



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, December 21, 2022

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. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES
- G. BUSINESS PRESENTED BY THE MAYOR
 - [22-1618](#) Sustainability Panel Appointments
 - Attachments:* [Sustainability Panel Appointment Memo.pdf](#)
 - [22-1619](#) Board/Committee Appointments & Reappointments
 - Attachments:* [Miscellaneous Appointments and Reappointments Memo.pdf](#)
 - [22-1621](#) Certificate of Appreciation for Community & Economic Development Director, Karen Harkness
 - [22-1620](#) Certificate of Appreciation for Chief of Police, Todd Thomas
 - [22-1622](#) Library Update
- H. PUBLIC PARTICIPATION
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS

[22-1626](#) Initial Resolution for the Street Vacation of portions of Appleton Street, Pacific Street, & Oneida Street

(Taken up under Consolidated Action Items)

Attachments: [InitialResolution_AppletonStPacificStOneidaSt_StreetVacation.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

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

[22-1540](#) *CRITICAL TIMING* Award 2023 Contract for Operation, Maintenance, Monitoring and Passive Vent Improvements at the Closed City of Appleton Landfill to SCS Engineers, in an amount not to exceed \$150,395.

Attachments: [Mackville 2023 award to SCS.pdf](#)

Legislative History

12/12/22	Municipal Services Committee	recommended for approval
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[22-1541](#) Approval of a single source award for the 2023 Cap Maintenance at the Closed City of Appleton Landfill to New Paradigm Companies, LLC in an amount not to exceed \$38,400.

Attachments: [Mackville 2023 award to New Paradigm to MS.pdf](#)

Legislative History

12/12/22	Municipal Services Committee	recommended for approval
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[22-1542](#) Request from Pfefferle Management Companies for a permanent street occupancy permit for a construction dumpster on Superior Street (Meter #197) for a period ending on January 31, 2023.

Attachments: [2022.12.12 Street Occ Pfefferle.pdf](#)

Legislative History

12/12/22	Municipal Services Committee	recommended for approval
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[22-1575](#) Request from Westwood for a street occupancy permit for a groundwater monitoring well to be placed in EB E Franklin Street (50' east of the N Oneida St and E Franklin St intersection) through December 31, 2023.

Attachments: [Proposed Boring Locations.pdf](#)

Legislative History

12/12/22 Municipal Services recommended for approval
Committee

[22-1582](#) Approve Master Professional Services Agreement with Westwood Professional Services, Inc. through December 31, 2027. Scope of services and compensation for professional services under this master agreement are subject to future committee and Council approval. (A copy of the proposed agreement will be distributed prior to the meeting).

Attachments: [17-1039 - Westwood MSA 2023-2027.pdf](#)

Legislative History

12/12/22 Municipal Services recommended for approval
Committee

[22-1601](#) Approve partial street vacations at the intersection of Appleton Street/Pacific Street/Oneida Street as shown on Exhibit "A".

Attachments: [Exhibit A - Appleton-Pacific-Oneida Partial Street Vacations.pdf](#)

Legislative History

12/12/22 Municipal Services recommended for approval
Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[22-1586](#) Request to purchase a UTV.

Attachments: [11-30-22 EMS Flex Grant UTV Quotes.pdf](#)

Legislative History

12/14/22 Safety and Licensing recommended for approval
Committee

[22-1493](#) Class "B" Beer and "Class C" Wine License application for The Jerk Joint LLC d/b/a The Jerk Joint, Fay V Oliver, Agent, located at 1619 W College Ave Suite D, contingent upon approval from the Finance, Health and Inspections departments.

Attachments: [The Jerk Joint.pdf](#)

Legislative History

12/14/22 Safety and Licensing Committee recommended for approval

[22-1505](#) Class "B" Beer and "Class B" Liquor License application for Richmond Bar and Grill LLC d/b/a Richmond Bar, Tiffani Daul, Agent, located at 2611 N Richmond St, contingent upon approval from the Health, Inspections and Police departments.

Attachments: [Richmond Bar.pdf](#)

Legislative History

12/14/22 Safety and Licensing Committee recommended for approval

[22-1506](#) Cigarette License application for Richmond Bar and Grill LLC d/b/a Richmond Bar, located at 2611 N Richmond St.

Attachments: [Richmond Bar and Grill LLC S&L.pdf](#)

Legislative History

12/14/22 Safety and Licensing Committee recommended for approval

[22-1516](#) Class "A" Beer and "Class A" Liquor License application for SK Gas Mart LLC d/b/a Badger Mobil, Satbir Singh, Agent, located at 1201 N Badger Ave, contingent upon approval from the Health and Inspections departments.

Attachments: [Badger Mobil - Singh.pdf](#)

Legislative History

12/14/22 Safety and Licensing Committee recommended for approval

[22-1528](#) "Class A" Liquor License application for Sayash LLC d/b/a Wisconsin Ave Marathon, Yam Lamichhane, Agent, located at 1920 E Wisconsin Ave, contingent upon approval from the Fire, Health, Inspections and Police departments.

Attachments: [Wisconsin Ave Marathon.pdf](#)

Legislative History

12/14/22 Safety and Licensing Committee recommended for approval

[22-1544](#) 2023 Secondhand Article, Secondhand Jewelry and Pawnbroker License renewal applications, contingent upon approval from all departments.

Attachments: [2023 Renewals.pdf](#)

Legislative History

12/14/22 Safety and Licensing Committee recommended for approval

[22-1555](#) Class "A" Beer and "Class A" Liquor License Change of Agent application for Ultimate Mart LLC d/b/a Pick N' Save #123, Sara Hopkins, New Agent, located at 2700 N Ballard Rd, contingent upon approval from the Police department.

Attachments: [Sara J Hopkins S&L.pdf](#)

Legislative History

12/14/22 Safety and Licensing Committee recommended for approval

3. MINUTES OF THE CITY PLAN COMMISSION

[22-1524](#) Request to approve the street discontinuance to vacate portions of Appleton Street, Pacific Street, and Oneida Street public right-of-way, generally located north of Packard Street and south of Atlantic Street, subject to the condition in the attached staff report, and adopt the Initial Resolution and exhibit maps

Attachments: [StaffReport_AppletonStPacificStOneidaSt_StreetVacation_For12-14-22.pdf](#)

Legislative History

12/14/22 City Plan Commission recommended for approval

[22-1527](#) Request to approve Certified Survey Map #30-22, which crosses a plat boundary, for 1201 Banta Court and 1100 E. South River Street (Tax Id #31-4-0279-00, 31-4-0279-01, 31-4-0805-00, 31-4-0819-00, 31-4-0820-00, 31-4-0823-00 & 31-4-0823-01) to combine the 7 existing parcels as shown on the attached map and subject to the conditions in the attached staff report

Attachments: [StaffReport_WhitingField-BantaBowl_CrossingPlatBoundary_For12-14-22.pdf](#)

Legislative History

12/14/22 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[22-1532](#) Action Item: Sole Source - Request to award contract to ISG for design services for Lundgaard Park in the amount of \$297,420 with a design contingency of \$25,000 for a total contract not to exceed \$322,420

Attachments: [2023 Lundgaard Park Design.doc](#)

Legislative History

12/12/22 Parks and Recreation recommended for approval
Committee

[22-1551](#) Action Item: Request Approval of Reid Golf Course 2023 Rates Policy

Attachments: [Memo-2023 Reid Rates Policy.docx](#)
[Reid Rate Policy 2023 Draft.docx](#)
[Reid Rate Policy 2023 REDLINE Draft.pdf](#)

Legislative History

12/12/22 Parks and Recreation recommended for approval
Committee

[22-1563](#) Action Item: Request Approval of Military Family Support Policy

Attachments: [Memo Military Family Support Policy.2022.pdf](#)
[Military Family Support Policy.CLEAN.2022.pdf](#)
[Military Family Support Policy.REDLINE.2022.pdf](#)

Legislative History

12/12/22 Parks and Recreation recommended for approval
Committee

[22-1564](#) Action Item: Request Approval of Aquatic Fees and Charges Policy

Attachments: [Memo Aquatic Fees and Charges Policy.2022.pdf](#)
[2022 Aquatic Programs Fees and Charges.CLEAN.pdf](#)
[2022 Aquatic Programs Fees and Charges.REDLINE.pdf](#)

Legislative History

12/12/22 Parks and Recreation recommended for approval
Committee

[22-1567](#) Action Item: Request Approval of Aquatic Special Event Policy

Attachments: [Memo Aquatic Special Event Policy.2022.pdf](#)
[2022 Aquatic Special Event Policy.CLEAN.pdf](#)
[2022 Aquatic Special Event Policy.REDLINE.pdf](#)

Legislative History

12/12/22 Parks and Recreation recommended for approval
Committee

[22-1571](#) Action Item: Request Approval of Pool Rental, Reservation, and General Use Policy

Attachments: [Memo Pool Rental, Reservation, and General Use Policy.2022.pdf](#)
[2022 Pool Rental, Reservation and General Use Policy.CLEAN with MOU.pdf](#)
[2022 Pool Rental, Reservation and General Use Policy.REDLINE.pdf](#)

Legislative History

12/12/22 Parks and Recreation recommended for approval
 Committee

5. MINUTES OF THE FINANCE COMMITTEE

[22-1576](#) Resolution #12-R-22 Elimination of Council Parking Passes

Attachments: [#12-R-22 Eliminate Council Parking Passes for 2023.pdf](#)

Legislative History

12/7/22 Common Council referred to the Finance Committee
 12/12/22 Finance Committee recommended for denial

[22-1590](#) Request to approve resolution to terminate Tax Incremental District #6.

Attachments: [TIF 6 Termination Memo.pdf](#)
[TID 6 Termination Resolution.pdf](#)

Legislative History

12/12/22 Finance Committee recommended for approval

[22-1591](#) Request to award the AWWTP H & J-Building HVAC Upgrades Project contract to Great Lakes Mechanical, Inc. in the amount of \$232,000 with a 12% contingency of \$27,840 for a project total not to exceed \$259,840.

Attachments: [2022 AWWTP HJ HVAC Upgrades Project .pdf](#)

Legislative History

12/12/22 Finance Committee recommended for approval

[22-1592](#) Request to approve a sole source contract to McMahon for bidding and construction related services needed to complete the 2023 Wastewater Hardscapes Improvement Project, for a contract fee of \$36,000 and a 10% contingency of \$3,600 for a project total not exceed \$39,600.

Attachments: [2023 AWWTP Hardscapes Construction Services \(Sole Source\).pdf](#)

Legislative History

12/12/22 Finance Committee recommended for approval

[22-1593](#) Request to award Unit Z-23 Watermain Reconstruction to Kruczek Construction Inc. in the amount of \$2,919,000 with a 5.1% contingency of \$150,000 for a project total not to exceed \$3,069,000.

Attachments: [Award of Contract Unit Z-23.pdf](#)

Legislative History

12/12/22 Finance Committee recommended for approval

[22-1594](#) Request to approve Contract Change Order No. 1 to contract 63-22, Unit Y-22 Lead/Galvanized Water Service Replacement for additional properties added to our 2022 program for removal and replacement of private-side lead water services in the amount of \$53,762.13 resulting in a reduction in contingency from \$56,450.00 to \$2,687.87. Overall contract amount remains unchanged.

Attachments: [Unit Y-22 Change Order No. 1.pdf](#)

Legislative History

12/12/22 Finance Committee recommended for approval

[22-1595](#) Request to approve write off of \$44,867.60 of accounts receivable invoices and \$10,073.42 of personal property taxes (outstanding over one year).

Attachments: [Finance Committee - AR Write-off List 2022.pdf](#)
[Finance Committee - PP Write-off List 2022.pdf](#)

Legislative History

12/12/22 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[22-1624](#) Request to amend the Development Agreement with 318 College Ave LLC for an extension of terms, 6 months to Section 4.1.1 and 12 months to Section 4.1.2, for improvements and redevelopment of the property located at 318 W. College Avenue (the Park Central Property) in Tax Increment Financing District No. 11

Attachments: [318 College Ave LLC DA Amendment Memo 12-21-22.pdf](#)
[Request from 318 College Ave LLC to Amend DA 12-15-22.pdf](#)
[Park Central - Dev Agrm - RECORDED.pdf](#)

[22-1518](#) Request to approve recommended funding of \$15,000 for 2023 sponsorships for Appleton Downtown Inc. (ADI) programs as outlined in the attached document

Attachments: [Memo to CEDC on ADI Sponsorships 2023.pdf](#)

[ADI Sponsorship Proposal to City 2023.pdf](#)

Legislative History

12/14/22 Community & Economic Development Committee recommended for approval

[22-1554](#) Request to approve the Development Agreement with EP Development Inc. for an 8 unit townhouse condominium project located on E. John Street (Tax Id #31-1-0772-02) (Phase 3 of the former Foremost Farms property) in Tax Increment Financing District No. 8

Attachments: [Eagle Ridge DA Memo 12-14-22.pdf](#)

[0994 - Eagle Ridge - Dev Agrm - 12.09.2022.pdf](#)

Legislative History

12/14/22 Community & Economic Development Committee recommended for approval

7. MINUTES OF THE UTILITIES COMMITTEE

[22-1534](#) Award 2023A Stormwater Consulting Services Contract for 2023 Stormwater Management Plan Reviews to Brown and Caldwell in an amount not to exceed \$35,000.

Attachments: [2023A Plan Review Award Util Memo BC.pdf](#)

Legislative History

12/13/22 Utilities Committee recommended for approval

[22-1535](#) Award of 2023B Stormwater Consulting Services Contract for 2023 Stormwater Management Plan Reviews to raSmith in an amount not to exceed \$35,000.

Attachments: [2023B Plan Review Award Util Memo raSmith.pdf](#)

Legislative History

12/13/22 Utilities Committee recommended for approval

[22-1536](#) Award 2022G Stormwater Consulting Services Contract for the French Road Urbanization Study with McMahon Associates Inc. in an amount not to exceed \$46,354.

Attachments: [2022G French Rd Urbanization McM Award Memo.pdf](#)

Legislative History

12/13/22 Utilities Committee recommended for approval

[22-1550](#) Amend 2021D Stormwater Consulting Services Contract for Lightning Drive Extension Final Design with raSmith in an amount not to exceed \$25,000.

Attachments: [2021D Lightning Drive Final Design Contract Amendment Memo 12-07-2022 FI](#)

Legislative History

12/13/22 Utilities Committee recommended for approval

[22-1556](#) Approval to sole source and award 2022J contract for Conkey Pond Regional Pond Model Update, in an amount not to exceed \$36,910.

Attachments: [2023 Conkey Pond model update BC award.pdf](#)

Legislative History

12/13/22 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[22-1546](#) Request for Axon Evidence Storage.

Attachments: [2022 Request for Axon Evidence Storage.pdf](#)

[Axon Quote.pdf](#)

[2022 Excess Fund Balance Memo.pdf](#)

[Email Sole Source Police Evidence Storage.pdf](#)

Legislative History

12/14/22 Human Resources & Information Technology Committee recommended for approval

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[22-1560](#) Approve Sole Source Purchase from Cellcom for In-Vehicle Network System

Attachments: [Award Recommendation Doc_Cellcom.pdf](#)

Legislative History

12/13/22 Fox Cities Transit Commission recommended for approval

[22-1561](#) Approve Sole Source Contract for IMEG Corporation for Professional Services

Attachments: [2022 Valley Transit Remodeling Commissioning.pdf](#)

Legislative History

12/13/22 Fox Cities Transit Commission recommended for approval

[22-1562](#) Approve the Intermunicipal Agreement with Outagamie County for Specialized Transportation Services for 2023, Contingent on Outagamie County Approval

Attachments: [Outagamie Contract - 2023.pdf](#)

Legislative History

12/13/22 Fox Cities Transit Commission recommended for approval

[22-1565](#) Approve the Intermunicipal Agreement with Winnebago County for Specialized Transportation Services for 2023, Contingent on Winnebago County Approval

Attachments: [Winnebago Contract - 2023.pdf](#)

[Winnebago Contract - 2023 Amended.pdf](#)

Legislative History

12/13/22 Fox Cities Transit Commission recommended for approval
Recommended for approval as amended. Typo corrected on page 3, estimated Federal funding for Heritage program.

[22-1566](#) Approve the Intermunicipal Agreement with Calumet County for Specialized Transportation Services for 2023, Contingent on Calumet County Approval

Attachments: [Calumet Contract - 2023.pdf](#)

Legislative History

12/13/22 Fox Cities Transit Commission recommended for approval

[22-1568](#) Approve the Intermunicipal Agreement with the City of Neenah and the Village of Fox Crossing for the Northern Winnebago Dial-A-Ride Service for 2023, Contingent on City of Neenah and the Village of Fox Crossing Approval

Attachments: [NW Dial-A-Ride - 2023.pdf](#)

Legislative History

12/13/22 Fox Cities Transit Commission recommended for approval

10. MINUTES OF THE BOARD OF HEALTH

[22-1553](#) Environmental Health Fee Schedule Proposal

Attachments: [2022.12.14_EHFeeScheduleMemo_a.docx](#)

[2023_EHFeeSchedule.pdf](#)

Legislative History

12/14/22 Board of Health recommended for approval

M. CONSOLIDATED ACTION ITEMS

[22-1625](#) **Appleton/Pacific/Oneida Street Vacation Consolidated Action Items**

Item 22-1601 *Municipal Services Committee*

Item 22-1524 *City Plan Commission*

Item 22-1626 *Initial Resolution (Special Resolutions)*

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

[22-1617](#) Update on the Outagamie County Landfill Siting Agreement.

S. ADJOURN

Kami Lynch, City Clerk

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

Remote meeting attendance may be permitted pursuant to Section 2-29 of the Appleton Municipal Code and Rules of Council.