAGE LICENSE – 2013-14**

6	Sunshine Foods & Catering, LLC Rebecca J. Schwarz, Agent	823 Buffalo St.
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**"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE – 2013-14**

57	Capitol Civic Centre, Inc. Matthew Schliesman, Agent	913 S. 8 <sup>th</sup> St.
58	Gary Alan Siebold	2015 Marshall St.
59	A & M Hospitality Group LLC Edward R. Feller, Agent	200 E. Waldo Blvd.
60	A & M Hospitality Group LLC Edward R. Feller, Agent	4101 Harbor Town Ln.
61	Buzzy's Happy Hour LLC Dave Basken, Agent	1144 S. 21 <sup>st</sup> St.
62	Abba, LLC Abby Garcia, Agent	202 N. 8 <sup>th</sup> St., Ste. 100

**"CLASS C" RETAIL WINE LICENSE – 2013-14**

3	Sunshine Foods & Catering, LLC Rebecca J. Schwarz, Agent	823 Buffalo St.
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**TEMPORARY OPERATORS LICENSE 2013-2014**

4	Michael D. Dorcas	3430 Barkwood Ln.
5	Donald J. Kaderabek	2220 S. 13 <sup>th</sup> St.

**ONE YEAR OPERATOR'S LICENSE – 2013-14**

3	Leann Wellens	1922 Adams St., Two Rivers, WI 54241
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## TWO YEAR OPERATOR'S LICENSE – 2013-15

40	Heather M. Allen	1821 N. Rapids Rd.
41	Barbara L. Zill	502 New York Ave.
42	Kathleen M. Moser	1805 S. 13 <sup>th</sup> St.
43	Tracy L. Virnoche	938 Shorewood Blvd.
44	Ashlee R. Skarda	9325 Cty. Rd. K, Whitelaw, WI
45	Heidi Jean Rosinsky	2523 N. Rapids Rd.
46	Diane Holschbach	826 N. 14 <sup>th</sup> St.
47	James M. Kocian	4917 Nicyssa Lane
48	Tracy L Aubry	1510 Division St.
49	Curtis J. Olson	1822 S. 10 <sup>th</sup> St
50	Thomas J. Albright	1526 George St.
51	Paul D. Kraemer	320 Albert Dr., #2
52	Tim T. Swoboda	1410 – 16 <sup>th</sup> St., Two Rivers, WI 54241
53	Brittany J. Gabel-Legois	3917 Tannery Rd., Two Rivers, WI 54241
54	Paul Vander Bloomen	2224 N. Rapids Rd.
55	Kathryn J. Lodl	509 Birchwood Dr., Francis Creek, WI
56	Colleen A. Philyaw	1408 Division St.
57	Ulmana Turajlic	3311 Yorkshire Ln., Apt. 5
58	Sean B. Jody	709 York St., Apt. C
59	Lou Ann Groh	915 Parkway Ct., Two Rivers, WI 54241
60	Denise A. Hettick	1708 Cedar Grove Dr., Apt. 1A
61	Lu Ann Ellerman	1716 Menasha Ave.
62	Julia A. Stern	2814 – 11 <sup>th</sup> St., Two Rivers, WI 54241
63	Carrie M. Zeman	2327 Birch Rd.
64	Lisa A. Ramage	952 Circle Dr.
65	Phillip R. Herman	828 N. 19 <sup>th</sup> St.
66	Amanda K. Price	3715 Dale St.
67	Gina M. Monka	4427A Knuell Ct.
68	Mary J. Schneider	508 S. Alverno Rd.
69	Justin J. Neuman	1117 S. 23 <sup>rd</sup> St.
70	Barbara A. Shedal	4364 S. Valley View Cir., Newton, WI
71	Judy Trippler	4129 Ray St.
72	Holly L. Lehman	1020 Memorial Dr.

## TWO YEAR OPERATOR'S LICENSE – 2012-14

415	Alicia M. Coffman	204 N. 8 <sup>th</sup> St., Apt. 804
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## PARKS AND RECREATION

Request (13-250) from Lia Haile for her Hopeful Hearts Club to sponsor Hope House Day at the Manitowoc Aquatic Center with City to waive shelter fee.

Special Events Request (13-251) from Mainly Manitowoc to host Krazy Daze in downtown Manitowoc on July 12 & 13, 2013, to include sidewalk sales, use of Burger Boat park, various City equipment and a crossing guard with Waiver of Fee Request attached. (Copy to Public Infrastructure Committee).

Special Events Request (13-260) from Lakeshore Humane Society to hold Walk for Kindness on September 21, 2013, utilizing Lincoln Park with route map attached and asking for no parking signs on N. 8<sup>th</sup> St. (Copy to Public Infrastructure Committee).

Special Events Request (13-262) from First Reformed United Church of Christ for CROP Walk on October 5, 2013, with routes attached along with Mariners Trail Permit. (Copy to Public Infrastructure Committee).

## PERSONNEL

Labor Agreement (13-278) between City of Manitowoc and City of Manitowoc Police Department Employees, Law Enforcement Employee Relations Division of the Wisconsin Professional Police Association for 2013-14.

## PUBLIC INFRASTRUCTURE (FORMERLY STREETS AND SANITATION)

First Revision (13-256) to State/Municipal Agreement for a local Let Safe Routes to School Project.

Request (13-254) to hire additional part-time Transit Driver from Transit Team Leader Jim Muenzenmeyer.

**PUBLIC SAFETY  
(FORMERLY PUBLIC PROPERTY AND SAFETY)**

Ambulance Service Agreement (13-252) with Eastern Wisconsin Stock Car, Inc. for the period June 1 through June 30, 2013.

Communication (13-255) from Associated Bank regarding concerns related to the safety of the intersection of Franklin and S. 12<sup>th</sup> Streets.

Special Events Request (13-269) from Cellcom to allow no parking signs on Harbor Town Lane in front of Cellcom for their event on June 10 and 11, 2013.

**RESOLUTIONS**

Resolution (13-258) listing appropriations which were budgeted in 2012 for the departments listed to be carried forward into the respective 2013 departmental budgets effective December 31, 2012, was referred to Finance Committee.

**COMMITTEE REPORTS**

None.

**ORDINANCES**

Ordinance (13-265) to amend various sections of Chapter 15 of the Manitowoc Municipal Code defining home occupation and conditional uses, was referred to Licensing, Permits and Inspections Committee.

Ordinance (13-266) to amend Section 22.010 of the Manitowoc Municipal Code to Change the Official Map in an area east of S. 26<sup>th</sup> St. and south of Dewey St., was referred to Licensing, Permits and Inspections Committee.

Ordinance (13-264) to amend various sections of Chapter 10 of the Manitowoc Municipal Code which regulate parking time restrictions in the downtown area, was referred to Public 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)

**CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE – 2013-14**

23	WALGREENS CO. Kris A. Adams, Agent	2702 Calumet Ave.
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**"CLASS B" FERMENTED MALT BEVERAGE LICENSE 2013-14**

6	Sunshine Foods & Catering, LLC Rebecca J. Schwarz, Agent	823 Buffalo St.
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**"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE – 2013-14**

56	LA CARRETA MEXICAN RESTAURANT Breanna L. Barajas, Agent	3535 Calumet Ave.
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**"CLASS C" WINE LICENSE 2013-14**

3	Sunshine Foods & Catering, LLC Rebecca J. Schwarz, Agent	823 Buffalo St.
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**TEMPORARY OPERATORS LICENSE 2013-2014**

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58 Sean B. Jody 709 York St., Apt. C  
59 Lou Ann Groh 915 Parkway Ct., Two Rivers, WI 54241  
60 Denise A. Hettick 1708 Cedar Grove Dr., Apt. 1A  
61 Lu Ann Ellerman 1716 Menasha Ave.  
62 Julia A. Stern 2814 – 11<sup>th</sup> St., Two Rivers, WI 54241  
63 Carrie M. Zeman 2327 Birch Rd.  
64 Lisa A. Ramage 952 Circle Dr.

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

415 Alicia M. Coffman 204 N. 8<sup>th</sup> St., Apt. 804

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

**COMMITTEE OF THE WHOLE**  
**Previously Referred**

Petition (13-105) from the tenants of The Riverview Drive Apartments of Manitowoc.

**FINANCE**  
**Previously Referred**

Summons and Complaint (12-401) BMO Harris Bank vs. Christine C. Spencer and City, Case No. 12 CV 0395.

Notice of Claim (12-630) of October 17, 2012, from Alpert & Fellows in behalf of Marcella B. Krall, Claim File No. 12-1087.

Notice of Claim (12-679) of November 29, 2012 of Wesco Electric relative to payment bond for public project, Intermodal Transfer Station, Claim No. 12-1089.

Notice of Claim and Claim (13-095) of March 1, 2013 from Dyonne Wright, Fleet Claim File No. 13-205.

**LICENSING, PERMITS & INSPECTIONS**  
**(FORMERLY PUBLIC UTILITIES & LICENSING)**  
**Previously Referred**

Communication (13-239) from Hein Plumbing asking the City to consider hiring full time inspectors.

Communication (13-240) from David C. Neuser to either purchase a 33 foot parcel of land from the City or receive an easement to allow him to build a new home.

**PENDING APPLICATIONS**

**“CLASS B” INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE – 2013-14**

57 Capitol Civic Centre, Inc. 913 S. 8<sup>th</sup> St.

	Matthew Schliesman, Agent	
58	Gary Alan Siebold	2015 Marshall St.
59	A & M Hospitality Group LLC Edward R. Feller, Agent	200 E. Waldo Blvd.
60	A & M Hospitality Group LLC Edward R. Feller, Agent	4101 Harbor Town Ln.
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67	Gina M. Monka	4427A Knuell Ct.
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70	Barbara A. Shedal	4364 S. Valley View Cir., Newton, WI
71	Judy Trippler	4129 Ray St.
72	Holly L. Lehman	1020 Memorial Dr.

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

Special Events Request (13-129) from Lincoln Park Zoological Society to hold Lights in Lincoln Park from November 29, 2013 to December 28, 2013 beginning at 5:00 p.m. until 8:30 p.m.

**PUBLIC INFRASTRUCTURE**  
**(FORMERLY 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.

Ordinance (12-711) to amend Section 22.010 of the Municipal Code entitled "Official Map - Master Subdivision Plans" for an area north of Viebahn Street and west of S. 42<sup>nd</sup> Street.

Ordinance (13-120) to amend Section 7.210 of the Manitowoc Municipal Code regulating snow removal and deposits, was referred to Streets and Sanitation Committee.

Request (13-133) from SMI as representatives of City Centre LLC for a variance for a commercial driveway width greater than 35 feet for a site at the northeast corner of S. 16<sup>th</sup> and Wollmer Streets for proposed boat storage building.

Request (13-158) from Charles J. Vesely, Julie E. Vesely and Joan A. Maltby for change in the Official Map to remove proposed street adjacent to parcels 355-106-003 and 355-106-001.

Quit Claim Deed (13-195) from Lee R. and Joan M. Meyer for a parcel of land containing 0.265 acres more or less, to be used for South 10th Street purposes, as described therein and shown on the attached sketch.

Request (13-196) from R & J Transport to amend their conditional use permit so that it is in conformance with the 2013 rezoning.

Quit Claim Deed (13-212) from Cynthia Knipp Jones for a parcel of land containing 0.149 acres more or less, to be used for South 10th Street purposes, as described therein and shown on the attached sketch.

Request (13-214) from SMI as representatives of Manitowoc Cinema LLC for approval of a conditional use permit and site plan for a commercial development in an area located south of the south end of So. 44<sup>th</sup> Street, east of I-43, north of Viebahn St. and west of a lowland area in the vicinity.

Resolution (13-227) to vacate a 3,289 square feet of street at 4720 Broadway Street, was referred to Public Infrastructure Committee.

Ordinance (13-228) amending Section 22.010 of the Municipal Code entitled "Official Map-Master Subdivision Plans" in an area located on Broadway Street, was referred to Public Infrastructure Committee.

**PUBLIC SAFETY**  
**(FORMERLY PUBLIC PROPERTY AND SAFETY)**  
**Previously Referred**

**PERSONNEL**  
**Previously Referred**

None.