

## COMMON COUNCIL AGENDA

Monday, June 6, 2011

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 changes to Chapter 15 of the Code to amend and update the City's floodplain zoning requirement under Section 15.490.

**CLOSED SESSION:** None.

### REPORTS OF OFFICERS:

Badge Ceremony and swearing in of Paramedic/Firefighter Tyler Kiel.

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 (11-335) of Crime Prevention Committee of 5/5/11; Rahr-West Art Museum Board of 5/18/11; Wastewater Treatment Facility Board of 4/12/11 & 5/10/11.

### COMMITTEE OF THE WHOLE

General City Claims (11-351) in the amount of \$850,980.59 enumerated on list thereof.

### FINANCE

Notice of Claim and Claim (11-333) from Mary Lou Rulseh of May 17, 2011, Claim No. 11-1067.

Communication (11-338) from Dir. of Public Works/Parks & Recreation/City Eng'r Valerie Mellon to transfer funds to the Broadway Street Bridge Slope Repair Project for an emergency repair, as detailed therein.

Communication (11-341) from Greg Minikel, Dep. Dir. of Public Works/City Eng'r/Parks & Rec., to authorize the expenditure for additional work for proposed fire lane in N. 9<sup>th</sup> St. and Maritime Dr. parking lot within the TIF 16 District, as detailed therein.

### PARKS AND RECREATION

Contract (11-344) with Scenic Landscape Company for removal and replacement of donor bricks that abut sections of existing walkways at Lincoln Park Zoo.

Special Events Request (11-348) from Manitowoc County Youth Hockey Association to use Rheaume Park on Sundays during the summer.

Special Events Request (11-349) from Big Brothers Big Sisters of Manitowoc Co. to use Silver Creek Fieldhouse and soccer field along with waiver of fees for same.

**PUBLIC PROPERTY AND SAFETY**

Special Events Request (11-336) from Wagner's RV Center Inc. for waiver of the noise ordinance for Campfest Customer Appreciation Campout at the County Expo, September 9 - 11, 2011.

Communication (11-337) from Mona Moen requesting a no parking zone on the east side of N. 21<sup>st</sup> Street during the months of May through September.

Architect/Engineering Services Contract (11-352) with Somerville for preliminary design services, fundraising assistance and remodeling/addition design services to the Rahr-West Art Museum.

**PUBLIC UTILITIES AND LICENSING**

Communication (11-347) from Jennifer Hogan, President, Friends of the Rahr-West Art Museum, submitting resignation from the committee and expressing concerns.

**LICENSE APPLICATIONS REFERRED**

**CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE - 2011-12**

25 El Alamo LLC 2205 Marshall St.  
Norma Coronado Escamilla, Agent

**CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE - 2010-11**

5 Kwik Trip #611 2102 Washington St.  
CHANGE OF AGENT TO:  
Brittany J. Gabel

6 Kwik Trip #627 910 Hamilton St.  
CHANGE OF AGENT TO:  
Donald J. Ziegler

**CLASS "A" RETAIL INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE**

8 Zorica Dent 807 Jay St.

**"CLASS B" FERMENTED MALT BEVERAGE LICENSE**

6 Brocher Foods & Catering LLC 823 Buffalo St.  
Lee Brocher, Agent

**"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE**

56 A & M Hospitality Group LLC 200 E. Waldo Blvd.  
Christopher R. Foresta, Agent

57 Wisconsin Maritime Museum, Inc. 75 Maritime Dr.  
Norma Bishop, Agent

58 Three T's Inc. 2202 Marshall St.  
Theodore J. Frisch, Agent

59 Manitowoc Lodging Associates, LLP 101 Maritime Dr.  
Mike Shriver, Agent

60 Debra R. Andrusak 815 S. 20<sup>th</sup> St.

61 Capitol Civic Centre, Inc. 913 S. 8<sup>th</sup> St.  
Matthew Schliesman, Agent

**"CLASS C" WINE LICENSE**

2 Brocher Foods & Catering LLC 823 Buffalo St.  
Lee Brocher, Agent

**MOBILE HOME PARK LICENSE**

4 University Village Heights, LLC 2350 S. 23<sup>rd</sup> St.  
Susan Daniel, Applicant

**ONE YEAR OPERATOR'S LICENSE 2011-12**

2	Stephanie Bonde	10815 CTH A, Kiel, WI 53042
3	Megan Schmidtman	1633 S. 10th St.
4	Susan Crownover	10429 County Road LS, Newton, WI 53063

**TWO YEAR OPERATOR'S LICENSE 2010-12**

402	Kristina Kubichek	950 N. 10th St.
403	Jennifer Krogh	3727 Parkway Blvd., Apt. G, Two Rivers, WI 54241
404	Shane J. Diederichs	5400 Sunset Rd.
405	Mary Weston	1215 Nuclear Rd., Mishicot, WI 54228
406	Christine Granger	4130 Clover Rd., Apt. C
407	Brady Seehafer	208 Cleveland Ave.
408	Rachel Gillis	3709 Easy Street
409	Elizabeth L. Koeslin	626 Oak St., Mishicot, WI 54228
410	Lauren F. Willman	2403 45th St., Two Rivers, WI 54241
411	Lucas J. King	1032 N. 43rd St.
412	Carrie L. Tulach	710 S. 35th St.
413	Dana M. Wilson	936 N. 8th Street
414	Kenneth W. Glebke	435 N. 6th St.
415	Heather L. Getter	1009 N. 14 <sup>th</sup> St.
416	Todd A. Doerfler	1310 Fairmont Ln.

**TWO YEAR OPERATOR'S LICENSE 2011-13**

35	Danielle Coenen	8001 State Highway 147, Two Rivers, WI 54241
36	Julia Stern	2814 - 11th St., Two Rivers, WI 54241
37	Norma Howe	1115 Madison St.
38	David Hacker	1440 N. 8th St.
39	Mary Flentje	2230 - 14th St., Two Rivers, WI 54241
40	Dawn Lade	1508 S. 10th St.
41	Jenna Behnke	204 N. 8th St., Apt. 305
42	Carol Ronski	505 State St.
43	Starr Buss	1206 Flambeau St.
44	Natalie Wentker	323 Kent St., Mishicot, WI 54228
45	Emily Laurin	864 N. 9th St.
46	Scott Johnson	7125 Boldt Rd., Valders, WI 54245
47	Paul Vanderbloomen	3335 N. Rapids Rd.
48	John Loiselle	4214 Memorial Dr., Two Rivers, WI 54241
49	Lynn M. Idhe	510 E. Reed Ave., #15
50	Debra J. FencI	1431 Hawthorne Ave., Two Rivers, WI 54241
51	Lisa Ramage	952 Circle Dr.
52	Amber Haese	7757 Northeim Rd., Newton, WI 53063
53	Brittany Kolbeck	308 Union Place
54	Brittany Schreiner	3710 Silver Creed Rd.
55	Tracy Aubry	1510 Division St.

56	Thomas Strathmann	4109 Rock St.
57	Donna Meyer	N135 State Park Rd., Appleton, WI 54915
58	Julie Hughes	820 N. 6th St.
59	Heidi Rosinsky	2523 N. Rapids Rd.
60	Jack Nasep	542 S. 31st St.
61	Katrina Popp	8606 Northeim Rd., Newton, WI 53063
62	Ashley Torrison	11720 Hillside Dr., Cato, WI 54230
63	Anthony Spackman	7757 Northeim Rd.
64	Sean Jody	709 York St.
65	Samantha Mrotek	2328 N. Rapids Rd.
66	Stephanie Broeckert	1924 Menasha Ave.
67	Lisa M. Robinson	1308 Wisconsin Ave.
68	Heather A. Huss	3615 MacArthur Drive
69	Linda Schultz	1718 Cedar Grove Dr., #1A
70	Roxane Cisler	1020 S. 12th St., Apt. 111
71	Peter Holm	2640 S. 14th St.
72	Gregory Henry	917 Reed Ave.
73	Katherine A. Ward	1310 S. 17th St.
74	John H. Beimborn	8107A Sunny View Rd., Greenleaf, WI 54126
75	David S. Maigatter	2001 Hamilton St., Apt. E
76	John R. Orr	1241 N. 9th St.
77	Kathie B. Gabriel	1624 Mirro Dr.
78	Tracy A. Bouc	1613 S. 16th St.
79	David W. Wilke	4511 Woodfield Ct.
80	Holly F. Behnke	1032 S. 10 <sup>th</sup> St.

### **STREETS AND SANITATION**

Special Events Request (11-339) from Dave Nickels, Manitowoc Track Club, requesting to hold 5K run in honor of Ron Rubick on Saturday, August 6, 2011, as detailed therein.

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.

Special Events Request (11-345) from Manitowoc City Center Association to hold sidewalk sales on June 25 & 26, 2011 in conjunction with River Rendezvous and on July 8 & 9, 2011 for Krazy Daze along with closure of Quay St. parking lot on July 9<sup>th</sup> and the use of various City equipment. (copy to Parks & Recreation)

Special Events Request (11-346) from St. Francis of Assisi Parish to close N. 14<sup>th</sup> Street between Waldo Blvd. and Menasha Ave. on August 12 & 13, 2011, for annual fish boil.

Communication (11-350) from Disabled American Veterans requesting permission to hold their annual Forget-Me-Not drive on July 22 & 23, 2011.

Consulting Agreement (11- ) with AECOM for Design Engineering Services for Broadway Street Bridge, Retaining Wall and Roadway Slope Repair.

### **PERSONNEL**

Communication (11-340) from Valerie Mellon, Dir. of Public Works/City Engineer/Dir. of Parks &

Rec., recommending a change to the rate of pay for seasonal employees working the July 4<sup>th</sup> picnic.

### RESOLUTIONS

Resolution (11-334) authorizing Mayor Nickels as the City's officer in charge at the City picnic on July 4, 2011, to be held at Washington Park, was referred to Committee of the Whole.

Resolution (11-342) approving the hiring of five seasonal employees who are close relatives to Department Heads or supervisory personnel for the Parks and Recreation Dept., was referred to Committee of the Whole.

Resolution (11-354) creating an Ad-Hoc Committee named Save Our Ship (S.O.S.) to build awareness and support of the S.S. Badger.

### COMMITTEE REPORTS

Public Property and Safety Committee returned ordinance (11-195) to amend Section 16.070(1) of the Manitowoc Municipal Code regarding demolition of buildings, recommending adoption of ordinance.

Public Property and Safety Committee returned communication (11-197) from Karl Koch, Sr. regarding traffic traveling the wrong way on N. 8th Street, recommending placing on file.

### ORDINANCES

Ordinance (11-353) amending Section 16.150(15)(3), Responsibilities of Owners Relating to the Maintenance of Non Dwelling Structures, Fences, and Premises, to include birds, was referred to Public Property and 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 - 2011-12

25 El Alamo LLC 2205 Marshall St.  
Norma Coronado Escamilla, Agent

#### CLASS "A" RETAIL FERMENTED MALT BEVERAGE LICENSE - 2010-11

5 Kwik Trip #611 2102 Washington St.  
CHANGE OF AGENT TO:  
Brittany J. Gabel

6 Kwik Trip #627 910 Hamilton St.  
CHANGE OF AGENT TO:  
Donald J. Ziegler

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

56 A & M Hospitality Group LLC 200 E. Waldo Blvd.  
Christopher R. Foresta, Agent

57 Wisconsin Maritime Museum, Inc. 75 Maritime Dr.  
Norma Bishop, Agent

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2 Stephanie Bonde 10815 CTH A, Kiel, WI 53042

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66	Stephanie Broeckert	1924 Menasha Ave.
67	Lisa M. Robinson	1308 Wisconsin Ave.
78	Tracy A. Bouc	1613 S. 16th St.
79	David W. Wilke	4511 Woodfield Ct.

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

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**COMMITTEE OF THE WHOLE  
Previously Referred**

**FINANCE  
Previously Referred**

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

Summons and Complaint (09-277) from JPMC Specialty Mortgage, LLC vs. Tammy & Brian Heili et al., Case No. 09 CV 0335.

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.

Notice of Claim (09-390) of Michael E. Augustine of June 26, 2009, Claim File No. 09-1024.

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

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

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

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

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

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

Notice (10-205) of Circumstances of Claim on behalf of The Estate of Robert Rue, Fleet Claim File No. 10-187.

Notice of Claim (10-316) of Tracy Weiler of June 11, 2010, Claim File No. 10-1045.

Notice of Claim (10-389) of A T & T of June 7, 2010, Claim File No. 10-048.

Answer and Affirmative Defenses (10-421) relative to Investors Community Bank Plaintiff, v. Schuette Building LLC and Thomas D. Hansen and John W. Raettig Defendants, and W-1 Management, LLC and City of Manitowoc and John Doe and Jane Doe, Added Defendants.

Resolution (10-415) to approve a Boundary and Text Amendment Number One (1) to Tax Incremental Financing (TIF) District No. 16 Project Plan.

Claim (10-497) for Injuries of August 23, 2010 relative to Tara M. Novak, Fleet Claim No. 10-191.

Notice of Claim and Claim (10-496) of August 25, 2010, from Diane Smith, Claim File No. 10-1054.

Notice of Claim and Claim (10-494) of August 12, 2010 from Mary Schleis, Claim File No. 10-1051-1.

Summons and Complaint (11-038) with Shipbuilders Credit Union vs. Duggan et al.

Summons and Complaint (11-200) from Manitowoc Properties LLC of March 2, 2011, Case No. 11 SC 0333.

Communication (11-208) from Recreation and Zoo Supervisor Jeremy Crees regarding request from Bandits Baseball regarding their purchase of a concession stand building at Municipal Field.

Summons and Complaint (11-276) between Zetley Real Estate Co., LLC and City of Manitowoc, Case No. 11 CV 296.

Notice of Claim and Claim (11-293) of May 2, 2011 from Bradley A. Jacobson, Claim File No. 11-1066.

Memo (11-314) from Dir. of Public Works/City Engineer/Dir. of Parks & Rec. Valerie Mellon to move \$7,551 from Dept. of Public Works budget to Parks Department account for Marina summer help.

Resolution (11-297) to authorize the appropriate City officers to act as signatories on behalf of the City of Manitowoc relative to bank requirements.

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

Communication (11-193) from Peter Holm, RRMAF Committee, submitting plans for new Ron Rubick Municipal Athletic Field entrance and memorial.

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

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

Communication (11-104) from Sharon Strouf expressing concerns as to public safety in the City of Manitowoc.

Communication (11-206) from Robert Madison, Mad about Music, requesting two hour parking on the north side of Wisconsin Ave. from 11th Street west, as detailed therein.

Request (11-246) from Fire Chief William P. Manis II to create a loading zone and fire lane on the east side of the No. 9th St. and Maritime Dr. parking lot, as detailed therein.

Memo (11-330) from Manitowoc County Public Works Dept. notifying City of tax deed property that will be offered for sale (parcel no. 000-157-010).

Ordinance (11-327) to amend various sections of Chapter 15 of the Municipal Code relative to new Flood Insurance Rate Maps and Flood Insurance Study.

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

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Request (11-102) from Isaac Notz, 3205 S. 19th St. requesting electrical service to his property outside the city limits.

**PENDING APPLICATIONS**

**CLASS "A" RETAIL INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE**

8	Zorica Dent	807 Jay St.
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**"CLASS B" FERMENTED MALT BEVERAGE LICENSE**

6	Brocher Foods & Catering LLC Lee Brocher, Agent	823 Buffalo St.
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**"CLASS B" INTOXICATING LIQUOR & FERMENTED MALT BEVERAGE LICENSE - 2011-12**

14	Eugene V. Lambries	2 Maritime Dr.
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58	Three T's Inc. Theodore J. Frisch, Agent	2202 Marshall St.
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59	Manitowoc Lodging Associates, LLP Mike Shriver, Agent	101 Maritime Dr.
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60	Debra R. Andrusak	815 S. 20 <sup>th</sup> St.
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61	Capitol Civic Centre, Inc. Matthew Schliesman, Agent	913 S. 8 <sup>th</sup> St.
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**"CLASS C" WINE LICENSE**

2	Brocher Foods & Catering LLC Lee Brocher, Agent	823 Buffalo St.
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**MOBILE HOME PARK LICENSE**

4	University Village Heights, LLC Susan Daniel, Applicant	2350 S. 23 <sup>rd</sup> St.
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**TWO YEAR OPERATOR'S LICENSE 2010-12**

409	Elizabeth L. Koeslin	626 Oak St., Mishicot, WI 54228
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**TWO YEAR OPERATOR'S LICENSE 2011-13**

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73	Katherine A. Ward	1310 S. 17th St.
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75	David S. Maigatter	2001 Hamilton St., Apt. E
76	John R. Orr	1241 N. 9th St.
77	Kathie B. Gabriel	1624 Mirro Dr.
80	Holly F. Behnke	1032 S. 10 <sup>th</sup> 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.

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

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.

Permanent Easement (10-656) by Holiday House of Manitowoc County to the City for area north of Meadow Lane and west of Riverview Drive.

Application (11-018) from Steven Kratz for a change in zone from R-4, Single and Two Family District, to B-3, General Business District, for property located at Custer Street.

Communication (11-113) from S.M.I. on behalf of Popp Enterprises requesting a change to the Official Map reducing the right-of-way of So. 21st Street between Summit and Flambeau Streets from 80 feet to 66 feet due to wetland issues.

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.

Application (11-189) to amend the zone map of the City of Manitowoc from "R-2" Single Family District to "B-3" General Business District for property located at 200 E. Waldo Blvd. (Elk's Lodge 687).

Request (11-203) from SMI on behalf of Popp Enterprises LLC (with Petition attached) for a vacation of a portion of an official map street reducing the right-of-way of So. 21st Street from Summit St. to Flambeau St.

Notice (10-204) of Circumstances of Claim on behalf of Violet M. Rue, Fleet Claim File No. 10-186.

Resolution (11-251) to vacate a portion of So. 21st Street between Flambeau St. and Summit St.

Ordinance (11-252) amending Section 22.01 of the Municipal Code for a change in the Official Map in an area located along So. 21st Street between Flambeau St. and Summit St.

Request (11-290) from Wisconsin Aluminum Foundry Co., Inc. for a vacation of a portion of S. 17th St., south of Clark St.

Request (11-291) from Wisconsin Aluminum Foundry Co., Inc. for a change to the Official Map for a portion of S. 17th St., south of Clark St.

Request (11-304) from Shady Lane, Inc. for conditional use permit to operate current 52 bed CBRF with permission to expand by 36 beds within the next 5 years.

Resolution (11-328) to vacate a portion of So. 17th Street south of Clark St.

Ordinance (11-329) to amend Section 22.01 of the Municipal Code for a change to the Official Map in an area located at S. 17th and Clark Streets.

**PERSONNEL**  
**Previously Referred**

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Resolution (11-319) to adjust job titles for Business Manager of Dept. of Public Works, Fleet Manager and Administrative Assistant to Director.