



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, July 10, 2019

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
 - [19-0910](#) Common Council Meeting Minutes of June 19, 2019
 - Attachments:* [CC Minutes 6-19-19.pdf](#)
- G. BUSINESS PRESENTED BY THE MAYOR
 - [19-0864](#) Children's Week Proclamation
 - [19-0919](#) Parks & Recreation Month Proclamation
 - [19-0960](#) Bob Pintarelli Day Proclamation
 - [19-0920](#) Committee Reappointment- Fox Cities Area Room Tax Commission
 - Attachments:* [COMMITTEE REAPPTS 071019.pdf](#)
- H. PUBLIC PARTICIPATION
- I. PUBLIC HEARINGS
 - [19-0768](#) Public Hearing, Comprehensive Plan Future Land Use Map Amendment #1-19, Mark's East Side - E. Wisconsin Avenue
 - Attachments:* [PublicHearing_CPA#1-19_MarksEastSide.pdf](#)

[19-0769](#) Public Hearing, Rezoning #5-19, Mark's East Side - E. Wisconsin Avenue

Attachments: [RZ #5-19 Notice of Public Hearing MarksEastSide.pdf](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-0751](#) Approve increasing monthly parking permits from \$30/month to \$40/month as part of the 2020 Budget with a January 1, 2020 implementation date.

Attachments: [Proposals for 2020 Budget consideration.pdf](#)

Legislative History

6/10/19	Municipal Services Committee	recommended for approval
6/19/19	Common Council	referred to the Municipal Services Committee <i>This item was referred back to Municipal Services by Alderperson Coenen.</i>
6/24/19	Municipal Services Committee	recommended for approval <i>Amend item 19-0751 to \$35 fee instead of \$40. Motion by Coenen, 2nd by Firkus. Vote fails 1-3.</i>
		<i>Amend item 19-0751 to \$35 in 2020 and \$40 in 2021. Motion by Croatt, 2nd by Williams. Vote fails 2-2.</i>

[19-0887](#) Approve proposed changes to Article VI (Electrical) of the Municipal Code.

Attachments: [Update to Article VI \(Electrical\) of the Municipal Code.pdf](#)

Legislative History

6/24/19	Municipal Services Committee	recommended for approval
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[19-0888](#)

Summer Street, from Gillet Street to Richmond Street, be reconstructed with asphalt and concrete pavement and curb and gutter. The dimensions of the Summer Street reconstruction project are as follows:

Gillet Street-295' west of Mason Street: New asphalt pavement and concrete curb & gutter to be constructed to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street within this portion of the project.

285' west of Mason Street- Mason Street: New concrete pavement to be constructed to a width of 33' from back of curb to back of curb, which is the same width as the existing street within this portion of the project.

Mason Street- 100' west of Richmond Street: New asphalt pavement and concrete curb & gutter to be constructed to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street within this portion of the project.

100' west of Richmond Street- Richmond Street: New asphalt pavement and concrete curb & gutter to be constructed to a width of 33' from back of curb to back of curb, which is the same width as the existing street within this portion of the project.

Existing parking provisions within the project limits will remain unchanged.

Legislative History

6/24/19	Municipal Services Committee	recommended for approval
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[19-0889](#)

Douglas Street, from Reid Drive to Prospect Avenue, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 32' from back of curb to back of curb, which is 1' narrower than the existing street. The proposed 1' narrowing will occur along the west curb line. Existing parking provisions within the project limits will remain unchanged.

Legislative History

6/24/19	Municipal Services Committee	recommended for approval
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[19-0890](#)

Madison Street, from Taft Avenue to Calumet Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 33' from back of curb to back of curb, which is the same width as the existing street. Existing parking provisions within the project limits will remain unchanged.

Legislative History

6/24/19 Municipal Services recommended for approval
Committee

[19-0891](#)

Approve proposed changes to Article V (Plumbing) and Article VII (Mechanical) of the Municipal Code related to reinspection fees.

Attachments: [Reinspection Fees.pdf](#)

Legislative History

6/24/19 Municipal Services recommended for approval
Committee

[19-0892](#)

Approve Street Name Sign Distribution Policy.

Attachments: [Street Name Sign Distribution Policy.pdf](#)

[Amended Street Name Sign Distribution Policy.pdf](#)

Legislative History

6/24/19 Municipal Services recommended for approval
Committee

Amend item 19-0892. Motion Croatt, 2nd Coenen.. Pass 4-0.

[19-0893](#)

Request from Path to Freedom, LLC to waive the \$160 Weed Administration fee for 214 E. Winnebago St.

Attachments: [Request to Waive Weed Administrative Fee for 214 E. Winnebago St.pdf](#)

Legislative History

6/24/19 Municipal Services recommended for denial
Committee

[19-0894](#)

Request from Fika Tea Bar for a Street Occupancy Permit to place tables and chairs in the College Avenue Beautification strip at 207 W. College Avenue.

Attachments: [Request from Fika Tea Bar for Street Occupancy Permit.pdf](#)

Legislative History

6/24/19 Municipal Services recommended for approval
Committee

[19-0895](#)

Anticipated award for Unit Q-19, Pavement Marking contract (paint).

Attachments: [Unit Q-19.pdf](#)

Legislative History

6/24/19 Municipal Services recommended for approval
Committee

Amend item 19-0895. Award to Crowley Construction Corp. in an amount not to exceed \$60,000.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

- [19-0907](#) Class "B" Beer and "Class C" Wine License application for MK2 Investments d/b/a Pinot's Palette, Mari P. Kessenich, Agent, located at 226 E. College Ave, contingent upon approvals from all departments.
Attachments: [Liquor License-Pinots Palette-MK2 Investments S&L 7-10-19.pdf](#)
- [19-0879](#) Class "B" Beer and "Class C" Wine License application for Moon Water Cafe LLC d/b/a Moon Water Cafe, Shannon Boegh, Agent, located at 606 N. Lawe Street, contingent upon approvals from all departments.
Attachments: [Liquor License-Moon Water Cafe S&L 6-26-19.pdf](#)
- [19-0904](#) 2019-20 Class "B" Beer and "Class C" Wine License renewal application for The Draw LLC, John C. Adams, Agent, 800 S. Lawe St.
Attachments: [2019 Beer-Wine Renewal application-The Draw-S&L 7-10-19.pdf](#)
- [19-0947](#) Operator's Licenses
Attachments: [Operator's Licenses for 7-10-19 S & L.pdf](#)
- [19-0948](#) Renewal Operator's Licenses
Attachments: [RENEWAL Licenses for 7-10-19 S&L.pdf](#)
- [19-0912](#) 2019 Cigarette/Tobacco License renewal application for Family Dollar, located at 808 W Wisconsin Ave.
Attachments: [2019 Cigarette renewal - Family Dollar S&L 7-10-19.pdf](#)
- [19-0871](#) 2019 Cigarette/Tobacco License renewal application for The Factory, Eugene Rice, owner, located at 508 W College Ave.
Attachments: [The Factory 2019 S&L 6-26-19.pdf](#)
- [19-0921](#) 2019 Secondhand Article Dealer Mall/Flea Market application for Ye Old Goat, Meghan M Keller, Person In Charge, located at 1919 East Calumet St, contingent upon approvals from all departments.
Attachments: [Ye Old Goat S&L 7-10-19.pdf](#)
- [19-0962](#) Commercial Quadricycle Renewal License application of Social Station, LLC, Chris Burns, 325 N Appleton St, contingent upon approval from all departments.
Attachments: [The Social Station.pdf](#)

[19-0857](#) Pet Store License renewal application for HSA Corporation d/b/a Pet Supplies Plus, located at 702 W Northland Ave, contingent upon approvals from all departments.

Attachments: [Pet Supplies Plus S&L 6-26-19.pdf](#)

[19-0858](#) Salvage Dealer's License renewal application for Golper Supply Co, located at 1810 W. Edgewood Dr, contingent upon approvals from all departments.

Attachments: [Golper Supply Co S&L 6-26-19.pdf](#)

[19-0958](#) Class "B" Beer and "Class C" Wine Permanent Premise Amendment application for Garden View Restaurant, Rose Villanueva, Agent, located at 216 E. College Ave, contingent upon approvals from all departments.

Attachments: [Garden View-permanent premise amendment.pdf](#)

[19-0859](#) Class "B" Beer and "Class B" Liquor License Temporary Premise Amendment for Theadocia, LLC dba Spats, Bill Neubert, Agent, located at 733 W College Ave, from July 31-August 5, 2019, contingent upon approvals from all departments.

Attachments: [Spats.pdf](#)

[19-0881](#) Class "B" Beer and "Class B" Liquor License Temporary Premise Amendment for Emmett's Bar & Grill, Sharon Reader, Agent, 139 N. Richmond St, August 1-4, 2019, contingent upon approval from all departments.

Attachments: [Emmetts Bar & Grill.pdf](#)

[19-0964](#) Class "B" Beer and "Class B" Liquor License Temporary Premise Amendment for Riverside Bar & Grill, Gregg Van Dinter, Agent, 906 S. Olde Oneida St, contingent upon approval from all departments.

Attachments: [Riverside Bar & Grill-MoM.pdf](#)

[19-0959](#) Reserve "Class B" Liquor and Class "B" Beer Temporary Premise Amendment application for Fox Cities Building for the Arts, Christina Turner, Agent, Houdini Plaza, September 19, 2019, contingent upon approvals from all departments.

Attachments: [Fox Cities Bldg for the Arts Fundraiser 9-19.pdf](#)

3. MINUTES OF THE CITY PLAN COMMISSION

[19-0684](#)

Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-19 for a portion of the parcels generally located east of North Plateau Street and south of East Wisconsin Avenue (Tax Id #31-1-1044-00, #31-1-1045-01, and #31-1-1216-00) from future Public/Institutional and One and Two-Family Residential land use designation to Commercial land use designation as shown on the attached map and approve the attached Resolution

Attachments: [StaffReport MarksEastSide CompPlan+Rezoning For05-21-19.pdf](#)

Legislative History

5/21/19 City Plan Commission recommended for approval
Proceeds to Council on July 10, 2019.

[19-0686](#)

Request to approve Rezoning #5-19 for a portion of the parcels generally located east of North Plateau Street and south of East Wisconsin Avenue (Tax Id #31-1-1044-00, #31-1-1045-01, and #31-1-1216-00), as shown on the attached maps, from R-1B Single-Family District to C-2 General Commercial District

Attachments: [StaffReport MarksEastSide CompPlan+Rezoning For05-21-19.pdf](#)

Legislative History

5/21/19 City Plan Commission recommended for approval
Proceeds to Council on July 10, 2019.

[19-0689](#)

Request to approve Certified Survey Map #7-19, which crosses a plat boundary, to reconfigure lot lines for 1405 East Wisconsin Avenue (Tax Id #31-1-1043-00), 1206 North Plateau Street (Tax Id #31-1-1044-00), 1200 North Plateau Street (Tax Id #31-1-1045-01), and East Wisconsin Avenue (Tax Id #31-1-1216-00), subject to the conditions in the attached staff report and as shown on the attached maps

Attachments: [StaffReport MarksEastSide CrossingPlatBoundary For05-21-19.pdf](#)

Legislative History

5/21/19 City Plan Commission recommended for approval
Proceeds to Council on July 10, 2019.

[19-0934](#)

Request to approve Special Use Permit #7-19 for a wine bar/tasting room with alcohol sales and consumption located at 101 West Edison Avenue, Suite 100 (Tax Id #31-4-0257-00), 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 and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport 101WEdison SUP For07-09-19.pdf](#)

Legislative History

7/9/19 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[19-0813](#) Request to award the City of Appleton 2019 Fire Station #6 Hardscape Phase 1 project contract to Highway Landscapers, Inc in the amount of \$67,342 with a contingency of \$10,000 for a project total not to exceed \$77,342

Attachments: [2019 Fire Station #6 Hardscape Repairs Phase 1.pdf](#)

Legislative History

6/24/19 Finance Committee recommended for approval

[19-0899](#) Request to approve anticipated Award of Contract for Unit T-19 Kernan Avenue / East South River Street Storm Sewer Construction (bids to be opened Monday, June 24, 2019).

Attachments: [Contract Award & Bids T-19 Kernan Ave.pdf](#)

Legislative History

6/24/19 Finance Committee recommended for approval
Contract awarded to Dorner Inc for \$854,655 with a \$50,000 contingency, for a total contract not to exceed \$904,655.

[19-0902](#) Request to award Unit J-19 Mini Storm Sewer Construction to Dave Tenor Corporation in an amount not to exceed \$200,000.

Attachments: [Contract Award Form Unit J-19.pdf](#)
[J-19 Bid Tab June 17.pdf](#)

Legislative History

6/24/19 Finance Committee recommended for approval

[19-0903](#) Request to award Unit O-19 Sanitary Sewer CIPP Lining to Terra Engineering & Construction Corporation in an amount of \$245,475 with a 1.9% contingency of \$4,547 for a total not to exceed \$250,022.

Attachments: [Contract Award Form O-19.pdf](#)
[Bid Tabs O-19.pdf](#)

Legislative History

6/24/19 Finance Committee recommended for approval

[19-0905](#)

Request to approve Amendment and Change Order #1 to contract for Wastewater "2018 Electrical Distribution Upgrades Phase 1 Project" for alternative design of transformer in the amount of \$98,650 resulting in an increase to contingency from \$103,703 to \$202,353. Overall contract increased from \$1,037,025.66 to \$1,135,675.66.

Attachments: [Wastewater Electrical Distribution Change Order.pdf](#)

Legislative History

6/24/19 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[19-0883](#)

****CRITICAL TIMING**** Request to approve the Offer to Purchase from Valley Tool, Inc. or its assigns to purchase Lots 1 and 2 on Goodland Drive in the Northeast Industrial Park Plat No. 4 consisting of approximately 2.92 acres, at a purchase price of \$107,000 (\$36,643.84 per acre) and authorize staff to negotiate and execute an option to purchase for Lot 3 in the Northeast Industrial Park, Plat Number 4 with terms defined in Addendum A (#10)

Attachments: [Valley Tool Memo 6-26-19.pdf](#)

[Valley Tool OTP Lots 1 & 2 Goodland Dr 6-18-19.pdf](#)

[Valley Tool Memo 5-15-19.pdf](#)

[Valley Tool - Counter Offer No. 3.pdf](#)

[Valley Tool Memo 4-19-19.pdf](#)

[Valley Tool OTP Lots 1-2-3 Goodland Dr 4-17-19.pdf](#)

[Valley Tool - Counter Offer 1_2.pdf](#)

[NEIP Plat No 4 Covenants and Restrictions.pdf](#)

[Map Available Sites NE Bus Park_04182019.pdf](#)

[NEBPUilities.pdf](#)

Legislative History

6/26/19 Community & Economic Development Committee recommended for approval

7. MINUTES OF THE UTILITIES COMMITTEE

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[19-0918](#) Ordinances 69-19 and 70-19

Attachments: [Ordinances going to Council 7-10-19.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. CLOSED SESSION

[19-0909](#) The Common Council will go into closed session according to State Statute §19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session regarding the bluff site development and then reconvene into open session.

T. ADJOURN

Kami Lynch, City Clerk

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