



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, February 5, 2020

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

[20-0164](#) Common Council Meeting Minutes of January 22, 2020

Attachments: [CC Minutes 1-22-20.pdf](#)

G. BUSINESS PRESENTED BY THE MAYOR

[20-0166](#) 2020 Burn Awareness Proclamation

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

[20-0139](#) Public hearing for Erb Street Vacation

Attachments: [Publication Document NErbSt_StreetVacation.pdf](#)

[20-0151](#) Public Hearing regarding Rezoning #11-19: Evergreen Heights Annexation

Attachments: [Class II PublicHearingNotice_EvergreenHeights_Rezoning CC 2-5-2020.pdf](#)

J. SPECIAL RESOLUTIONS

[20-0140](#) Final resolution for Erb Street Vacation

Attachments: [Erb Street Vacation Final Resolution.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

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

[20-0124](#) Request from Bernie Laird, 115 N. Mason Street, to have his sidewalk snow removal bill of \$85.80 waived.

Attachments: [115 N Mason St-snow removal bill waived.pdf](#)

Legislative History

1/27/20	Municipal Services Committee	recommended for denial
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[20-0129](#) Request to install a street light at 333 W. River Road. Street light to be a standard unit unless at least one resident signs the waiver of special assessment to upgrade the light to a decorative unit.

Attachments: [Street light installed at 333 W. River Road.pdf](#)

Legislative History

1/27/20	Municipal Services Committee	recommended for approval
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2. **MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

[20-0097](#) Reserve "Class B" Liquor and Class "B" Beer License Application for Fox River Boat Holding Co. d/b/a River Tyme Bistro, Christine Williams, Agent, located at 425 W Water St Ste 100, contingent upon approval from all departments.

Attachments: [River Tyme Bistro.pdf](#)

[20-0141](#) "Class B" Liquor and Class "B" Beer New Agent application for Apollon II LLC d/b/a Apollon, New Agent Kelly-Jo M Kramarczyk, located at 207 N Appleton St.

Attachments: [Kelly-Jo M Kramarczyk S&L 2-5-20.pdf](#)

[20-0142](#) Class "A" Beer and "Class A" Liquor License Change of Agent application for Skogen's Foodliner Inc d/b/a Festival Foods, New Agent, Jonathan J Arlt, located at 1200 W Northland Ave.

Attachments: [Jonathan J Arlt S&L 2-5-20.pdf](#)

[20-0163](#) 2019-2020 Cigarette License application for Dolgencorp, LLC d/b/a Dollar General Store #21851, located at 1010 W College Ave, contingent upon approval from all departments.

Attachments: [Dollar General Store #21851 S&L 2-5-20.pdf](#)

[20-0159](#) License Application for Taxicab Company, Budget Medical Transportation, LLC, 2401 W Jonathon Dr, Appleton, 54914, contingent upon approval from all departments

Attachments: [Budget Medical Transportation, LLC.pdf](#)

3. MINUTES OF THE CITY PLAN COMMISSION

[19-1940](#) Request to approve Planned Development (PD) Rezoning #11-19 to rezone the subject parcels generally located east of North Richmond Street and south of West Evergreen Drive (Tax Id #31-6-5601-00, #31-6-5601-01, #31-6-5601-02, #31-6-5601-03, #31-6-5601-04, and #31-6-5601-05) from Temporary AG Agricultural District and C-2 General Commercial District to PD/C-2 Planned Development General Commercial District #11-19, including the adjacent one-half (1/2) right-of-way of North Richmond Street (aka S.T.H. 47), West Evergreen Drive, North Alvin Street, and Interstate 41, as shown on the attached maps and subject to the conditions in the attached staff report, along with the attached Implementation Plan Document and Development Plan

Attachments: [StaffReport_EvergreenHeights_Rezoning_For01-07-20.pdf](#)
[EmailInputOnRezoning#11-19_Backman_01-06-20.pdf](#)

Legislative History

1/7/20 City Plan Commission recommended for approval
Proceeds to Council on February 5, 2020.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[20-0134](#) Request to award Unit W-20 Sewer & Water Main Reconstruction No. 1 to Kruczek Construction, Inc in the amount of \$3,559,000 with a 2% contingency of \$71,180 for a project total not to exceed \$3,630,180

Attachments: [Award of Contract Unit W-20.pdf](#)

Legislative History

1/27/20 Finance Committee recommended for approval

[20-0136](#)

Request to approve the following 2019 Budget adjustment:

General Fund - Park Maintenance

Supplies and Materials	+ \$17,116
Donations	+ \$17,116

to record receipt of donation from the Friends of the Appleton Skate Park

Attachments: [Skateboard Donation Request 2019.pdf](#)**Legislative History**

1/27/20 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE[19-0796](#)

Resolution #5-R-19: Rededication and Revitalization of Soldier's Square

Attachments: [#5-R-19 Soldier's Square.pdf](#)[Reso #5-R-19 Memo to CEDC 6-12-19.pdf](#)[Reso #5-R-19 Memo to CEDC 9-11-19.pdf](#)[Soldier Square Ramp Deed Restriction Opinion 09-05-2019.pdf](#)[Original Deed from 1851.pdf](#)[Historical Newspaper Articles.pdf](#)[Muni Services Minutes 11-11-08.pdf](#)[Council Minutes 11-19-08.pdf](#)[Civil War Monument Condition Report.pdf](#)[Excerpt from Comp Plan re Soldier Square-YMCA Park Ramp Area.pdf](#)[1922 Comprehensive Plan.pdf](#)[Map of Streets-Area in 1922.pdf](#)[#5-R-19 Soldier's Square PROPOSED REVISIONS 9-25-19.pdf](#)[#5-R-19 Soldier's Square AMENDMENT 10-2-2019.pdf](#)[Soldiers Square Resolution - redlined 01-23-2020 1.pdf](#)[Soldiers Square Resolution - clean version 01-23-2020.pdf](#)**Legislative History**

6/12/19	Community & Economic Development Committee	held
6/26/19	Community & Economic Development Committee	referred
	<i>Referred to CEDD staff for due diligence</i>	
9/11/19	Community & Economic Development Committee	recommended for denial
9/18/19	Common Council	referred to the Community & Economic Development Committee

9/25/19	Community & Economic Development Committee	recommended for denial
	<i>Alderson Schultz distributed proposed revisions to the original resolution.</i>	
	<i>Coenen moved to call the question at 4:56 p.m. Reed seconded the motion. Motion carried by a vote of 3-1/Lobner. The report action item was then reaffirmed for denial.</i>	
10/2/19	Common Council	approved
10/2/19	Common Council	amended
10/23/19	Community & Economic Development Committee	referred
	<i>Referred to staff for comment on the amendment and consult with the authors of the resolution to help identify areas in question and clarify language</i>	
1/29/20	Community & Economic Development Committee	recommended for approval
	<i>Recommended approval of version dated 1-23-2020</i>	

20-0109

Request to approve proposed changes to the Art in Public Places Policy as identified in the attached revised policy

Attachments: [Memo to CEDC Revised APAC Policy February 2020.pdf](#)
[StaffReport Revised Art in Public Places Policy For2-4-20.pdf](#)

Legislative History

1/29/20	Community & Economic Development Committee	recommended for approval
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20-0110

Request to approve the Planning Option Agreement with Merge, LLC (d/b/a Merge Urban Development Group) for a potential mixed-use development located on the former Blue Ramp and Conway Hotel sites

Attachments: [Merge Option Memo to CEDC 1-29-20.pdf](#)
[Planning Option Agreement Merge LLC-City of Appleton_v3_Signed.pdf](#)
[Map Blue Ramp+Conway Hotel.pdf](#)
[Letter of Intent Merge 11-29-19.pdf](#)
[Merge Projects + References.pdf](#)

Legislative History

1/29/20	Community & Economic Development Committee	recommended for approval
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[20-0126](#)

****CRITICAL TIMING**** Request to accept the Amendment to the Offer to Purchase from Hayden Properties, LLC or its assigns to purchase Lots 30, 31, 32 and 33 in Southpoint Commerce Park Plat 3 and Parcel ID #31-9-5714-00, comprising a total of approximately 49.84 acres, subject to lot size as determined by survey, at a purchase price of \$1,893,920 (\$38,000 per acre) (Amendments include changes to the timeframe for land under contract)

Attachments: [Amendment OTP Hayden Properties LLC Memo to CEDC 1-23-20.pdf](#)
[2nd Amendment to Offer_Hayden Properties_Buyer Signed.pdf](#)
[Hayden Properties LLC OTP Memo to CEDC 9-10-19.pdf](#)
[F Street Development Cover Letter_9-10-19.pdf](#)
[Hayden Properties Offer to Purchase + Addendum.pdf](#)
[Southpoint Land Aerial.pdf](#)
[Southpoint Land Aerial #2.pdf](#)
[SPCP Subject Parcel Map_9-10-19.pdf](#)
[SPCP Deed Restrictions.pdf](#)

Legislative History

1/29/20	Community & Economic Development Committee	recommended for approval
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7. MINUTES OF THE UTILITIES COMMITTEE**8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**[20-0121](#)

Request to approve the Fire Fighter union contract for a 3 year term with the following wage adjustments:

2.25% increase on 10/1/2020

2.25% increase on 10/1/2021

2.25% increase on 10/1/2022

Attachments: [IAFF Tentative Agreements 2020-2022.pdf](#)

Legislative History

1/29/20	Human Resources & Information Technology Committee	recommended for approval
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9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**10. MINUTES OF THE BOARD OF HEALTH****M. CONSOLIDATED ACTION ITEMS**

N. ITEMS HELD

O. ORDINANCES

[20-0167](#) Ordinances 6-20 to 13-20

Attachments: [Ordinances for 02052020 CC Meeting.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

[20-0165](#) Suspend the Council Rules to adjust the April Meeting Schedule as follows:

April 1, 2020 Common Council Meeting 7:00 p.m.

April 6 - April 10, 2020 NO MEETINGS THIS WEEK

April 13 - April 17, 2020 Committee Meetings

April 21, 2020 Informal Organizational Meeting (Oaths of Office)

April 22, 2020 Organizational Meeting 6:00 p.m.; Common Council 7:00 p.m.

April 27 - May 1, 2020 Committee Meetings

S. ADJOURN

Kami Lynch, City Clerk

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