



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, December 20, 2017

7:00 PM

Council Chambers

- 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
 - [17-2007](#) Common Council Meeting Minutes of December 6, 2017 Organizational Meeting
Attachments: [CC Minutes 12-6-17_Organizational.pdf](#)
 - [17-2008](#) Common Council Meeting Minutes of December 6, 2017
Attachments: [CC Minutes 12-6-17.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS
 - [17-2009](#) Special Resolution Authorizing the ARA to Purchase Property at 222 N. Oneida Street
Attachments: [Memo - ARA Acquisition 12-20-17 Council.pdf](#)
[Menn Bldg - Resolution for Council.pdf](#)
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS

[17-1947](#) Approve 2018 Sole Source Purchasing Request for various traffic equipment and technologies.

Attachments: [2018 Sole Source Purchasing traffic equipment.pdf](#)

Legislative History

12/11/17 Municipal Services recommended for approval
Committee

[17-1987](#) Request from Images Bar for a permanent street occupancy permit to construct an addition 5" into into the S. Oneida Street right-of-way at 1200 S. Oneida Street.

Attachments: [1200 S Oneida St-Permanent Street Occ.pdf](#)

Legislative History

12/11/17 Municipal Services recommended for approval
Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[17-1684](#) Resolution #22-R-17; Resolution regarding The Social Station and Alcohol Consumption

Attachments: [Resolution #22-R-17 Social Station.pdf](#)
[22-R-17; Alcohol Consumption on the Social Station MEMO to SL .pdf](#)

Legislative History

10/25/17 Safety and Licensing held
Committee
Held until the next Safety & Licensing Committee meeting potentially on November 15th.

11/15/17 Safety and Licensing held
Committee

11/15/17 Common Council held
This item was held in Committee. No action was taken on the item.

12/13/17 Safety and Licensing recommended for approval
Committee

12/13/17 Safety and Licensing amended
Committee

The following substitution amendment was made to the Resolution:

NOW THEREFORE BE IT RESOLVED, Commercial Quadricycles be permitted to have passengers who are of the age of twenty-one (21) or older possess up to thirty-six (36) fluid ounces of malt beverages per person. Commercial Quadricycles may only operate until 10:30 PM daily and only operate on approved routes.

[17-1848](#) Operator License application of Brian R. Beyer, 1014 S. Lawe Street.

Attachments: [Brian R. Beyer.pdf](#)
[SL Denials 12-13-17.pdf](#)

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval
*Mr. Beyer was in attendance and addressed the Committee.
 Doris, a co-owner of Gingerootz was in attendance and spoke in favor of Mr. Beyer receiving his license.*

The Motion to recommend approval failed 2/3.

12/13/17 Safety and Licensing Committee recommended for denial

[17-1883](#) Request to sole source the purchase of Genesis heavy rescue equipment from Reliant Fire Aparatus

Attachments: [Authorization to Purchase Heavy Rescue Equipment - Single Source.pdf](#)

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval

[17-1885](#) Operator's Licenses

Attachments: [Operator's Licenses for 12-13-17 S & L.pdf](#)

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval

[17-1753](#) "Class A" Beer/Liquor License Change of Agent of Dolgencorp LLC d/b/a Dollar General Store #6535, Anthony W. Hawks, Agent, 1320 W. Wisconsin Ave., contingent upon approval from the Police Department.

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval

[17-1776](#) "Class A" Beer/Liquor License Change of Agent of Walgreen Co. d/b/a Walgreens #07323, Richard Varick, Agent, 3330 E. Calumet St., contingent upon approval from the Police Department.

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval

[17-1797](#) Secondhand Jewelry Dealer License Renewal application of Avenue Jewelers, Jason A. Druxman, Applicant, 303 E. College Ave., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval

[17-1823](#) Secondhand Article Dealer License Renewal application of ecoATM, LLC, Hunter E. Bjorkman, Applicant, 3701 E. Calumet St., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval

[17-1832](#) Reserve "Class B" Beer/Liquor License application of Appleton Holdings LLC d/b/a Fox Cities Exhibition Center, Jay J. Schumerth, Agent, 355 W. Lawrence St., contingent upon approval from all departments.

Attachments: [Appleton Holdings LLC.pdf](#)

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval

[17-1846](#) "Class B" Beer/Liquor License temporary change of premise description of MIP LLC, d/b/a McGuinness Irish Pub, Christopher A. Meyer, Agent, 201 S. Walnut St., March 15-18, 2018 and August 2-5, 2018, contingent upon approval from all departments.

Attachments: [Change of Description-McGuinness Irish Pub 2018.pdf](#)

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval

[17-1847](#) Class "A" Beer/Cider License application of Kavya Gas Inc., Jayant Patel, Agent, 1201 N. Badger Ave., contingent upon approval from all departments.

Attachments: [Kavya Gas Inc application.pdf](#)

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval

[17-1850](#) Class "B" Beer and "Class C" Wine License application of Bowl Ninety-One LLC, Thong Vue, Agent, 100 E. College Ave., contingent upon approval from all departments.

Attachments: [Bowl Ninety-One LLC application.pdf](#)

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1858](#) Secondhand Article Dealer License Renewal application of Warehouse Office Products, Jeffrey S. Lemery, Applicant, 1825 N. Richmond St., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1859](#) Secondhand Article Dealer License Renewal application of Kay Jewelers #4739, Megan L. Stepniewski, Applicant, 3845 E. Calumet St., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1861](#) Secondhand Jewelry Dealer License Renewal application of Scanlan Jewelers, Judy A. Scanlan, Applicant, 2031 E. Calumet St., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1865](#) "Class C" Wine License application of King Brokerage Ltd d/b/a Outer Edge Stage, Lyssa M. King, Agent, 303 N. Oneida St., contingent upon approval from all departments.

Attachments: [King Brokerage LTD Wine application.pdf](#)

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1866](#) Secondhand Jewelry Dealer License Renewal application of Tennie's Jewelry, Brian D. Frisch, Applicant, 208 E. College Ave., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1867](#) Secondhand Article Dealer License Renewal application of Richmond Resale LLC, Dean M. Vandenhoy, Applicant, 204 N. Richmond St., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1868](#) Secondhand Jewelry Dealer License Renewal application of Expert Jewelry Repair, Randy L. Kester, Applicant, 636 W. College Ave., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1869](#) Secondhand Jewelry Dealer License Renewal application of Krieger Jewelers, Jamie L. Boyce, Applicant, 934 W. Northland Ave., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1870](#) Secondhand Article Dealer License Renewal application of Scooter G Sports, Scott A. Gonnering, Applicant, 621 W. Northland Ave., Ste A., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1871](#) Secondhand Article Dealer License Renewal application of Beatnik Betty's Resale Butik, Monika L. Austin, Applicant, 214 E. College Ave., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1893](#) Reserve "Class B" Beer/Liquor License Change of Agent of El Jaripeo Appleton LLC, d/b/a El Jaripeo, Oscar A. Sandoval Rosales, Agent, 3401 E. Evergreen Dr., contingent upon approval from the Police Department.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1901](#) Secondhand Article Dealer License application of Attic on the Ave, Shaine M. Werth, Applicant, 506 W. College Ave., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1903](#) Secondhand Article Dealer License Renewal application of Play It Again Sports, Shane A. Herron, Applicant, 611 W. Northland Ave., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1904](#) Secondhand Article Dealer License Renewal application of Replay Toys, Chris L. Freimuth, Applicant, 127 E. Wisconsin Ave., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1906](#) Secondhand Article Dealer License Renewal application of Side Quest Gaming LLC, John J. Steudel, Applicant, 502 W. College Ave., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1908](#) Secondhand Article Dealer License Renewal application of The Exclusive Company, J.A. Giombetti, Applicant, 770 W. Northland Ave., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1910](#) Secondhand Article Dealer License Renewal application of Game Stop #3349, Troy Crawford, Applicant, 2640 W. College Ave., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing recommended for approval
Committee

[17-1911](#) Secondhand Article Dealer License Renewal application of Game Stop #5520, Troy Crawford, Applicant, 3825 E. Calumet St., #500., contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval

[17-1912](#) "Class B" Beer/Liquor Licenses (4) Change of Agent of Appleton Holdings, LLC d/b/a Radisson Paper Valley Hotel 333 W. College Ave. and Reserve "Class B" Beer/Liquor License of Appleton Holdings, LLC d/b/a Fox Cities Exhibition Center, 355 W. Lawrence St., Brian A. Eschenbauch, Agent, contingent upon approval from the Police Department.

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval

[17-1988](#) Secondhand Article Dealer License Renewal application of Tiffani's Bridal & Consignment, Tiffani R. Ebben, Applicant, 1314 W. College Ave. #6, contingent upon approval from all departments.

Legislative History

12/13/17 Safety and Licensing Committee recommended for approval

3. MINUTES OF THE CITY PLAN COMMISSION

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[17-1962](#) Request to write off \$18,943.22 of accounts receivable invoices and \$11,965.77 of personal property taxes (outstanding over one year).

Attachments: [Written off accounts list.pdf](#)

Legislative History

12/11/17 Finance Committee recommended for approval

[17-1963](#) Request to award Unit Y-17 Ballard Road Storm Sewer Tunnel to Super Excavators, Inc in the amount of \$1,284,002 with a 10% contingency of \$128,400 for a project total not to exceed \$1,412,402.

Attachments: [Award of Contract Unit Y-17.pdf](#)

Legislative History

12/11/17 Finance Committee recommended for approval

[17-1964](#)

Request to approve Change Order No. 1 to contract 02-17 for Unit I-17 C.T.H. "JJ" / Lightning Drive Sewer and Water for adjustments to final installed quantities, primarily stone backfill material, in the amount of \$20,797 resulting in a decrease to contingency from \$22,413 to \$1,616. No change to overall contract amount.

Attachments: [Unit I-17 Change Order #1.pdf](#)

Legislative History

12/11/17 Finance Committee recommended for approval

[17-1983](#)

Request to approve the following 2017 Budget adjustment:

City Hall Capital Projects Fund

Election Equipment	+\$82,398
Fund Balance	- \$82,398

to approve the purchase of voting equipment from Outagamie County in 2017

Attachments: [Voting Equip 12-8-17.pdf](#)

Legislative History

12/11/17 Finance Committee recommended for approval

[17-1984](#)

Request to approve the following 2018 Budget adjustment:

City Hall Capital Projects Fund

Fund Balance	+\$110,000
Election Equipment	- \$110,000

to remove spending authority for voting equipment from the 2018 Budget

Legislative History

12/11/17 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[17-1934](#)

Request to award continued services associated with Wetland Banking Feasibility Analysis to Stantec Consulting Services, Inc. for Phase II as outlined in the attached proposal dated December 6, 2017, said services fall within the originally budgeted \$25,000 (Associated with previous Action Item #17-1394)

Attachments: [Wetland Banking Feasibility Analysis Memo Phase 2 12-6-17.pdf](#)

[Wetland Banking Feasibility Analysis Memo 9-6-17.pdf](#)

[Appleton_MitigationBankProspectus_20171206_proposal 629173.pdf](#)

Legislative History

12/13/17 Community & Economic Development Committee recommended for approval

[17-1935](#)

Request to approve the Business Enhancement Grant Guidelines for Tax Incremental Financing District #11 - East College Avenue area

Attachments: [Memo on Business Enhancement Grant Program December 2017.pdf](#)
[Business Enhancement Grant Program DRAFT TIF11.pdf](#)

Legislative History

12/13/17 Community & Economic Development Committee recommended for approval

[17-1938](#)

Request to approve the Business Enhancement Grant Guidelines for Tax Incremental Financing District #12 - Downtown West

Attachments: [Memo on Business Enhancement Grant Program December 2017.pdf](#)
[Business Enhancement Grant Program DRAFT TIF12.pdf](#)

Legislative History

12/13/17 Community & Economic Development Committee recommended for approval

[17-1976](#)

Request to award the demolition contract (barn, silo, house and septic) for 210 W. Edgewood Drive in the Town of Grand Chute to Statewide Razing Inc. in the amount of \$26,500.00 plus a 10% contingency of \$2,650.00 for a project total not to exceed \$29,150.00

Attachments: [210 W Edgewood Demo Memo 12-7-17.pdf](#)
[210 W Edgewood Rent vs Demo Memo 12-5-17.pdf](#)

Legislative History

12/13/17 Community & Economic Development Committee recommended for approval

7. MINUTES OF THE UTILITIES COMMITTEE

[17-1922](#)

CRITICAL TIMING - Award 2017F Evergreen Drive and Alvin Street Stormwater Management Design and Permitting, in an amount not to exceed \$59,700 with McMahon Associates, Inc.

Attachments: [2017 Evergreen Alvin DESIGN Contract Award.pdf](#)

Legislative History

12/12/17 Utilities Committee recommended for approval
Action Items were taken out of order.

[17-1923](#)

Approve modifications to Municipal Code, Chapter 20 Section 20-237, regarding Bed & Breakfast Classification and minimum charges.

Attachments: [Stormwater - 20-237 changes.pdf](#)

Legislative History

12/12/17 Utilities Committee recommended for approval
Action Items were taken out of order.

[17-1924](#)

Award 2018 Stormwater Management Plan Review to raSmith in an amount not to exceed \$50,000.

Attachments: [2018A SWM Plan Review Memo Util Cmte.pdf](#)
[2018A SWM Plan Review Memo Util Cmte REVISED.pdf](#)

Legislative History

12/12/17 Utilities Committee recommended for approval
Action Items were taken out of order.
A revised memo is attached to the report.

[17-1925](#)

Approve updated Water Leak Policy based on feedback from the Public Service Commission.

Attachments: [Water Leak Policy 6-22-17 \(strike bold\).pdf](#)
[Water Leak Policy 6-22-17 \(clean copy\).pdf](#)
[PSC page X-4.pdf](#)

Legislative History

12/12/17 Utilities Committee recommended for approval
Aldersperson Dvorachek arrived at 5:05 p.m.
Action Items were taken out of order.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[17-1538](#)

Request to approve the 2018 Seasonal Pay Plan with a 1.25% adjustment and addition of Election Workers to the schedule.

Attachments: [2018 Seasonal Pay Plan.pdf](#)
[Seasonal Pay Plan for Election Workers memo.pdf](#)

Legislative History

10/11/17 Human Resources & Information Technology Committee held
Motion to hold until the December 13 committee meeting.

12/13/17 Human Resources & Information Technology Committee recommended for approval

- [17-1960](#) Request to approve the maximum pay for performance adjustment provision under - V. Procedures, Section D. Compensation Plan Components (b) Pay for Performance of the Salary Administration Policy.

Attachments: [Salary Administration Policy 2017partially revised-with max P4P.pdf](#)

Legislative History

12/13/17 Human Resources & Information Technology Committee recommended for approval

- [17-1974](#) Request to approve Valley Transit to eliminate the .5 Road Supervisor, .5 Communication Technician and .6 Administrative Assistant and create a 1.0 Operations Supervisor position.

Attachments: [VT reorganization request 12-2017.pdf](#)

Legislative History

12/13/17 Human Resources & Information Technology Committee recommended for approval

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

- [17-1950](#) Approve the Intermunicipal Agreement with Outagamie County for Specialized Transportation Services for 2018 Contingent on Outagamie County Approval

Attachments: [2018 Outagamie County Contract.pdf](#)

Legislative History

12/13/17 Fox Cities Transit Commission recommended for approval

- [17-1951](#) Approve the Intermunicipal Agreement with Winnebago County for Specialized Transportation Services for 2018 Contingent on Winnebago County Approval

Attachments: [2018 Winnebago County Contract.pdf](#)

Legislative History

12/13/17 Fox Cities Transit Commission recommended for approval

[17-1952](#) Approve the Intermunicipal Agreement with Calumet County for Specialized Transportation Services for 2018 Contingent on Calumet County Approval

Attachments: [2018 Calumet County Contract.pdf](#)

Legislative History

12/13/17	Fox Cities Transit Commission	recommended for approval
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[17-1953](#) Approve the Intermunicipal Agreement with the City of Neenah and the Village of Fox Crossing for the Northern Winnebago Dial A Ride Service for 2018 Contingent on City of Neenah and the Village of Fox Crossing Approval

Attachments: [2018 Northern Winnebago Dial-A-Ride Contract.pdf](#)

Legislative History

12/13/17	Fox Cities Transit Commission	recommended for approval
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[17-1954](#) Approve a New Hope Temporary Five Month Extension

Attachments: [New Hope Extension 2018.pdf](#)

Legislative History

12/13/17	Fox Cities Transit Commission	recommended for approval
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10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

[17-1837](#) CONSOLIDATED ACTION ITEMS:
[17-1754](#) Municipal Services Committee - recommended for denial 11/20/17
[17-1716](#) Board of Health - recommended for approval 12/13/17
[17-1740](#) Community & Economic Development Committee - recommended for denial 11/29/17

Legislative History

12/6/17	Common Council	held
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[17-1716](#) Health in All Policies Ordinance

Attachments: [HiAP Ordinance-Official Form.pdf](#)
[Health in All Policies Letters of Support.pdf](#)
[YMCA Letter of Support- HIAP Ord..pdf](#)
[WOTFV Support Letter 12-18-17.pdf](#)

Legislative History

11/8/17	Board of Health	recommended for approval
11/15/17	Common Council	referred to the Board of Health
12/6/17	Common Council	held
12/13/17	Board of Health	approved

[17-1740](#) Health in All Policies Ordinance

Attachments: [HiAP Ordinance - Official Form \(Clean\) - 10-31-2017.pdf](#)
[HealthinAllPolicies_LOS_ECWRPC.pdf](#)
[HealthinAllPolicies_LOS_ThedaCare.pdf](#)
[HealthinAllPolicies_LOS_United Way.pdf](#)

Legislative History

11/8/17	Community & Economic Development Committee	recommended for denial <i>Baker moved, seconded by Williams, that the Report Action Item be recommended for approval. Roll Call. Motion failed by the following vote: Aye: 2 - Coenen and Baker, Nay: 3 - Baranowski, Reed and Williams</i> <i>Baranowski moved, seconded by Williams to recommend the ordinance for denial. Roll Call. Motion Carried 3/2.</i>
11/15/17	Common Council	referred to the Community & Economic Development Committee
11/29/17	Community & Economic Development Committee	recommended for denial <i>Baker moved, seconded by Coenen, that the Report Action Item be recommended for approval. Roll Call. Motion failed by the following vote: Aye: 1 - Baker, Nay: 3 - Coenen, Reed and Williams</i>
12/6/17	Common Council	held

[17-1754](#) R/B- Approve Article V of Chapter 7 of the Municipal Code relating to Health in All Policies.

Attachments: [Article V of Chapter 7.pdf](#)

Legislative History

11/6/17	Municipal Services Committee	recommended for approval
11/15/17	Common Council	referred to the Municipal Services Committee
11/20/17	Municipal Services Committee	recommended for approval

11/20/17	Municipal Services Committee	recommended for denial
12/6/17	Common Council	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. ADJOURN

Kami Lynch, City Clerk

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