



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Agenda - Final-revised Common Council

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Wednesday, August 20, 2014

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

[14-1437](#) Approve August 6, 2014 Council Meeting Minutes.

**Attachments:** [CC Minutes 08-06-2014 REVISED.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR

[14-1434](#) Reappointment of Earl Christensen, William Christensen and Charles Fisher to the Board of Heating Examiners.

**Attachments:** [COMMITTEE REAPPOINTMENT BD OF HEATING EXAMINERS 082014.pdf](#)

[14-1433](#) Presentation of Merit Award for Houdini Plaza from the American Association of Landscape Architects for Design of Constructed Urban Spaces.

- I. PUBLIC HEARINGS

[14-1435](#) Public Hearing for Rezoning #6-14 located at 903 N Union and 414 E Winnebago.

**Attachments:** [CC 08-20-2014 - Public Hearing - RZ #6-14.pdf](#)

## J. SPECIAL RESOLUTIONS

[14-1442](#) A Resolution authorizing and providing for the sale and issuance of \$6,525,000 General Obligation Promissory Notes, Series 2014, and all related details.

**Attachments:** [Award Resolution - Appleton 2014 G.O. Prom Notes.docx](#)

[14-1443](#) A Resolution authorizing and providing for the sale and issuance of \$3,575,000 Storm Water System Revenue Bonds, Series 2014, and all related details.

**Attachments:** [Award Resolution - Appleton 2014 Storm Water System Revenue Bonds.docx](#)

[14-1444](#) A Resolution authorizing and providing for the sale and issuance of \$4,000,000 Water System Revenue Bonds, Series 2014, and all related details.

**Attachments:** [Award Resolution - Appleton 2014 Water System Revenue Bonds.docx](#)

## K. ESTABLISH ORDER OF THE DAY

## L. COMMITTEE REPORTS

## 1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[14-1318](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 8-14-14 S & L.pdf](#)

**Legislative History**

8/14/14	Safety and Licensing Committee	recommended for approval
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[14-1319](#) Operator License Renewals

**Attachments:** [Renewal Operator's Licenses for 8-14-14 S & L.doc](#)

**Legislative History**

8/14/14	Safety and Licensing Committee	recommended for approval
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[14-1344](#) Operator's License application of Jessica E. Olson, N3929 Washington Avenue, #8, Freedom.

**Legislative History**

8/14/14	Safety and Licensing Committee	recommended for denial
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[14-1345](#) Operator's License application of Utsab Parjuli, 3045 Winnipeg Street, Menasha.

**Legislative History**

8/14/14 Safety and Licensing Committee recommended for approval

[14-1320](#) Operator's License application of Jonathan A. Perry, N1472 Wildwood Drive, Greenville.

**Legislative History**

8/14/14 Safety and Licensing Committee recommended for denial

[14-1205](#) Secondhand Article Dealer License application of Active Bike & Fitness LLC, Mark A. Fluette, Person in Charge, 1421 N. Richmond Street, contingent upon approvals from all departments.

**Legislative History**

7/24/14 Safety and Licensing Committee held  
*Hold until the August 14, 2014 meeting.*

8/14/14 Safety and Licensing Committee recommended for approval

[14-1317](#) Taxicab Driver's License application of Gregory A. Gauthier, 1928 W. College Avenue.

**Legislative History**

8/14/14 Safety and Licensing Committee recommended for denial

[14-1341](#) Taxicab Driver's License application of Elyse R. Moeller, 1213 N. Richmond Street.

**Legislative History**

8/14/14 Safety and Licensing Committee recommended for denial

[14-1342](#) Taxicab Driver's License application of Jason L. Prouse, 2608 Wheatfield Court.

**Legislative History**

8/14/14 Safety and Licensing Committee recommended for approval

[14-1422](#) Taxicab Driver's License application of Chad D. LeCapitaine, 1620 S. Madison Street.

**Legislative History**

8/14/14 Safety and Licensing Committee recommended for denial

[14-1389](#) Taxicab Company and Limousine Service application of Chads, Chad LeCapitaine, 1620 S. Madison Street, contingent upon approvals from all departments.

**Legislative History**

8/14/14 Safety and Licensing Committee recommended for denial

[14-1328](#) Class "B" Beer and Class "C" Wine License application of MK2 Investments LLC, d/b/a Pinot's Palette, Mari P. Kessenich, Agent, 226 E. College Avenue, contingent upon approvals from all departments.

**Legislative History**

8/14/14 Safety and Licensing Committee recommended for approval

[14-1314](#) Change of Premise Description - "Class B" Beer/Liquor License of Jim's Place, Jay J. Plamann, Agent, 223 E. College Avenue to include 30' of back of bar outside area up to the parking lot, contingent upon approvals from all departments.

**Legislative History**

8/14/14 Safety and Licensing Committee recommended for approval

[14-1390](#) Amending Municipal Ordinance Sec. 2-1 regarding Records Retention

**Attachments:** [08-14-2014 - Attorney Memo.pdf](#)

**Legislative History**

8/14/14 Safety and Licensing Committee recommended for approval

**2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

**3. MINUTES OF THE CITY PLAN COMMISSION**

[14-1296](#) PD Rezoning Application #6-14 - Marissa Downs (Union Square Apartments) - Rezone 903 North Union Street and 414 East Winnebago Street from R-3 Multifamily District to PD/R-3 Planned Development Multifamily District.

**Attachments:** [#6-14 Staff Report 7-21-14.pdf](#)

**Legislative History**

7/21/14 City Plan Commission recommended for approval  
*Proceeds to Council August 20, 2014.*

**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE****5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE****6. MINUTES OF THE UTILITIES COMMITTEE**[14-1322](#)

Recommendation to contract with Lappen Security and Faith Technologies in the amount of \$73,828 with a 10% contingency of \$7,383 for a total of \$81,211 in CIP funding to run new Cat 6 cabling in both the Waste Treatment and Water Treatment Plants along with installing new security cameras in each location. The cameras consist of 8 cameras for the Water Treatment Plant with cabling and 6 at the Waste Treatment Plant rated for those types of environments.

**Attachments:** [Utilities Camera Security System \(2\).docx](#)

[14-1323](#)

CRITICAL TIMING Amend Unit K-14 Native Landscape Management Contract with Applied Ecological Services, Inc. by an amount not to exceed \$81,998.92.

**Attachments:** [Stormwater Budget Adjustment.pdf](#)

[14-1420](#)

Award purchase of Ferrous Chemical Dosing System to Brabazon Pump, Compressor, & Vacuum in the amount of \$35,154 plus a 5% contingency of \$1,758 for a total not to exceed of \$36,912.

**Attachments:** [Ferrous Chemical Dosing System.doc](#)

[14-1431](#)

Award 2014 Digester Upgrades Contract to McMahon in the amount of \$58,769 with a 15% contingency of \$8,815 for a project total not to exceed \$67,584.

**Attachments:** [2015 Digester Improvements Project Engineering 08-14-14.doc](#)

[14-1440](#)

Approval of a construction contract in the amount of \$730,922 plus a 15% contingency of \$109,638 for a total of \$840,560 to August Winter & Sons Construction Company for the Bar Screen Replacement Project.

**Attachments:** [Bar Screen Replacement Project.docx](#)

**7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION****8. MINUTES OF THE BOARD OF HEALTH**

**9. MINUTES OF THE HUMAN RESOURCES COMMITTEE**

[14-1397](#) Request to approve Performance Management Policy

**Attachments:** [PERFORMANCE MANAGEMENT 8-11-14.pdf](#)

**Legislative History**

8/11/14	Human Resources Committee	recommended for approval
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**10. MINUTES OF THE FINANCE COMMITTEE**

[14-1300](#) Request to approve Resolution of Necessity for Michiels Investment LLC, and Trinity Lutheran Church.

**Attachments:** [Finance - Library - Resolutions of Necessity 07-21-14 \(email\).pdf](#)  
[Library - Michiels - Resolution of Necessity.pdf](#)  
[Library - Trinity Lutheran - Resolution of Necessity.pdf](#)

**Legislative History**

7/23/14	Finance Committee	recommended for approval
8/6/14	Common Council	referred to the Finance Committee

*Initially, a motion was made to approve the item. Alderperson Jirschele requested that the item be referred back to the Finance Committee. Under "Other Business", a request was made by Alderperson Garb to make a motion to suspend the rules to go into Committee of the Whole to take up this item. Motion was made by Alderperson Plank, seconded by Alderperson Martin. The Mayor indicated that a 2/3 vote is required. An "Aye" vote would approve going into Committee of the Whole, a "Nay" vote would refer the item to the Finance Committee. Aye: 9 - Coenen, Dannecker, Garb, Lobner, Martin, Plank, Trauger, Dalton, Meltzer. Nay: 6 - Croatt, Jirschele, Konetzke, Spears, Stueck, Williams. Motion Fails. Item is referred.*

8/13/14	Finance Committee	recommended for approval
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*Alderperson Coenen arrived at 4:47pm.  
To Reaffirm*

[14-1192](#)

Resolution introduced by Alderperson Martin at the July 3, 2014 Common Council meeting relating to wheel tax.

#22-R-14 - Martin

**“WHEREAS**, Wisconsin law allows a city to collect an annual municipal or county vehicle registration fee (wheel tax) in addition to the regular annual registration fee paid for a vehicle

**WHEREAS**, All vehicles with automobile registration or truck registration at 8,000 lbs. or less (except dual purpose farm registration) kept in the municipality are subject to the wheel tax

**WHEREAS**, The Wisconsin Department of Transportation collects wheel taxes for the municipality, keeps an administrative fee of 10 cents per vehicle application and sends the rest to the municipality

**WHEREAS**, Special assessments for public roads can cost thousands of dollars and assessed back to the property owner, causing some of our elderly, young families, and single parent with children financial hardships that are unbearable

**NOW THEREFORE BE IT RESOLVED**, The City of Appleton implement a wheel tax starting in 2015 to assist with existing road construction replacement. Planned for 2015, the wheel tax would not be more than twenty dollars.”

**Attachments:** [Appleton Vehicle Counts.docx](#)

[Wheel Tax FAQ 2014.docx](#)

**Legislative History**

7/9/14 Finance Committee held

7/23/14 Finance Committee held

8/13/14 Finance Committee recommended for approval

*Lobner motion to amend resolution to replace the words "assist with" with "replace special assessments for". Fails for lack of a second.*

*Motion by Konezke, second by Lobner, enact a \$20 wheel tax effective 1/01/2015. Registration fees to be retained and used for road reconstruction projects. Funds shall be kept in a segregated account for that purpose. Passed 4-1 (Plank)*

[14-1333](#)

Request to approve updated Debt Policy.

**Attachments:** [Debt Policy Memo for Finance.pdf](#)

[Debt Policy Rev 8-14.pdf](#)

**Legislative History**

8/13/14 Finance Committee recommended for approval

[14-1421](#)

Request to approve an amendment to Unit K-14 Native Landscape Management Contract with Applied Ecological Services, Inc. by an amount not to exceed \$81,999 and approve the following 2014 budget adjustment:

Stormwater Fund

Contractor Fees \$81,999

Contributed Capital \$81,999

To recognize funds from the developer and related expense needed to increase the native vegetation contract for six ponds that will be turned over to the City.

Attachments: [Stormwater budget adjustment 8-13-14.pdf](#)

Legislative History

8/13/14 Finance Committee recommended for approval

M. CONSOLIDATED ACTION ITEMS

[14-1438](#)

Consolidated Action - Unit K-14 Native Landscape

- a. Utilities Committee - 14-1323
- b. Finance Committee - 14-1421

O. ITEMS HELD

P. ORDINANCES

[14-1436](#)

Ordinances # 56-14 through 59-14.

Attachments: [Ordinances going to 08-20-2014 Council.docx](#)

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

T. ADJOURN

Dawn A. Collins, City Clerk

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



