



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, May 3, 2017

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

[17-614](#)

Approval of Common Council Meeting Minutes of:
April 18, 2017 Common Council Informal Organizational Meeting
April 19, 2017 Common Council Organizational Meeting
April 19, 2017 Common Council Meeting

Attachments: [CC Minutes 4-18-17 Informal Org.pdf](#)

[CC Minutes 4-19-17 Organizational.pdf](#)

[CC Minutes 4-19-17.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR

[17-612](#)

Presentation of Municipal Clerk's Week Proclamation

[17-613](#)

Reappointment of Ronald Dunlap to the Police and Fire Commission

Attachments: [COMM REAPPOINT PFC 050317.pdf](#)

- I. PUBLIC HEARINGS

[17-616](#)

Public Hearing for Final Resolution 3-P-17, Sanitary Laterals, Storm Laterals, and Storm Main

Attachments: [3-P-17 Sanitary and Storm Public Hearing Notice.pdf](#)

- J. SPECIAL RESOLUTIONS

[17-615](#) Final Resolution 3-P-17 for Sanitary Laterals, Storm Laterals and Storm Main

Attachments: [3-P-17 Sanitary and Storm Final Resolution.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[17-588](#) Request from Appleton Area School District AP Coordinator to reduce or waive the parking fees (\$5) for students taking the AP Exam at the Radisson Paper Valley Hotel.

Attachments: [Appleton Area School District AP Coordinator.pdf](#)

Legislative History

4/25/17	Municipal Services Committee	recommended for denial
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[17-589](#) Approve Intergovernmental Agreement with the Town of Grand Chute for Lanser Road and the Green Grove Plat contingent upon Council approved budget adjustment.

Attachments: [Intergovernmental Agreement Lanser Lane and Green Grove Plat.pdf](#)

Legislative History

4/25/17	Municipal Services Committee	recommended for approval
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[17-590](#) Request from Appleton Downtown Inc. for a street occupancy permit to host a Sidewalk Sale on Saturday, May 13, 2017 from 10:00 a.m. to 2:00 p.m. (in conjunction with Sole Burner 5K) on the beautification strip from 600 W. College Avenue to 300 E. College Avenue.

Attachments: [ADI-Sidewalk Sale-May 13, 2017.pdf](#)

Legislative History

4/25/17	Municipal Services Committee	recommended for approval
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[17-591](#) Request from Appleton Downtown Inc. for a street occupancy permit to host a Sidewalk Sale on Saturday, August 5, 2017 from 10:00 a.m. to 6:00 p.m. (during Mile of Music) on the beautification strip from 600 W. College Avenue to 300 E. College Avenue.

Attachments: [ADI-Sidewalk Sale-August 5, 2017.pdf](#)

Legislative History

4/25/17 Municipal Services recommended for approval
 Committee

[17-592](#)

Request from Appleton Downtown Inc. for street occupancy permits for College Avenue (600 W. College Avenue to 300 E. College Avenue) as follows:

- a. May 19, 2017-Celebrate Culture in the beautification strip area only (1:00 p.m. to 9:00 p.m.)
- b. June 16, 2017-Hidden Textures in the beautification strip area only (1:00 p.m. to 9:00 p.m.)
- c. July 21, 2017-Chalk on the Town in the sidewalk area only (1:00 p.m. to 9:00 p.m.)
- d. August 18, 2017-Paint on the Town in the beautification strip area only (1:00 p.m. to 9:00 p.m.)
- e. September 15, 2017-Park-ing Day in the beautification strip area only (1:00 p.m. to 9:00 p.m.)

Attachments: [ADI Sidewalk Occupancy Permit various events.pdf](#)

Legislative History

4/25/17 Municipal Services recommended for approval
 Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE[17-389](#)

Class "A" Beer License change of agent of Kwik Trip, Inc., Ashley M. Fralick, Agent, 306 N. Richmond St., contingent upon approval from the Police Department.

Legislative History

4/26/17 Safety and Licensing recommended for approval
 Committee

[17-391](#)

Secondhand Mall/Flea License Renewal application of Ye Old Goat, Meghan M. Keller, Applicant, 1919 E. Calumet St., contingent upon approval from all departments.

Legislative History

4/26/17 Safety and Licensing recommended for approval
 Committee

[17-402](#) "Class A" Beer/Liquor License application of AADYA, LLC d/b/a Calumet Pantry, Mahendra Patel, Agent, 2333 W. Wisconsin Ave., contingent upon approval from all departments.

Attachments: [Calumet Pantry application.pdf](#)

Legislative History

4/26/17 Safety and Licensing Committee recommended for approval

[17-410](#) "Class A" Beer/Liquor License-Change of Agent of Ultimate Mart LLC d/b/a Pick N Save #8123, Richard M. Kostecki, agent, 2700 N. Ballard Rd., contingent upon approval from the Police Department.

Legislative History

4/26/17 Safety and Licensing Committee recommended for approval

[17-418](#) "Class B" Beer/Liquor License - Change of Agent of Harvey Pierre Post No. 2778, d/b/a VFW Post 2778, Robert A. Boettcher, Agent, 1409 N. Harriman St., contingent upon approval from the Police Department.

Legislative History

4/26/17 Safety and Licensing Committee recommended for approval

[17-421](#) Operator's Licenses

Attachments: [Operator's Licenses for 04-26-17 S&L.pdf](#)

Legislative History

4/26/17 Safety and Licensing Committee recommended for approval

[17-506](#) "Class B" Beer/Liquor License Change of Agent of Santino LLC, d/b/a Houdini's Escape, Katelyn E. Jacobson, Agent, 1216 S. Oneida St., contingent upon approval from the Police Department.

Legislative History

4/26/17 Safety and Licensing Committee recommended for approval

[17-507](#) Class "B" Beer/Class "C" Wine License Change of Agent of The Noodle Shop Co - Colorado Inc, d/b/a Noodles & Company, Scott R. Story, Agent, 3719 E. Calumet St., contingent upon approval from the Police Department.

Legislative History

4/26/17 Safety and Licensing Committee recommended for approval

[17-519](#)

Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 4-26-17 S & L.pdf](#)**Legislative History**

4/26/17	Safety and Licensing Committee	recommended for approval
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[17-534](#)

Class "B" Beer & "Class C" Wine License application of Tempest Coffee Collective LLC, Tyler A. Lonadier, Agent, 181 S. Riverheath Way, Suite 1100, contingent upon approval from all departments.

Attachments: [Tempest Coffee Collective application.pdf](#)**Legislative History**

4/26/17	Safety and Licensing Committee	recommended for approval
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[17-579](#)

Commercial Solicitor's License application of Demetrus Pickens, 733 E. Calumet Street.

Attachments: [Demetrus Pickens.pdf](#)**Legislative History**

4/26/17	Safety and Licensing Committee	recommended for approval
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3. MINUTES OF THE CITY PLAN COMMISSION[17-559](#)

Request to approve Special Use Permit #1-17 for an automobile sales and display lot, at 524 North Clark Street (Tax Id #31-2-0697-00), 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 (2/3 vote required)

Attachments: [StaffReport_VLPerformance_SUP_For04-24-17.pdf](#)[PublicCommentLetter_Reynolds_VLPerformance_SUP.pdf](#)[PublicCommentLetter_McNally_VLPerformance_SUP.pdf](#)[Petition_VLPerformance_SUP_#1-17_4-24-17.pdf](#)**Legislative History**

4/24/17	City Plan Commission	recommended for approval
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[17-560](#)

Request to approve the Third Addition to Emerald Valley Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_FinalPlat_ThirdAddtoEmeraldValley.pdf](#)**Legislative History**

4/24/17	City Plan Commission	recommended for approval
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4. **MINUTES OF THE PARKS AND RECREATION COMMITTEE**

5. **MINUTES OF THE FINANCE COMMITTEE**

[17-540](#)

Request to award the Scheig Center, Memorial Park - Plaza Redevelopment contract to Sommers Construction Company, Inc in the amount of \$94,371 with a contingency of 10% for a project not to exceed \$103,808.

Attachments: [Scheig Center Plaza Redevelopment.pdf](#)

Legislative History

4/25/17 Finance Committee recommended for approval

[17-548](#)

Request to approve the following 2017 Budget adjustment:

Stormwater Utility

Green Grove Plat Project	+\$6,925
Northland Pond Project	- \$6,925

General Fund - Public Works Department

Asphalt Reconstruction	+\$40,189
Sidewalk Reconstruction	- \$40,189

to reallocate funds to pay for stormwater and street improvement projects undertaken in cooperation with the Town of Grand Chute.

Attachments: [DPW Grand Chute Memo.pdf](#)

Legislative History

4/25/17 Finance Committee recommended for approval

[17-549](#)

Request to approve professional services contract with von Briesen & Roper, S.C. for Phase V services related to the financing of the Fox Cities Exhibition Center and approve the related 2017 Budget adjustment below:

Exhibition Center Capital Projects Fund

Consulting Services	+\$462,500
Debt Proceeds/Room Tax	+\$462,500

to provide funding for consulting services related to the financing of the Fox Cities Exhibition Center.

Attachments: [Memo to Finance Von Briesen Phase V Engagement Letter2.pdf](#)
[Engagement Agreement - Loan Documents and Closing.PDF](#)
[FCEC Professional Services Agreement, Phase IV 3-01-2016.pdf](#)

Legislative History

4/25/17 Finance Committee recommended for approval

[17-552](#)

Request to reject bid from Slusarek Construction, Inc in the amount of \$75,500 for the Arbutus Park Retaining Wall Project.

Attachments: [2017 Arbutus Park Retaining Wall \(Reject Bids\).pdf](#)

Legislative History

4/25/17 Finance Committee recommended for approval

[17-563](#)

Request to award the 2017 Alicia Park Hillside Stabilization project contract to Radtke Contractors, Inc in the amount of \$39,000 with a contingency of \$8,000 for a project not to exceed \$47,000.

Attachments: [2017 Alicia Hillside Stabalization.pdf](#)

Legislative History

4/25/17 Finance Committee recommended for approval

[17-577](#)

Request to approve Contract Amendment/Change Order No. 1 to contract 73-16 for Unit Y-16 Arbutus Park Stormwater Lift Station Reconstruction to increase for the addition of retaining wall reconstruction to the scope of work in the amount of \$45,925.00 resulting in an increase to contingency from \$21,377.50 to \$25,877.50. Overall contract increased from \$235,152.50 to \$285,577.50.

Attachments: [Unit Y-16 Contract Amendment-Change Order No.1.pdf](#)

Legislative History

4/25/17 Finance Committee recommended for approval

[17-580](#) Railroad Donation Agreement for trestles

Attachments: [RR - Donation Contract.pdf](#)

Legislative History

4/25/17 Finance Committee recommended for approval
Alderson Lobner was excused at 5:45pm

[17-597](#) Request to approve Contract Amendment/Change Order No. 1 to contract #3-17 for Unit H-17 Northland Pond Construction for Micro-Tunnel with an increase of \$658,945. Overall contract increase from \$2,724,224 to \$3,383,169.

Attachments: [Northland Av Contract Chg.pdf](#)

[Northland Av Map.pdf](#)

Legislative History

4/25/17 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

[17-571](#) Approve Valley Transit Rules of Conduct and Exclusion Policy

Attachments: [Valley Transit Exclusion Policy Memo.pdf](#)

[Valley Transit Rules of Conduct and Exclusion Policy.pdf](#)

Legislative History

4/26/17 Fox Cities Transit Commission recommended for approval

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[17-618](#)

Ordinance 31-17

Attachments: [Ordinance going to Council 5-3-17.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.