



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
www.appleton.org

## Meeting Agenda - Final-revised Common Council

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Wednesday, September 21, 2016

7:00 PM

Council Chambers

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- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE FLAG
- D. ROLL CALL OF ALDERPERSONS
- E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS
- F. PUBLIC PARTICIPATION
- G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES  
[16-1486](#) Common Council Meeting Minutes of September 7, 2016  
***Attachments:*** [CC Minutes 9-7-16.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR  
[16-1485](#) Presentation of J.J. Keller Family Foundation Day Proclamation  
[16-1484](#) Presentation by Fox Cities Regional Partnership
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS  
[16-1435](#) Resolution Declaring a Change of the District 4 Polling Place to Memorial Presbyterian Church located at 803 E College Ave.  
***Attachments:*** [2016 Resolution Changing District 4 Polling Place.pdf](#)  
***Legislative History***  
9/14/16 Safety and Licensing Committee recommended for approval
- K. ESTABLISH ORDER OF THE DAY

## L. COMMITTEE REPORTS

## 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[16-1336](#) Request from Brad Engel for a variance to extend the driveway at 1813 N. Charlotte Street 10 feet into the front yard.

**Attachments:** [1813 N Charlotte Street-driveway.pdf](#)

**Legislative History**

8/23/16 Municipal Services held  
Committee  
*Hold item 16-1336 until September 13, 2016.*

9/13/16 Municipal Services recommended for approval  
Committee

[16-1411](#) Approve City of Appleton Downtown Business Access Assistance Policy.

**Attachments:** [Appleton Downtown Business Access Assistance Policy.pdf](#)

**Legislative History**

9/13/16 Municipal Services recommended for approval  
Committee

[16-1413](#) Lynndale Drive, from Leonard Street to Everett Street, be reconstructed with concrete pavement to a width of 41' from back of curb to back of curb, which is 8' narrower than the existing street. New concrete sidewalk would be constructed along both sides of Lynndale Drive within the project limits at all locations where existing sidewalk does not exist. Existing parking provisions within the project limits will remain unchanged.

**Legislative History**

9/13/16 Municipal Services recommended for approval  
Committee

[16-1414](#) Lincoln Street, from Olde Oneida Street to approximately 230' east of Olde Oneida Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 37' from back of curb to back of curb, which is 4' wider than the existing street. Lincoln Street, from approximately 230' east of Olde Oneida Street to Madison Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

**Legislative History**

9/13/16      Municipal Services      recommended for approval  
                 Committee

[16-1415](#)

Marquette Street, from Division Street to Oneida Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

**Legislative History**

9/13/16      Municipal Services      recommended for approval  
                 Committee

[16-1416](#)

Summer Street, from Morrison Street to Drew Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 35' from back of curb to back of curb, which is 2' narrower than the existing street. Summer Street, from Drew Street to Union Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 33' from back of curb to back of curb, which is 4' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

**Legislative History**

9/13/16      Municipal Services      recommended for approval  
                 Committee

[16-1417](#)

Catherine Street, from Washington Street to North Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. New concrete sidewalk would be constructed along the east side of Catherine Street from Franklin Street to Eldorado Street. Existing parking provisions within the project limits will remain unchanged.

**Legislative History**

9/13/16      Municipal Services      recommended for approval  
                 Committee



9/13/16      Municipal Services      recommended for approval  
                 Committee

[16-1422](#)

Sanders Street, from Seymour Street to Verbrick Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

**Legislative History**

9/13/16      Municipal Services      recommended for approval  
                 Committee

[16-1423](#)

Reeve Street, from Linwood Street to Winnebago Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 27' from back of curb to back of curb, which is 1' narrower than the existing street. The curb and gutter along the north side of Reeve Street will be narrowed by 1', which will save 7 existing street trees along the north side of the street. Existing parking provisions within the project limits will remain unchanged.

**Legislative History**

9/13/16      Municipal Services      recommended for approval  
                 Committee

[16-1424](#)

Winnebago Street, from Linwood Street to Badger Avenue, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 33' from back of curb to back of curb, which is 4' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

**Legislative History**

9/13/16      Municipal Services      recommended for approval  
                 Committee

[16-1426](#)

Approve Amendment No. 1 to the Collins Engineers, Inc. Contract for the Movable Bridge Inspections to design repairs needed for the trunnion foundation and a girder drainage protection system for the Olde Oneida Street Bridge over the Navigational Canal in an amount not to exceed \$7,620 (revised contract amount of \$87,620).

**Attachments:** [Collins Engineers.pdf](#)

**Legislative History**

9/13/16      Municipal Services      recommended for approval  
                 Committee

[16-1427](#) Approve No Parking Zone on Harrison Street, east of Oneida Street.

**Attachments:** [No Parking Zone Harrison Street.pdf](#)

**Legislative History**

9/13/16 Municipal Services recommended for approval  
Committee

[16-1428](#) Approve traffic related ordinance changes for the John Street Reconstruction Project from Banta Court to Matthias Street.

**Attachments:** [Traffic related ordinance change John Street.pdf](#)

**Legislative History**

9/13/16 Municipal Services recommended for approval  
Committee

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[16-1345](#) "Class A" Beer/Liquor License - Change of Agent of Ultimate Mart LLC, d/b/a Pick 'N Save #8187, Kenneth A. Voss, Agent, 511 W. Calumet St., contingent upon approval from the Police Department.

**Legislative History**

9/14/16 Safety and Licensing recommended for approval  
Committee

[16-1354](#) Class "A" Beer License - Change of Agent of Kwik Trip Inc., Bryan D. Hartjes, Agent, 4085 E. Calumet St., contingent upon approval from the Police Department.

**Legislative History**

9/14/16 Safety and Licensing recommended for approval  
Committee

[16-1355](#) Taxi Cab Company and Limousine Service application of Mo's Taxi Service, Momodou Sanneh, 1524 Schaefer Circle, #6, contingent upon approval from all departments.

**Legislative History**

9/14/16 Safety and Licensing recommended for approval  
Committee

[16-1361](#) "Class B" Beer/Liquor License Change of Premise Description of TNE, Inc. d/b/a Emmetts Bar & Grill, Sharon L. Reader, Agent, 139 N. Richmond St., for events on September 23 & 24, 2016, contingent upon approval from all departments.

**Attachments:** [Change of Description-Emmetts Bar & Grill.pdf](#)

**Legislative History**

9/14/16 Safety and Licensing Committee recommended for approval

[16-1365](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 9-14-16 S & L.pdf](#)

**Legislative History**

9/14/16 Safety and Licensing Committee recommended for approval

[16-1406](#) Request to Modify the Training Tower Capital Improvement Project

**Attachments:** [2016 CIP Project Modification - Training Tower upgrade.pdf](#)

**Legislative History**

9/14/16 Safety and Licensing Committee recommended for approval

[16-1434](#) Operator's License application of John W. Moreland, 4 Sherman Place.

**Attachments:** [John Moreland.pdf](#)

**Legislative History**

9/14/16 Safety and Licensing Committee recommended for approval

*Lt. Miller stated that this license is now recommended for approval as a pending warrant for the applicant has now been resolved.*

[16-1436](#) Operator's License application of Michelle L. Tegen, 1556 E. Moon Beam Trail.

**Attachments:** [Michelle Tegen.pdf](#)

**Legislative History**

9/14/16 Safety and Licensing Committee recommended for denial

*Ms. Tegen addressed the Committee regarding her conviction record stating reasons why she felt her Operator License should be approved.*

### 3. MINUTES OF THE CITY PLAN COMMISSION

[16-1384](#) Request to approve the dedication of land for public right-of-way for Spartan Drive, Sommers Drive and Haymeadow Avenue as shown on the attached maps

**Attachments:** [StaffReport\\_StreetDedication\\_Spartan-Sommers-Haymeadow.pdf](#)

**Legislative History**

9/12/16 City Plan Commission recommended for approval

[16-1385](#) Request to approve the dedication of land for public right-of-way for N. Meade Street and Spartan Drive as shown on the attached maps

**Attachments:** [StaffReport\\_MeadeStSpartanDr\\_StreetDedication\\_For09-12-16.pdf](#)

**Legislative History**

9/12/16 City Plan Commission recommended for approval

[16-1386](#) **\*\*CRITICAL TIMING\*\*** Annual review and request to approve the Downtown Appleton Business Improvement District (BID) 2017 Operating Plan

**Attachments:** [StaffReport\\_2017BIDOperatingPlan\\_For09-12-16.pdf](#)

[2017 BID Operational Plan.pdf](#)

[2015 BID Annual Report.pdf](#)

[2015 Year End BID Communication Report.pdf](#)

[2015 Year End BID Financial Statements Report.pdf](#)

**Legislative History**

9/12/16 City Plan Commission recommended for approval

**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**

**5. MINUTES OF THE FINANCE COMMITTEE**

[16-1324](#) Request to reject awarding Water Garden Redevelopment Project at the Scheig Center in Memorial Park to Solutions 101, Inc. for a contract amount of \$164,608.66.

**Attachments:** [2016 Scheig Center Water Recommendation with Rettler Letter \(8-23-16\)](#)

**Legislative History**

9/13/16 Finance Committee recommended for approval

[16-1401](#) Approve Contract Amendment and Change Order No. 1 to contract 33-16 for Unit X-16 Sewer & Water Reconstruction No.2 for additional stone backfill material required on Glendale Avenue due to extremely unstable soil conditions encountered during construction in the amount of \$60,000 resulting in a decrease to contingency from \$46,000 to \$1,000. Overall contract increased from \$1,721,570 to 1,736,570.

**Attachments:** [Contract Amendment and Change Order No.1 Unit X-16.pdf](#)

**Legislative History**

9/13/16 Finance Committee recommended for approval



[16-1402](#) Award Unit O-16 Sanitary Sewer and Storm Sewer CIPP Lining to Insituform Technologies USA, LLC in the amount of \$121,131.50 with a 10% contingency of \$12,000 for a project total not to exceed \$133,131.50.

**Attachments:** [Insitute Form Award 2016.pdf](#)

**Legislative History**

9/13/16 Finance Committee recommended for approval

[16-1403](#) Award Unit Z-16 Sewer and Water Main Reconstruction No. 3 to Carl Bowers & Sons Construction Co, Inc. in the amount of \$813,365 with a 4.2% contingency of \$34,000 for a project total not to exceed \$847,365.

**Attachments:** [Bowers Award 2016.pdf](#)

**Legislative History**

9/13/16 Finance Committee recommended for approval

[16-1404](#) Request to approve revisions to the Procurement Card Policy.

**Attachments:** [Procurement Card Policy Changes 2016.pdf](#)

**Legislative History**

9/13/16 Finance Committee recommended for approval

[16-1407](#) Request to award the contract for the 2016 D-Building Lab Remodel project at the Wastewater Treatment Plant to Cardinal Construction Co, Inc in the amount of \$104,765 with a contingency of \$5,000 for a contract total not to exceed \$109,765, and approve the following 2016 Budget adjustment:

**Wastewater Utility Capital Projects**

D-Building Lab Remodeling Project	+\$28,000
Belt Filter Press Electrical Improvement Project	- \$21,000
Plumbing Improvement Project	- \$7,000

to transfer positive budget variance from Belt Filter Press and Plumbing projects to the D-Building Lab Remodeling Project.

**Attachments:** [2016 WW D-Building Lab Remodel award.pdf](#)

**Legislative History**

9/13/16 Finance Committee recommended for approval

- [16-1408](#) Request to award contract for the 2016 Parks LED Lighting Upgrade project to Van Ert Electric Company, Inc in the amount of \$87,500 with a contingency of \$4,000 for a contract total not to exceed \$91,500, and approve the following 2016 Budget adjustment:

**Facilities Capital Projects**

Police Station Deck Repairs Project	- \$18,000
LED Lighting Upgrade Project	+\$18,000

to transfer positive budget variance from the Police Station Deck Repairs project to the LED Lighting Upgrade project.

**Attachments:** [2016 Parks LED Lighting award.pdf](#)

**Legislative History**

9/13/16 Finance Committee recommended for approval

- [16-1409](#) Request to award the contract for 2016 Hardscape Repairs Project to MCC, Inc in the amount of \$118,723.72 with a contingency of \$3,800 for a project not to exceed \$122,523.72.

**Attachments:** [2016 Hardscapes Project Award.pdf](#)

**Legislative History**

9/13/16 Finance Committee recommended for approval

- [16-1425](#) Request to award contract for the 2016 Wastewater Hardscape Repairs project to MCC, Inc in the amount of \$118,030.62 with a contingency of \$17,000 for a project not to exceed \$135,030.62.

**Attachments:** [WW Hardscapes Project.pdf](#)

**Legislative History**

9/13/16 Finance Committee recommended for approval

- [16-1430](#) Request to award contract for 2016 Transit Center Roof Repairs project to Northern Metal and Roofing Co, Inc in the amount of \$31,545 with a contingency of \$5,000 for a project not to exceed \$36,545.

**Attachments:** [2016 Transit Center Roof Replacement.pdf](#)

**Legislative History**

9/13/16 Finance Committee recommended for approval

- [16-1433](#) Request to approve \$1,232,156 advance from the general fund to TIF 6 for 2016 capital costs.

**Attachments:** [TIF 6 Advance 2016.pdf](#)

**Legislative History**

9/13/16 Finance Committee recommended for approval

[16-1487](#) Request to approve the following 2016 Budget adjustment:

**Industrial Park Land Fund**

Land	+\$610,000
Fund Balance	- \$610,000

to record funds for the purchase of 210 W Edgewood Drive (2/3 vote required)

**Attachments:** [Memo to CEDC & Finance on Purchase of 210 W Edgewood Dr.pdf](#)  
[210EdgewoodAirPhoto.pdf](#)  
[210EdgewoodMap.pdf](#)  
[Future Land Use Revise6\\_16.pdf](#)  
[210 W Edgewood Accepted Offer.pdf](#)

## 6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[16-1377](#) City Program Funding Approval and City Proposals for 2017 CDBG Funding

**Attachments:** [Dept Proposals CEDC memo.pdf](#)

**Legislative History**

9/14/16	Community & Economic Development Committee	recommended for approval
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[16-1312](#) Request to approve the Alexander Company & Iconica Development Agreement for Eagle Point for an approximate 8.1 acre site at 935 E. John Street in Tax Increment Financing District No. 8

**Attachments:** [Memo on Alexander Co Iconica Development Agreement for E John Str Eagle Point Development Agreement FINAL 9-16-16.pdf](#)  
[TIF8.pdf](#)

[16-1467](#) Request to approve the offer to purchase of 210 W. Edgewood Drive in the Town of Grand Chute and authorize the budget adjustment from the Industrial Park Land Fund for the associated acquisition and due diligence costs not to exceed \$610,000.00

**Attachments:** [Memo to CEDC & Finance on Purchase of 210 W Edgewood Dr.pdf](#)  
[210EdgewoodAirPhoto.pdf](#)  
[210EdgewoodMap.pdf](#)  
[Future Land Use Revise6\\_16.pdf](#)  
[210 W Edgewood Accepted Offer.pdf](#)

## 7. MINUTES OF THE UTILITIES COMMITTEE

[16-1392](#) Award Matthias Tower Construction Contract to Maguire Iron, Inc. in the amount of \$94,200 with a 10% contingency of \$9,420 and a total not to exceed \$103,620.

**Attachments:** [Matthias Tower Construction Award Memo.pdf](#)

**Legislative History**

9/13/16      Utilities Committee      recommended for approval

**8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

**10. MINUTES OF THE BOARD OF HEALTH**

[16-1389](#) Noise Variance Request - Unit O-16 Sanitary & Storm Sewer

**Attachments:** [Noise Variance Request - Unit O-16 Sanitary & Storm Sewer.pdf](#)

**Legislative History**

9/14/16      Board of Health      recommended for approval

**M. CONSOLIDATED ACTION ITEMS**

**N. ITEMS HELD**

**O. ORDINANCES**

**P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION**

**Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION**

**R. OTHER COUNCIL BUSINESS**

**S. CLOSED SESSION**

**T. ADJOURN**

Kami Lynch, City Clerk

*Reasonable accommodations for persons with disabilities will be made upon request and if feasible.*