



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, August 6, 2014

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

[14-1339](#) Approve July 16, 2014 Council Meeting Minutes.

Attachments: [CC Minutes 07-16-2014.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR

[14-1340](#) Appointment of Bob Buckingham (Town of Grand Chute), George Dearborn (Town of Menasha), Joel Gregozeski (Town of Buchanan), Carol Kasimor (City of Neenah), Jeff McCabe (City of Kaukauna), Trish Nau (City of Neenah), Travis Parish (Village of Harrison), Bruce Sherman (Town of Grand Chute) and Linda Stoll (City of Menasha) to the Transit Commission.

Attachments: [CC 08-06-2014 COMMITTEE APPTS FOR INFORMATION TRANSIT COMMIS](#)

- I. PUBLIC HEARINGS

- [14-1337](#) Public Hearing for Preliminary Resolution 7-P-14 for Sanitary Sewer, Storm Sewer and Laterals AND ADOPT FINAL RESOLUTION authorizing street improvements and levying special assessments against benefited property.

Attachments: [CC 08-06-2014 - Public Hearing - 7-P-14.pdf](#)

J. SPECIAL RESOLUTIONS

- [14-1338](#) 7-P-14 Final Resolution Authorizing Street Improvements and Levying Special Assessments Against Benefited Property.

Attachments: [CC 08-06-2014 - Final Resolution - 7-P-14.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

- [14-1216](#) Change of Premise Description - Reserve "Class B" Beer/Liquor License of Das Ventures Inc., d/b/a Appleton Beer Factory, Jeffery E. Fogle, Agent, 603 & 607 W. College Avenue, to include the amenity strip located immediately in front of 603 W. College Avenue store front, contingent upon approvals from all departments.

Legislative History

7/24/14	Safety and Licensing Committee	recommended for approval
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- [14-1217](#) "Class B" Beer/Liquor License application of Knutson Ventures, LLC, d/b/a KK Billiards, Chris A. Knutson, Agent, 318 West College Avenue, contingent upon approvals from all departments.

Legislative History

7/24/14	Safety and Licensing Committee	recommended for approval
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- [14-1290](#) "CRITICAL TIMING ISSUE" - Recommendation to Purchase Stock Aerial Platform from Pierce Manufacturing.

Attachments: [07-17-2014 Fire Memo.pdf](#)

Legislative History

7/24/14	Safety and Licensing Committee	recommended for approval
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2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[14-1075](#)

Request from Mike Pokwinski for a variance to the Front Yard Parking Ordinance to park his boat on the grass next to his house at 112 Cherry Court.

Attachments: [Request from Mike Pokwinski for Variance to the Front Yard Parking Ordinance](#)

Legislative History

6/24/14	Municipal Services Committee	held
	<i>Hold 14-1075 until 2nd July meeting.</i>	
7/22/14	Municipal Services Committee	recommended for denial

[14-1234](#)

Approve the State/Municipal Agreement for the construction of the Lawe Street Bridge over the power canal.

Attachments: [State-Municipal Agreement Lawe Street Bridge.pdf](#)

Legislative History

7/22/14	Municipal Services Committee	recommended for approval
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[14-1237](#)

Request from Mike Ferris for a variance to Municipal Code Section 19-10(b) obstruction of view at intersection by vegetation, fence, etc. at 3400 S Hemlock Lane.

Attachments: [Mike Ferris Variance Request.pdf](#)

Legislative History

7/22/14	Municipal Services Committee	recommended for approval
	<i>Aldersperson Dannecker moved, seconded by Aldersperson Garb to amend to include 18 feet clearance until property is sold. Roll Call. Motion carried by the following vote :</i>	

Aye: 3- Aldersperson Coenen, Aldersperson Dalton and Aldersperson Martin

Nay: 2- Aldersperson Dannecker and Aldersperson Garb

[14-1112](#)

Peabody Street, from Verbrick Street to Seymour Street, be reconstructed as follows

-Peabody Street, from Verbrick Street west of Peabody to Verbrick Street east of Peabody, be reconstructed with asphalt pavement and concrete curb and gutter to a width of 33' from back of curb to back of curb, which is the same width as the existing street.

-Peabody Street, from Verbrick Street to Seymour Street, be reconstructed with asphalt pavement and concrete curb and gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street.

Legislative History

6/24/14	Municipal Services Committee	recommended for approval
6/24/14	Municipal Services Committee	amended

6/24/14	Municipal Services Committee	amended
6/24/14	Municipal Services Committee	held
		<i>Held until 2nd meeting in July with sidewalk amendment included in held item.</i>
7/22/14	Municipal Services Committee	recommended for approval
		<i>Aldersperson Coenen moved, seconded by Aldersperson Martin to amend to keep at 33 feet and shift 2 feet east. Motion and second withdrawn.</i>
		<i>Aldersperson Coenen moved, seconded by Aldersperson Martin to amend to construct to 32 feet with one foot narrower on west side..</i>
		<i>Aye: 4- Aldersperson Dannecker, Aldersperson Coenen, Aldersperson Garb Aldersperson Martin</i>
		<i>Nay: 1- Aldersperson Dalton</i>

[14-1235](#)

Approve the State/Municipal Agreement for the construction of the Prospect Avenue Bridge over Jackman Street.

Attachments: [State-Municipal Agreement Prospect Avenue Bridge.pdf](#)

Legislative History

7/22/14	Municipal Services Committee	recommended for approval
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[14-1236](#)

Request to add the project Olde Oneida Street Bridge over the Power Canal to the 2014 construction schedule for \$75,000. (Budget adjustment will be an action item at Finance Committee).

Attachments: [Olde Oneida Street Bridge.pdf](#)

Legislative History

7/22/14	Municipal Services Committee	recommended for approval
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[14-1244](#)

Approve new parking restrictions on the east side of Badger Avenue near Franklin Street.

Attachments: [New Parking Restriction on Badger Ave near Wilson Middle School.pdf](#)

Legislative History

7/22/14	Municipal Services Committee	recommended for approval
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[14-1245](#)

Approve new parking restrictions on the south side of Forest Street near Clara Street.

Attachments: [New Parking Restriction on Forest Street near Johnston Elem. School.pdf](#)

Legislative History

7/22/14	Municipal Services Committee	recommended for approval
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[14-1246](#) Replace "YIELD" signs with "STOP" signs on Frances Street at Drew Street.

Attachments: [Drew Street-Frances Street intersection control.pdf](#)

Legislative History

7/22/14 Municipal Services recommended for approval
Committee

[14-1247](#) Approve new parking restrictions on the west side of Conkey Street from Northland Avenue to Winslow Avenue.

Attachments: [Parking changes on Conkey Street by BASF Inc.pdf](#)

Legislative History

7/22/14 Municipal Services recommended for approval
Committee

3. MINUTES OF THE CITY PLAN COMMISSION

[14-1267](#) Special Use Permit Application #8-14 - Jose Avella (Avella's Lawn Care & Snow Plowing Services) - For a Landscaping Business at 1225 East Wisconsin Avenue.

Attachments: [Special Use Permit #8-14 7-21-14.pdf](#)

Legislative History

7/21/14 City Plan Commission recommended for approval

[14-1268](#) Special Use Permit Application #9-14 - Mari Kessenich (Pinot's Palette) - For a Restaurant with alcohol sales, service and consumption at 226 East College Avenue.

Attachments: [Special Use Permit #9-14 7-21-14.pdf](#)

Legislative History

7/21/14 City Plan Commission recommended for approval

[14-1269](#) Special Use Permit Application #10-14 - Glen Reha & Dennis Kray - for automobile sales and display lot at 1235 West Wisconsin Avenue.

Attachments: [Special Use Permit #10-14 7-21-14.pdf](#)

Legislative History

7/21/14 City Plan Commission recommended for approval

[14-1272](#) Request to approve Extraterritorial Final Plat/White Hawk Meadows North - Town of Grand Chute

Attachments: [White Hawk Meadows Final Staff Report 7-21-14.pdf](#)

Legislative History

7/21/14 City Plan Commission recommended for approval

[14-1271](#) #23-R-14 - Martin/Dalton/Trauger/Konetzke/Meltzer

“WHEREAS, Signs and murals painted on the sides of buildings have long been a part of Appleton’s landscape and historical examples can still be seen on the sides of Harmony Café, the former Wichman Furniture building and many others throughout the city.

WHEREAS, Hand painted signs and murals are considered works of art, adding beauty and interest to the exteriors of buildings.

WHEREAS, The City of Appleton encourages owners to take pride in their businesses by maintaining and making improvements to their property.

AND WHEREAS, The City of Appleton encourages its citizens to enjoy all forms of art.

THEREFORE, BE IT RESOLVED, that City of Appleton staff review its policy on painted signs and murals. Any murals and signs that currently exist are not in violation until further review.”

Legislative History

7/21/14 City Plan Commission recommended for approval
Resolution issue was referred to staff for zoning code changes.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[14-1243](#) Approval of the Scheig Center and Appleton Memorial Park Gardens Rental and Fee Policy

Attachments: [Scheig Center and AMP policy \(7-23-14\).pdf](#)

Legislative History

7/23/14 Parks and Recreation Committee recommended for approval

[14-1284](#) Proposed 2015 Reid Golf Course Rates

Attachments: [2015 Golf Course Rates \(7-23-14\).pdf](#)

Legislative History

7/23/14 Parks and Recreation recommended for approval
Committee

5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[14-1265](#) Request to approve guidelines and approval process for the Neighborhood Grants Program.

Attachments: [CEDC Neighborhood Procedure Grants Memo 7-21-14.pdf](#)

Legislative History

7/21/14 Community & Economic recommended for approval
Development Committee

[14-1285](#) Request for waiver of Repurchase Rights for Lot 2, CSM 5726 Northeast Business Park.

Attachments: [CEDC Winter Repurchase Waiver Memo7-21-14.pdf](#)

[Gateway of Appleton Dev Agmt 6-15-05.pdf](#)

[NEBP Dec of Covenants and Restrictions.pdf](#)

Legislative History

7/21/14 Community & Economic recommended for approval
Development Committee

6. MINUTES OF THE UTILITIES COMMITTEE

[14-1312](#) Approval of Contract to Strand Associates for Engineering Services of the proposed 1 Million Gallon Glendale Water Tower Project in the amount of \$140,605 with a 15% contingency of \$21,090 and the project total not to exceed \$161,695.

Attachments: [Glendale Water Tower Engineering Award.doc](#)

Legislative History

7/22/14 Utilities Committee recommended for approval
Aldersperson Meltzer arrived at 4:36 p.m.

7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[14-1289](#) Approval to Award Contracts for Cameras and Cabling to Lappin Security and Reliable Cabling for \$38,097.00

Attachments: [FCTC camera memo.pdf](#)

Legislative History

7/23/14 Fox Cities Transit recommended for approval
Commission

8. MINUTES OF THE BOARD OF HEALTH

9. MINUTES OF THE HUMAN RESOURCES COMMITTEE

10. MINUTES OF THE FINANCE COMMITTEE

[14-1206](#)

Request to approve updated policies for Energy Conservation/Sustainability, Facilities and Grounds Modifications and Furniture Management.

Attachments: [2014 Policy Updates.doc](#)

[Energy Conservation Policy - DG 2014 Edit.doc](#)

[Facilities & Grounds Modification Policy - DG 2014 Edit.doc](#)

Legislative History

7/23/14 Finance Committee recommended for approval

[14-1222](#)

Request to approve Sections III through VII, Sanitary Sewer and Laterals, Stormwater Facilities and Storm Sewer Laterals, and Watermains and Services, of the Special Assessment policy.

Attachments: [Utility Portion of Spec Assess Policy 2013.pdf](#)

[Special Assessment Memo 2014.pdf](#)

[Utility Portion of SA Policy strike and bold.pdf](#)

Legislative History

7/23/14 Finance Committee recommended for approval
Meeting went into Recess

Meeting Reconvened

Konetzke made motion to assess 100% to homeowner for laterals fails for lack of second. Plank, for sanitary sewer, eliminate all items of reconstruction assessments except laterals at 50%, second by Coenen passes 4-1 (Coenen)

Lobner motion to hold until street reconstruction assessment portion is discussed so they can be acted on at the same time, Stueck second fails 2-3

[14-1292](#)

Request to approve the award of a contract to Lappin Security and Reliable Cabling in the amount of \$34,634 with a 10% contingency of \$3,463 for a total of \$38,097 for security camera replacement and to run new Cat 6 cabling in both Valley Transit's Transit Center and Administration Building.

Attachments: [FCTC camera memo \(2\).pdf](#)

Legislative History

7/23/14 Finance Committee recommended for approval

[14-1300](#)

Request to approve Resolution of Necessity for Michiels Investment LLC, and Trinity Lutheran Church.

Attachments: [Finance - Library - Resolutions of Necessity 07-21-14 \(email\).pdf](#)
[Library - Michiels - Resolution of Necessity.pdf](#)
[Library - Trinity Lutheran - Resolution of Necessity.pdf](#)

Legislative History

7/23/14 Finance Committee recommended for approval

[14-1302](#)

Award Unit J-14 Mini Storm Sewer Construction to Vanco Construction, Inc. in an amount not to exceed \$200,000.00.

Attachments: [Finance 07-23-14 - Award of Contract J-14.pdf](#)

Legislative History

7/23/14 Finance Committee recommended for approval

[14-1303](#)

Request to approve the following 2014 Budget Adjustment:

General Fund - DPW	
Street Repair	+50,000
Concrete Reconstruction	-50,000

To facilitate bidding of emergency repairs to the Olde Oneida Street bridge over the Power Canal (2/3 vote required)

Attachments: [Finance Committee 07-23-14 - Fund Transfer from 17014 to 17032.pdf](#)

Legislative History

7/23/14 Finance Committee recommended for approval

- [14-1304](#) Request for Finance Director to increase 2014 General Obligation Note issue (previously approved \$6,320,000) to \$6,525,000 to fund portion of Fire Aerial Platform Truck and approve the following 2014 Budget adjustment:

CEA Replacement Fund

Equipment	+\$795,000
Fund Balance	-\$591,753
Proceeds of G.O. Notes	-\$203,247

To provide funding for new aerial platform truck in the Fire Department.
(2/3 vote required) (Critical Timing Issue)

Attachments: [Recommendation to Purchase Stock Aerial Platform from Pierce Manufacturing GO prom notes - finance committee \(updated\).pdf](#)

Legislative History

7/23/14 Finance Committee recommended for approval

- [14-1315](#) Reject all bids for Bar Screen Replacement Project, Contract 1-2013.

Legislative History

7/23/14 Finance Committee recommended for approval

M. CONSOLIDATED ACTION ITEMS

- [14-1335](#) Consolidated Action - Purchase Stock Ariel Platform Fire Truck.
a. File 14-1290 Safety and Licensing Committee
b. File 14-1304 Finance Committee

- [14-1336](#) Consolidated Action - Olde Oneida Street Bridge Repair.
a. Municipal Services Committee 14-1236
b. Finance Committee 14-1303

O. ITEMS HELD

P. ORDINANCES

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

T. ADJOURN

Dawn A. Collins, City Clerk

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