



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, February 19, 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

[20-0232](#) Common Council Meeting Minutes of February 5, 2020

Attachments: [CC Minutes 2-5-20.pdf](#)

G. BUSINESS PRESENTED BY THE MAYOR

[20-0233](#) Census Committee Update

Attachments: [2020 Census Committee Update - 2-11-2020.pdf](#)

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

[20-0225](#) Public Hearing for Rezoning #12-19 North Erb Street.

Attachments: [CC ClassIIPublicHearingNoticeNewspaper_Aldi_rezoning.pdf](#)

[20-0235](#) Public Hearing on Amending Comprehensive Plan Future Land Use Plan #2-19.

Attachments: [ClassIPublicHearingNoticeNewspaper_Aldi_CompPlanAmend CC 2-19-2020.pc](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[20-0192](#) Request from King Brokerage Ltd. for two Designated Stalls in the Red Ramp.

Attachments: [King Brokerage Ltd stalls for Red Ramp.pdf](#)

[20-0012](#) Request from Johnson Bank to convert one 15-minute loading zone stall to a "Johnson Bank Parking Only" stall per the Downtown Purchased Parking Policy.

Attachments: [Johnson Bank Parking Stall.pdf](#)

Legislative History

1/13/20 Municipal Services held
Committee
Item 20-0012 be held until January 27, 2020.

1/27/20 Municipal Services held
Committee
Item #20-0012 be held until February 19, 2020 meeting

[19-1886](#) R/B-Request to rescind approval for "The Collective" sculpture within the E. College Avenue and N. Catherine Street right-of-way.

Attachments: [The Collective log of public dialogue-.pdf](#)

Legislative History

12/9/19 Municipal Services held
Committee
Item 19-1886 held until January 13, 2020.

1/13/20 Municipal Services recommended for approval
Committee
Amend item 19-1886. City to work on alternate location in first quarter of 2020.

1/22/20 Common Council referred to the Municipal Services Committee

1/27/20 Municipal Services held
Committee
Item 19-1886 be held until February 19, 2020 meeting.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[20-0181](#) Reserve "Class B" Liquor and Class "B" Beer License application for The 513 Appleton LLC d/b/a The 513, Kolby Knuth, Agent, located at 513 W College Ave, contingent upon approval from all departments.

Attachments: [The 513.pdf](#)

[20-0183](#) Operator's Licenses

Attachments: [2-12-2020.pdf](#)

[20-0219](#) License Application for Taxicab Company, Budget Medical Transportation, LLC, 2401 W Jonathan Drive, Appleton, Owner-Anthony Xiong, contingent on approval from all departments.

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

[20-0220](#) License Application for Taxicab Company for Bustamove Party Bus, LLC, N2969 State Rd 47, Appleton, Owner-Justin Geise, contingent on approval from all departments.

Attachments: [Bustamove Party Buss LLC.pdf](#)

[20-0186](#) Request to Apply for the Wisconsin Hazardous Materials Response System Grant

Attachments: [Request to Apply for the WI Hazardous Materials Response System Grant.pdf](#)

3. MINUTES OF THE CITY PLAN COMMISSION

[19-1942](#) Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-19 for the subject parcels generally located on North Erb Street, north of West Michigan Street (Tax Id #31-6-2860-00 and #31-6-2861-00) from future One and Two-Family Residential land use designation to Commercial land use designation as shown on the attached map and approve the attached Resolution (Associated with Action Item #'s 19-1944 & 19-1945)

Attachments: [StaffReport_Aldi_CompPlan+Rezoning_For1-7-20.pdf](#)

Legislative History

1/7/20 City Plan Commission recommended for approval
Proceeds to Council on February 19, 2020.

[19-1944](#) Request to approve Rezoning #12-19 to rezone the subject parcels generally located on North Erb Street, north of West Michigan Street (Tax Id #31-6-2860-00 and #31-6-2861-00), as shown on the attached maps, from R-1B Single-Family District to C-2 General Commercial District (Associated with Action Item #'s 19-1942 & 19-1945)

Attachments: [StaffReport_Aldi_CompPlan+Rezoning_For1-7-20.pdf](#)

Legislative History

1/7/20 City Plan Commission recommended for approval
Proceeds to Council on February 19, 2020.

[19-1945](#) Request to approve Certified Survey Map #22-19, which crosses a plat boundary, to split the parcel located at 611 West Northland Avenue (Tax Id #31-6-7704-00) into two lots and combine existing parcels located on North Richmond Street (Tax Id #'s 31-6-7691-00 and 31-6-7692-00) and North Erb Street (Tax Id #'s 31-6-2860-00 and 31-6-2861-00) with the newly created parcel, subject to the conditions in the attached staff report and as shown on the attached maps (Associated with Action Item #'s 19-1942 & 19-1944)

Attachments: [StaffReport Aldi CrossingPlatBoundary For1-7-20.pdf](#)

Legislative History

1/7/20 City Plan Commission recommended for approval
Proceeds to Council on February 19, 2020.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[20-0205](#) Request to award Unit A-20 Concrete Paving to Vinton Construction in the amount of \$4,721,645.37 with a 1.8% contingency of \$86,000.00 for a project total not to exceed \$4,807,645.37 and approve the related 2020 Budget amendment:

Public Works Capital Projects Fund

Infrastructure Construction	+ \$150,000
Land	- \$150,000

To provide funding for the 2020 concrete paving program (2/3 vote of Common Council required)

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

[20-0206](#) Request to award Unit S-20 Roemer Road Box Culvert Replacement to Lunda Construction in the amount of \$766,779 with a 6.5% contingency of \$50,000 for a project total not to exceed \$816,779

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

[20-0208](#) Request to award the 2020 Scheig Center Parking Lot project to Peters Concrete Company in the amount of \$601,657 with a contingency of 10% for a total not to exceed \$661,823

Attachments: [2020 Scheig Center Parking Lot Improvements.pdf](#)

- [20-0209](#) Request to award the City of Appleton's 2020 Facilities and Grounds Operations Center Modification contract to Blue Sky Contractors in the amount of \$202,988 with a contingency of \$20,000 for a project total not to exceed \$222,988
- Attachments:** [2020 Facilities Grounds Building Modifications \(003\).pdf](#)
- [20-0210](#) Request to award the City of Appleton's Wastewater A & S Building HVAC Upgrades Phase 1 project contract to EGI Mechanical, Inc in the amount of \$598,435 with a contingency of 10% for a project total not to exceed \$658,279
- Attachments:** [2020 AWWTP A-Building HVAC Upgrades.pdf](#)
- [20-0211](#) Request to award the City of Appleton's 2020 Pierce Park Lighting Upgrades Phase 1 project contract to Bodart Electric Service, Inc in the amount of \$156,564 with a contingency of 10% for a project total not to exceed \$172,220
- Attachments:** [2020 Pierce Park Lighting upgrades Phase 1.pdf](#)
- [20-0212](#) Request to award the 2019 AWWTP Electrical Distribution Upgrades Phase 2 Project contract to Van Ert Electric, Inc. in the amount of \$2,305,900 with a contingency of 10% for a project total not to exceed \$2,536,490.
- Attachments:** [2020 AWWTP Electrical Distribution Upgrades Phase 2.pdf](#)
- [20-0213](#) Request to award the City of Appleton's 2019 Water Treatment Facility HVAC Upgrades Phase 2 Project - Chiller Water Pump Replacement contract to Great Lakes Mechanical, Inc in the amount of \$54,500 with a contingency of \$6,000 for a project total not to exceed \$60,500
- Attachments:** [2019 Water Treatment Facility HVAC Upgrades.pdf](#)
- [20-0215](#) Request to approve Amended Relocation Order for construction of a storm sewer in the area of Alvin Street
- Attachments:** [Pathways Church - AMENDED Relocation Order - 2020.pdf](#)
- [20-0216](#) Request to approve staff authorization to enter into a settlement agreement to resolve pending tax lawsuits with Wal-Mart
- Attachments:** [Wal-mart settlement memo to finance committee.pdf](#)

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[20-0175](#) Approve second amendment to the 2019J Stormwater Consulting Services Contract for Phase 1 Final Design and Construction documents and Construction Related Services (CRS) for Spartan Drive with Brown and Caldwell (BC) in an amount not to exceed \$10,548.

Attachments: [2019J Spartan BC Second Amendment Memo.pdf](#)

Legislative History

2/11/20	Utilities Committee	recommended for approval
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8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[Res 020-17](#) Resolution 1-R-20 City Administrator

Attachments: [Resolution #1-R-20 City Administrator.pdf](#)

[HR-IT Coenen - Resolution #1-R-20 - Form of Government.pdf](#)

[Resolution #1-R-20 memo.pdf](#)

Legislative History

1/15/20	Human Resources & Information Technology Committee	amended
		<i>Motion to amend language to: "Therefore Be It Resolved, the Human Resources department will research and provide information regarding a city manager and city administrator position in lieu of or in addition to a mayor."</i>
1/15/20	Human Resources & Information Technology Committee	held
1/29/20	Human Resources & Information Technology Committee	held
2/12/20	Human Resources & Information Technology Committee	recommended for approval

[20-0160](#) Request to award Heartland Business Solutions the contract to purchase and implement a new network core switching system. The amount requested is \$52,178.68 with a 10% contingency for a project total of \$57,400.

Attachments: [Network Core Replacement.pdf](#)

Legislative History

2/12/20 Human Resources & Information Technology Committee recommended for approval

9. **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

10. **MINUTES OF THE BOARD OF HEALTH**

[19-1703](#) WPHA Racial Equity Resolution

Attachments: [WPHA Racial Equity Resolution.pdf](#)
[CHR2019_WI.pdf](#)

Legislative History

2/12/20 Board of Health recommended for approval

[19-1948](#) #18-R-19 Emotional Support Animals

Attachments: [#18-R-19 Emotional Support Animals.pdf](#)

Legislative History

1/8/20 Board of Health presented

2/12/20 Board of Health recommended for denial

[19-1828](#) Noise Variance Request - Fox River House 2020

Attachments: [Noise Variance Request - Fox River House 2020.pdf](#)
[Fox River House - Bill Siebers.pdf](#)

Legislative History

12/11/19 Board of Health recommended for approval

12/18/19 Common Council referred to the Board of Health

2/12/20 Board of Health recommended for approval

[20-0172](#) Noise Variance Request - Unit - O-20 Sanitary Sewer CIPP Liner

Attachments: [2020-01-24 Noise Variance.pdf](#)

Legislative History

2/12/20 Board of Health recommended for approval

M. **CONSOLIDATED ACTION ITEMS**

N. **ITEMS HELD**

O. **ORDINANCES**

[20-0224](#) Ordinances 14-20 and 15-20

Attachments: [Ords for 2-19-2020 CC.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
- S. ADJOURN

Kami Lynch, City Clerk

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