



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, April 3, 2019

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
 - [19-0441](#) Common Council Meeting Minutes of March 20, 2019
 - Attachments:** [CC Minutes 3-20-19.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR
 - [19-0435](#) Committee Reappointments
 - Attachments:** [COMMITTEE REAPPTS 040319.pdf](#)
 - [19-0436](#) Appointment of Rudy Nyman to the Police & Fire Commission
 - Attachments:** [APPT TO POLICE FIRE COMM 040319.pdf](#)
- I. PUBLIC HEARINGS
 - [19-0274](#) Public Hearing, Street Vacation, E. Pacific Street
 - Attachments:** [Public Hearing - E Pacific Street, east of N Owaissa.pdf](#)
- J. SPECIAL RESOLUTIONS

[19-0440](#) Final Resolution for E. Pacific Street Vacation

Attachments: [Pacific Street - Final Resolution.pdf](#)

[19-0443](#) Initial Resolution for E. Kimball Street Vacation

Attachments: [Initial Resolution - E Kimball St Vacation.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-0418](#) Request from Taste of Thai for a Street Occupancy Permit to place tables and chairs in the College Avenue Beautification strip at 321 E. College Avenue.

Attachments: [Taste of Thai.pdf](#)

[19-0419](#) Request from Renewal by Anderson to replace Radisson Paper Valley signage on the Superior Street Skywalk with their signage.

Attachments: [Renewal by Anderson Signage.pdf](#)

[19-0420](#) Approve Kimball Street Vacation west of Allen Street, less the future S. Oneida Street right-of-way.

Attachments: [Kimball Street Vacation.pdf](#)

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[19-0412](#) Resolution #3-R-19 directing that Section 10-42 of the Municipal Code regarding truancy, be repealed

Attachments: [#3-R-19 Repealing Truancy Ord..pdf](#)

[Truancy Resolution Talking Points- Chief Thomas-4-1-19.pdf](#)

Legislative History

3/27/19 Safety and Licensing Committee recommended for denial

The following individuals spoke on this item:

Ronna Swift, 230 W Seymour St

Edward Perkins, 4486 N Whitehawk Dr

John Krueger, 2410 W Cortland Dr

Alvin Terrance Dupree Jr., 921 E Foxmoor Ln

A vote to recommend approval of this item failed 2/3.

[19-0382](#) Class "B" Beer and "Class C" Wine application of Pinot's Palette, Located at 226 E. College Ave, Brianne Getchius, Agent, contingent upon approval from all departments.

Attachments: [Liquor License-Pinots Palette.pdf](#)

Legislative History

3/27/19 Safety and Licensing Committee recommended for approval

[19-0385](#) Change of Agent application for Skyline Comedy Club, located at 1004 S. Olde Oneida St Suite 3.

Attachments: [Bridget M. Friel s&l.pdf](#)

Legislative History

3/27/19 Safety and Licensing Committee recommended for approval

[19-0386](#) Change of Agent application for The Viking Room at Lawrence University of Wisconsin, located at 615 E. College Ave, Appleton WI 54911

Attachments: [Gregory L. Griffin s&l.pdf](#)

Legislative History

3/27/19 Safety and Licensing Committee recommended for approval

[19-0395](#) Operator's Licenses

Attachments: [Operator's Licenses for 3-27-19 S & L.pdf](#)

Legislative History

3/27/19 Safety and Licensing Committee recommended for approval

[19-0401](#) Approval of single source purchase for a new ladder truck in January 2020.

Attachments: [New Ladder Truck-FIRE.pdf](#)

Legislative History

3/27/19 Safety and Licensing Committee recommended for approval

3. MINUTES OF THE CITY PLAN COMMISSION

[19-0392](#) Request to approve Special Use Permit #3-19 for a restaurant with alcohol sales and service located at 216 East College Avenue (Tax Id #31-2-0317-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport 216College SUP For3-26-19.pdf](#)

Legislative History

3/26/19 City Plan Commission recommended for approval

[19-0394](#) Request to approve the street discontinuance to vacate a portion of East Kimball Street public right-of-way located west of South Allen Street and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport KimballWestOfAllen StreetVacation For03-26-19.pdf](#)

Legislative History

3/26/19 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[19-0416](#)

Resolution introduced by Alderpersons Plank, District 7, Coenen, District 11 and Croatt, District 14 at the March 20, 2019 Common Council meeting relating to Special Events:

#2-R-19 - Plank/Coenen/Croatt

Whereas,
special events held in the city of Appleton, contribute to the quality of life and draw thousands of visitors both from within the city and beyond.

And whereas,
these events benefit many local for profit and not for profit entities.

And whereas,
event holders, attendees and tax paying citizens of Appleton have a high expectation that these events are conducted with the utmost priority given to safety and cleanliness in the hours before, during and after.

And whereas,
events vary in their demands for city services to meet this expectation, and in 2017, for the significant size events alone, the tax payers of Appleton funded in excess of \$50,000 in city services.

And whereas,
events where a high amount of alcohol is consumed, and trash is accumulated, create a unique and particular residual stress on the department of public works and the police department many hours past the end of an event.

And whereas,
comparable municipalities who also enjoy similar wonderful events, recognize the value and cost of city services and constraints on the city tax payers and budget and are charging a fee for services provided.

And whereas,
groups holding and participating in special events also appreciate and desire to continue for the City to provide sanitation and public safety services necessary for their event.

Therefore, be it resolved,
the City of Appleton modify the special events policy to include a method that monetarily reimburses the city for a portion or total of the staff time and labor necessary to cleanly and safely execute and clean up after special events.

Legislative History

3/25/19 Finance Committee recommended for denial

[19-0405](#)

Request to deny the Claim for Excessive Assessment from Wal-mart for the tax year 2018

Attachments: [Wal-mart Claim for Finance Committee.pdf](#)

Legislative History

3/25/19 Finance Committee recommended for approval

[19-0406](#)

Request to award the Fire Station #1 2019 Partial Roof Replacement project contract to Kaschak Roofing, Inc in the amount of \$137,100 with a contingency of 15% for a project total not to exceed \$157,665

Attachments: [2019 Fire Station #1 Roof Replacement .pdf](#)

Legislative History

3/25/19 Finance Committee recommended for approval

[19-0407](#)

Request approval of resolution for Lawe Street Trestle Trail Grant Application

Attachments: [Lawe Street Trestle Project - Resolution.pdf](#)

Legislative History

3/25/19 Finance Committee recommended for approval

[19-0410](#)

Request to approve the 2018-2019 Budget appropriations:

1. Items not under contract \$9,219,631
2. Special consideration \$2,127,320

Attachments: [2018-19 Not-Under contract carryover list.pdf](#)

[2018-19 Special consideration carryover list.pdf](#)

Legislative History

3/25/19 Finance Committee recommended for approval

[19-0411](#)

Request to approve land purchase from Neenah Paper FR, LLC in the amount of \$100

Attachments: [Neenah Paper Land Purchase Final \(3-25-19 Finance\).pdf](#)

Legislative History

3/25/19 Finance Committee recommended for approval

[19-0413](#) Request to award Unit C-19 Sidewalk Sawcutting to ASTI Sawing, Inc in the amount not to exceed \$30,000

Attachments: [Award of Contract Unit C-19.pdf](#)

Legislative History

3/25/19 Finance Committee recommended for approval

[19-0414](#) Request to award Unit E-19 Miscellaneous Concrete and Street Excavation Repair to Fischer-Ulman Construction, Inc in an amount not to exceed \$701,300

Attachments: [Award of Contract Unit E-19.pdf](#)

Legislative History

3/25/19 Finance Committee recommended for approval

[19-0415](#) Request to award Unit Y-19 Sewer & Water Reconstruction #3 to VanStraten Construction Co in the amount of \$1,581,773 with a 5% contingency of \$79,089 for a project total not to exceed \$1,660,862

Attachments: [Award of Contract Unit Y-19.pdf](#)

Legislative History

3/25/19 Finance Committee recommended for approval

[19-0428](#) Request to approve the following 2018 Budget adjustment:

TIF 7 Capital Projects Fund

Other Contracts/Obligations	+\$16,263
Interest Income	+\$ 4,585
Fund Balance	+\$11,678

to record additional revenues and expenses in TIF 7 in excess of budget (2/3 of Common Council required for approval)

Attachments: [2018 Corrected Final Budget adjustments .pdf](#)

Legislative History

3/25/19 Finance Committee recommended for approval

6. **MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**
7. **MINUTES OF THE UTILITIES COMMITTEE**
8. **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[19-0424](#) Authorization to purchase Paratransit Scheduling & Dispatching Software

Attachments: [Memo Paratransit software.pdf](#)

Legislative History

3/26/19 Fox Cities Transit Commission recommended for approval

10. MINUTES OF THE BOARD OF HEALTH**M. CONSOLIDATED ACTION ITEMS**

[19-0442](#) Street Vacation of East Kimball Street
Item 19-0443 Special Resolutions
Item 19-0420 Municipal Services Committee
Item 19-0394 City Plan Commission

N. ITEMS HELD**O. ORDINANCES**

[19-0434](#) Ordinances 36-19 to 42-19

Attachments: [Ordinances Going to Council 4-3-19.pdf](#)

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION**Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION****R. OTHER COUNCIL BUSINESS**

[19-0439](#) Reconsideration of Resolution #R-1-19 Regarding E-Cigarettes, as amended on 3-20-2019

Attachments: [#1-R-19 E-Cigarettes - Amended 3-20-19.pdf](#)

[19-0438](#) Recognition of Alderpersons who will not be returning for another term

S. ADJOURN

Kami Lynch, City Clerk

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

