



# City of Appleton

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

## Meeting Agenda - Final Common Council

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Wednesday, February 5, 2014

7:00 pm

Council Chambers

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- 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  
[14-174](#) Approve January 15, 2014 Council Meeting Minutes.

Attachments: [CC Minutes 01-15-2014.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. **MINUTES OF THE SAFETY AND LICENSING COMMITTEE**  
[14-120](#) Taxicab Driver License application of David A. La Page, 1514 E. Wisconsin Avenue.

Legislative History

1/23/14	Safety and Licensing Committee	recommended for approval
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[14-145](#) Taxicab Company application of Fox Valley Tours, LLC, 165 Lamplighter Drive, #2, Kaukauna.

**Legislative History**

1/23/14	Safety and Licensing Committee	recommended for approval
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[14-130](#) Revocation Hearing for TJ's Japanese Steakhouse, Xi Lin (AKA Cindy Lin), Agent, 4025 East Lorna Lane.

**Attachments:** [TJs Japanese Steakhouse Revocation Hearing 1-12-14 - 2.pdf](#)

[TJs Japanese STeakhouse Revocation Hearing 1-12-14.pdf](#)

[TJS Japanese Steakhouse Findings of Fact-Conclusions-Recommendations Sic](#)

**Legislative History**

1/23/14	Safety and Licensing Committee	approved
1/23/14	Safety and Licensing Committee	approved
1/23/14	Safety and Licensing Committee	recommended for approval

## 2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[13-1504](#) Request from Ken Clark to not have a tree planted in his terrace at 811 E Pershing Street to replace the tree lost in the July, 2013 storm.

**Attachments:** [Ken Clark 811 E Pershing map.pdf](#)

[Ken Clark memo.pdf](#)

**Legislative History**

10/22/13	Municipal Services Committee	held
<i>Hold until 2nd meeting in January (1/21/2014).</i>		
1/21/14	Municipal Services Committee	recommended for approval

[13-1812](#) R/B-Dannecker-Request from John Kellogg to appeal the \$50 Weed Administration Fee for 1813 S. Peabody Street.

**Attachments:** [John Kellogg appeal.pdf](#)

**Legislative History**

12/10/13	Municipal Services Committee	recommended for denial
12/18/13	Common Council	referred to the Municipal Services Committee
<i>Referred back by Alderperson Dannecker.</i>		
1/7/14	Municipal Services Committee	held
1/21/14	Municipal Services Committee	recommended for denial

[14-4](#)

R/B-Smith-Approve Appleton Bike Corral Pilot Project for parking stall in front of 231 E. College Avenue.

**Attachments:** [Appleton Bike Corral Pilot Project.pdf](#)

**Legislative History**

1/7/14	Municipal Services Committee	recommended for approval
1/7/14	Municipal Services Committee	amended
		<i>Amendment added the language and waive the \$1400 meter bag fee at this location to the original action item.</i>
1/7/14	Municipal Services Committee	recommended for approval
1/15/14	Common Council	referred to the Municipal Services Committee
		<i>Referred back by Alderperson Smith.</i>
1/21/14	Municipal Services Committee	recommended for approval

[14-103](#)

City staff should request bids for Toter 48, Toter 64, Rehrig 65 and Schaefer 65.

**Attachments:** [Recycling cart sizes.pdf](#)

**Legislative History**

1/21/14	Municipal Services Committee	recommended for approval
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[14-114](#)

Request from the Radisson Paper Valley Hotel for a Street Occupancy Permit to place chairs within the College Avenue beautification area at 333 W. College Avenue during the Christmas Parades through November, 2023.

**Attachments:** [Radisson Paper Valley 10 year permit.pdf](#)

**Legislative History**

1/21/14	Municipal Services Committee	recommended for approval
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[14-136](#)

Approve contract amendment with Steigerwaldt Land Services, Inc. in an amount of \$2,600 for an amended not to exceed contract of \$23,300 for an appraisal required for the Prospect Avenue Bridge Project.

**Attachments:** [Contract amendment for 2014 Land Acquisition Services.pdf](#)

**Legislative History**

1/21/14	Municipal Services Committee	recommended for approval
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### 3. MINUTES OF THE CITY PLAN COMMISSION

[14-92](#) Special Use Permit #1-14 - Bee Xiong, 1216 N. Division Street for a restaurant with alcohol sales contingent upon departmental conditions of approval.

**Attachments:** [Special Use #1-14 Attachment.pdf](#)

**Legislative History**

1/20/14 City Plan Commission recommended for approval

[14-110](#) Dedication of Public Right-of-Way, Cherryvale Avenue

**Attachments:** [Cherryvale Attachment.pdf](#)

**Legislative History**

1/20/14 City Plan Commission recommended for approval

#### 4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[13-1779](#) Approval of Revised Park Ordinances

**Attachments:** [Park Ordinance 01-10-14.pdf](#)

**Legislative History**

12/11/13 Parks and Recreation Committee held

*Motion by Spears to change alcohol hours in parks to 10:00 a.m. ending at 10:00 p.m. seconded by Oswald 4-0*

*Motion by Loebner seconded by Oswald for dogs in parks amendment 3-1 Spears*

1/8/14 Parks and Recreation Committee recommended for approval

*Motion to amend by Lobner to City Attorney language, seconded by Oswald 3-2/Croatt, Spears*

1/15/14 Common Council referred to the Parks and Recreation Committee

*Referred back by Alderperson Lobner.*

1/22/14 Parks and Recreation Committee recommended for approval

*Lobner, motioned that the provisions of subsection (o) shall not be effective until May 1, 2015. Seconded by Oswald.*

[14-119](#) Award Contracts to Valley Sealcoat for Repair and Resurfacing to Erb West and Einstein Tennis Courts

**Attachments:** [Tennis court Improvements valley seal coat 2014.docx](#)

**Legislative History**

1/22/14 Parks and Recreation Committee recommended for approval

#### 5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[13-1923](#) 2014 Community Development Block Grant (CDBG) Allocation Recommendations

**Attachments:** [Alloc Recs Memo to CEDC.docx](#)  
[Board Members Attachment.docx](#)  
[2014 CDBG Summary of Recommendations.xlsx](#)

**Legislative History**

1/20/14 Community & Economic Development Committee recommended for approval

**6. MINUTES OF THE UTILITIES COMMITTEE**

[14-98](#) Approve Theft of Service, Surreptitious Use of Water, and Meter Tampering Policy.

**Attachments:** [Theft of Service Policy.pdf](#)

**Legislative History**

1/21/14 Utilities Committee recommended for approval

[14-101](#) Benefit-Cost analysis regarding two alternatives for the diesel generators at the Appleton Water Treatment Facility (AWTF) - Recommend Alternative 2 Modified WPPI Capacity Contract.

**Attachments:** [Air Permit Emission Control Memo.docx](#)

**Legislative History**

1/21/14 Utilities Committee recommended for approval

[14-131](#) Award of Birchwood Stormwater Pond Land Acquisition / Relocation Services Contract with OMNNI Associates in an amount not to exceed \$104,200.

**Attachments:** [Birchwood Pond Relocation OMNNI 01-16-2014.docx](#)

**Legislative History**

1/21/14 Utilities Committee recommended for approval

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

**8. MINUTES OF THE BOARD OF HEALTH**

**9. MINUTES OF THE HUMAN RESOURCES COMMITTEE**

**10. MINUTES OF THE FINANCE COMMITTEE**

[14-134](#) Request to write-off, for financial statement purposes, third and fourth quarter 2013 parking tickets in the amount of \$625. This action does not preclude the City from continued collection efforts.

**Attachments:** [3rd & 4th Qtr Parking Tkts written off.pdf](#)

**Legislative History**

1/22/14 Finance Committee recommended for approval

[14-140](#) Tax Refund Intercept Program (TRIP) Appeal of Michael and Kay Amerson Judgement.

**Attachments:** [Amerson TRIP Appeal.pdf](#)

**Legislative History**

1/22/14 Finance Committee recommended for denial

[14-142](#) Request to approve Relocation Order for Birchwood Pond.

**Attachments:** [Birchwood Pond Relocation Order.pdf](#)

**Legislative History**

1/22/14 Finance Committee recommended for approval

[14-143](#) Request to approve Relocation Order for Northland Pond.

**Attachments:** [Northland Pond Relocation Order.pdf](#)

**Legislative History**

1/22/14 Finance Committee recommended for approval

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

[14-175](#) The Common Council will meet in Closed Session pursuant to s.19.85(g) for the purpose of conferring with legal counsel regarding the Appleton East Stormwater project. The Common Council will then reconvene into Open Session and conduct further business.

T. ADJOURN

CHARLENE M. PETERSON, CMC/WCMC  
City Clerk

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