



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Agenda - Final-revised Common Council

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Wednesday, December 18, 2013

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
- [13-1915](#) Approve December 4, 2013 Council Meeting Minutes.  
**Attachments:** [CC Minutes 12-04-2013.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR
- [13-1916](#) Appointment of Election Officials for a Two-Year Term.  
**Attachments:** [Appointment of Election Inspectors 2014-2015.pdf](#)  
[Appointment of Election Inspectors \(alternate\) 2014-2015.pdf](#)  
[Appointment of SVD's 2014-2015.pdf](#)
- I. PUBLIC HEARINGS
- [13-1917](#) Public Hearing for Comprehensive Plan Future Land Use Amendment #2-13 (903 N. Union Street & 414 E. Winnebago Street)  
**Attachments:** [Class I Public Hearing Notice - Comp Plan North Union Street.docx](#)
- [13-1918](#) Public Hearing for Rezoning #12-13 at 903 N. Union St. & 414 E. Winnebago St.  
**Attachments:** [Public Hearing - #12-13.doc](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

**1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

[13-1828](#) Operator's License application of Terri A. Bishop, W10763 Everts Lane, New London.

**Legislative History**

12/12/13 Safety and Licensing Committee recommended for approval

[13-1830](#) The Taxicab Driver's License application of Jonathon R. Humbert, 1106 W. Wisconsin Avenue

**Legislative History**

12/12/13 Safety and Licensing Committee recommended for denial

[13-1831](#) Refund request from Nicole Tudury from Event Toyz, 4346 S. 27th Street, Milwaukee for \$663 for Commercial Solicitation Licenses that were not issued.

**Attachments:** [Event Toyz Memo.pdf](#)

**Legislative History**

12/12/13 Safety and Licensing Committee recommended for approval

[13-1832](#) Taxicab Company and Limousine Service License application of A2B Taxi LLC, Bradley Pingel, 1348 W. Summer Street, contingent upon approvals from all departments.

**Legislative History**

12/12/13 Safety and Licensing Committee recommended for approval

[13-1833](#) Special Class "B" Beer License application of St. Thomas More Church Bingo Committee, Gerald C. Rickert, Person in Charge, 1810 N. McDonald Street, for 12 Saturdays beginning January 22, 2014 through June 28, 2014, contingent upon approvals from all departments.

**Legislative History**

12/12/13 Safety and Licensing Committee recommended for approval

[13-1834](#) Change of Agent - "Class B" Beer/Liquor License of Apollon, Inc., 207 N. Appleton Street, Craig A. Persha, contingent upon approval from the Police Department.

**Legislative History**

- |  |          |                                |                          |
|--|----------|--------------------------------|--------------------------|
|  | 12/12/13 | Safety and Licensing Committee | recommended for approval |
|--|----------|--------------------------------|--------------------------|
- [13-1853](#) Operator's License application of David W. Rice, 427 E. Vermont Avenue.
- Legislative History**
- |  |          |                                |                          |
|--|----------|--------------------------------|--------------------------|
|  | 12/12/13 | Safety and Licensing Committee | recommended for approval |
|--|----------|--------------------------------|--------------------------|
- [13-1854](#) Operator's Licenses
- Attachments:** [Operator's Licenses for 12-12-13 S & L.pdf](#)
- Legislative History**
- |  |          |                                |                          |
|--|----------|--------------------------------|--------------------------|
|  | 12/12/13 | Safety and Licensing Committee | recommended for approval |
|--|----------|--------------------------------|--------------------------|
- [13-1855](#) Secondhand Article License Renewal Application for Beatnik Betty's Resale Butik LLC, Monika L. Austin, 214 E. College Ave, contingent upon approvals from all departments.
- Legislative History**
- |  |          |                                |                          |
|--|----------|--------------------------------|--------------------------|
|  | 12/12/13 | Safety and Licensing Committee | recommended for approval |
|--|----------|--------------------------------|--------------------------|
- [13-1856](#) Secondhand Article License Renewal Application for Homepro Appliance Service, Robert H. Caston, 136 N. State, contingent upon approvals from all departments.
- Legislative History**
- |  |          |                                |                          |
|--|----------|--------------------------------|--------------------------|
|  | 12/12/13 | Safety and Licensing Committee | recommended for approval |
|--|----------|--------------------------------|--------------------------|
- [13-1857](#) Secondhand Article License Renewal Application for Replay Toys, Christopher L. Freimuth, 1131 N. Badger Avenue, contingent upon approval from all departments.
- Legislative History**
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|--|----------|--------------------------------|--------------------------|
|  | 12/12/13 | Safety and Licensing Committee | recommended for approval |
|--|----------|--------------------------------|--------------------------|
- [13-1858](#) Secondhand Jewelry License Renewal Application for Tennie's Jewelry, Brian D. Frisch, 208 E. College Avenue, contingent upon approvals from all departments.
- Legislative History**
- |  |          |                                |                          |
|--|----------|--------------------------------|--------------------------|
|  | 12/12/13 | Safety and Licensing Committee | recommended for approval |
|--|----------|--------------------------------|--------------------------|
- [13-1859](#) Secondhand Article License Renewal Application for The Exclusive Company, J.A. Giombetti, 770 W. Northland Avenue, contingent upon approvals from all departments.
- Legislative History**
- |  |          |                                |                          |
|--|----------|--------------------------------|--------------------------|
|  | 12/12/13 | Safety and Licensing Committee | recommended for approval |
|--|----------|--------------------------------|--------------------------|

- [13-1860](#) Secondhand Article License Renewal Application for Play It Again Sports, Shane A. Herron, 611 W. Northland Avenue, contingent upon approvals from all departments.
- Legislative History**
- |          |                                |                          |
|----------|--------------------------------|--------------------------|
| 12/12/13 | Safety and Licensing Committee | recommended for approval |
|----------|--------------------------------|--------------------------|
- [13-1861](#) Secondhand Article License Renewal Application for Warehouse Office Products, Jeff S. Lemery, 1825 N. Richmond Street, contingent upon approvals from all departments.
- Legislative History**
- |          |                                |                          |
|----------|--------------------------------|--------------------------|
| 12/12/13 | Safety and Licensing Committee | recommended for approval |
|----------|--------------------------------|--------------------------|
- [13-1862](#) Secondhand Jewelry License Renewal Application for Avenue Coins & Jewelry, Joseph J. Pankratz, 303 E. College Avenue, contingent upon approvals from all departments.
- Legislative History**
- |          |                                |                          |
|----------|--------------------------------|--------------------------|
| 12/12/13 | Safety and Licensing Committee | recommended for approval |
|----------|--------------------------------|--------------------------|
- [13-1863](#) Secondhand Article License Renewal Application for Now That Is Cool, Daniel J. Quella, 1218 S. Madison Street, contingent upon approvals from all departments.
- Legislative History**
- |          |                                |                          |
|----------|--------------------------------|--------------------------|
| 12/12/13 | Safety and Licensing Committee | recommended for approval |
|----------|--------------------------------|--------------------------|
- [13-1874](#) Request Approval to Apply for the Assistance to Firefighters Grant from the Federal Emergency Management Agency for the purchase of three facility emergency generators. (Also appears on the 12/11/13 Finance Committee Agenda File #13-1804)
- Attachments:** [Fire - Notification of Grant Funds 2013.pdf](#)
- Legislative History**
- |          |                                |                          |
|----------|--------------------------------|--------------------------|
| 12/12/13 | Safety and Licensing Committee | recommended for approval |
|----------|--------------------------------|--------------------------|
- [13-1875](#) Request to approve the purchase of the self-contained breathing apparatus and associated equipment from Five Alarm Fire and Safety for an amount not to exceed \$415,938. (Also appears on the 12/11/13 Finance Committee Agenda File #13-1817)
- Attachments:** [Fire Memo 12-05-2013.pdf](#)
- Legislative History**
- |          |                                |                          |
|----------|--------------------------------|--------------------------|
| 12/12/13 | Safety and Licensing Committee | recommended for approval |
|----------|--------------------------------|--------------------------|

- [13-1876](#) Secondhand Article License Renewal Application for Fox Valley Firearms, Nathan L. Oberg, 2310 W. College Avenue, contingent upon approvals from all departments.  
**Legislative History**  
12/12/13 Safety and Licensing Committee recommended for approval
- [13-1877](#) Secondhand Article License Renewal Application for Mattress Plus, Ervin J. Klesmit, 120 E. Wisconsin Avenue, contingent upon approvals from all departments.  
**Legislative History**  
12/12/13 Safety and Licensing Committee recommended for approval
- [13-1878](#) Request to approve the purchase of the respirator fit testing equipment from TSI Incorporated for an amount not to exceed \$15,000. (Also appears on the 12/11/13 Finance Committee Agenda File #13-1817)  
**Attachments:** [Fire Memo 12-05-2013.pdf](#)  
**Legislative History**  
12/12/13 Safety and Licensing Committee recommended for approval
- [13-1879](#) Secondhand Jewelry License Renewal Application for AE Jewelers, Inc. Corinne M. Meyer, 3545 E. Calumet Street, contingent upon approval from all departments.  
**Legislative History**  
12/12/13 Safety and Licensing Committee recommended for approval
- [13-1880](#) The Reserve "Class B" Beer/Liquor License Application of R & R Mind Ventures LLC, Roberto Hernandez-Rivas, Agent, 527 - 531 West College Avenue, contingent upon approvals from all departments.  
**Legislative History**  
12/12/13 Safety and Licensing Committee recommended for approval
- [13-1885](#) Change of Agent - "Class B" Beer/Liquor License of V.F.W. Inc. Post 2778, 501 N. Richmond Street, Alexander R. White, contingent upon approval from the Police Department.  
**Legislative History**  
12/12/13 Safety and Licensing Committee recommended for approval
- [13-1901](#) Request to Apply/Accept Grant from Wisconsin Haz-Mat Response Network to Purchase Supplies for Sample/Evidence Collection Process.  
**Attachments:** [Fire - HazMat Grant Funding.pdf](#)  
**Legislative History**  
12/12/13 Safety and Licensing Committee recommended for approval



12/10/13      Municipal Services      recommended for approval  
   Committee

[13-1809](#)

Approve proposed parking changes on Grishaber Court.

**Attachments:**    [Proposed parking changes on Grishaber Ct.pdf](#)

**Legislative History**

12/10/13      Municipal Services      recommended for approval  
   Committee

[13-1810](#)

Approve proposed parking changes on Prospect Avenue between Hillcrest Drive and Orchard Drive.

**Attachments:**    [Proposed parking changes on Propsect Ave.pdf](#)

**Legislative History**

12/10/13      Municipal Services      recommended for approval  
   Committee

[13-1811](#)

Approve proposed parking changes in the 1400-1600 Blocks of S. Jefferson Street and 400 block of E. Maple Street for a 90-day trial.

**Attachments:**    [90 day trial, new parking restrictions 1400-1600 S Jefferson St & 400 E Maple S](#)

**Legislative History**

12/10/13      Municipal Services      recommended for approval  
   Committee

[13-1812](#)

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      recommended for denial  
   Committee





[13-1652](#)

\*CRITICAL TIMING\* ON 12/18/13 COUNCIL AGENDA: Rezoning #12-13 - Jared Bailin and Commonwealth Development Corp to rezone 903 N. Union Street from M-2 General Industrial District to R-3 Multi-Family District and 414 E. Winnebago Street from R-1B Single-Family District and M-2 General Industrial District to R-3 Multi-Family District contingent upon departmental conditions of approval. (Common Council Public Hearing 12/18/13)

**Attachments:** [Rezoning 12-13 Attachment.pdf](#)

**Legislative History**

11/11/13      City Plan Commission      recommended for approval

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

[13-1788](#)

Approval of Panther Baseball Club for Operation of Adult Softball Program and Appleton Memorial Park Concessions

**Attachments:** [Panthers Baseball Agreement 12-2-13.docx](#)

**Legislative History**

12/11/13      Parks and Recreation Committee      recommended for approval

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

[13-1806](#)

Award the Economic Development Strategic Plan contract to Manheim Solutions, Inc. in an amount not to exceed \$50,000. \$25,000 payable by the City of Appleton and \$25,000 payable by Appleton Redevelopment Authority.

**Attachments:** [Contract Memo.doc](#)

[Manheim Appleton Proposal Agree 12-5-13.pdf](#)

[RFP - Economic Development Strategic Plan.pdf](#)

[Manheim Appleton RFP 11-6-13.pdf](#)

**Legislative History**

12/9/13      Community & Economic Development Committee      recommended for approval

#### 6. MINUTES OF THE UTILITIES COMMITTEE

[13-1792](#)

Amend 2011C Stormwater Consulting Services Contract with AECOM for the 2011-2012 City-wide Stormwater Management Plan Update in an amount not to exceed \$35,000.

**Attachments:** [2011C Stormwater Consulting Services Contract](#)

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

[13-1837](#) Approval of Award Contract for Development of a Valley Transit Strategic Plan  
**Attachments:** [FCTC Approval to Award Strategic Plan Project to SRF for \\$60000.pdf](#)

**Legislative History**

12/11/13 Fox Cities Transit Commission recommended for approval

[13-1844](#) #24-R-13/Jirschele/Lobner (Referral from November 20, 2013 Appleton Common Council Meeting) - Establishment of a Fox Cities Regional Transit Authority

**Attachments:** [Resolution Referral 24-R-13.pdf](#)

**Legislative History**

12/11/13 Fox Cities Transit Commission recommended for approval

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

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

[13-1911](#) Request to approve Police compression adjustment retroactive to 12/1/13; Fire compression adjustment effective 1/1/14 and Deputy Director of Operations DPW compression adjustment effective 1/1/14.

**Attachments:** [Compression adjustment request.pdf](#)

**Legislative History**

12/16/13 Human Resources Committee recommended for approval  
*Hill motion to amend DPW raise to 4% this year & 4% next. Fails for lack of second.*

[13-1912](#) Request approval of the 2014 AFSCME agreement with a 1.66% across the board adjustment.

**Attachments:** [AFSCME 2014 agreement.pdf](#)

**Legislative History**

12/16/13 Human Resources Committee recommended for approval

[13-1913](#) Request approval of a discretionary pay adjustment of .34% to AFSCME employees who meet the salary administration policy requirements for a general pay adjustment effective 1/1/14.

**Legislative History**

12/16/13 Human Resources Committee recommended for approval

[13-1914](#)

Request approval of a discretionary performance adjustment to AFSCME employees who meet the salary administration policy requirements for a pay for performance adjustment based on 2013 performance.

**Attachments:** [AFSCME discretionary pay increases 12-16-13 agenda.pdf](#)

**Legislative History**

12/16/13 Human Resources recommended for approval  
Committee  
*Motion to amend by Konetzke, second by Stueck to include "In future years, if the employees choose to be represented, they will be removed from the pay plan and will only be eligible for CPI adjustments and/or discretionary increases as approved by the Council."*

[13-1821](#)

Request to approve the 2014 Seasonal Pay Plan with a 2% general pay adjustment.

**Attachments:** [2014 Seasonal Pay Plan.docx](#)

**Legislative History**

12/9/13 Human Resources recommended for approval  
Committee

[13-1822](#)

Request to approve changing the Facilities Department Golf Course Superintendent position from a .85 fte status to a 1.0 fte status.

**Attachments:** [2013 Golf Course Superintendent Memo.doc](#)

**Legislative History**

12/9/13 Human Resources recommended for approval  
Committee

[13-1872](#)

Request to approve the 2014 Part-Time Non-Represented Compensation Pay Plan.

**Attachments:** [Copy of NONBENEFIT PAY PLAN 2014.pdf](#)  
[2014 Part-time plan implementation memo.pdf](#)

**Legislative History**

12/9/13 Human Resources recommended for approval  
Committee

[13-1873](#)

Request to approve the reorganization request from Facilities Department to appoint a current Master Electrician to a Lead Worker position and to change the current Facilities Worker position to an Electrician.

**Attachments:** [Facilities Reorganization 12-2-13.pdf](#)

**Legislative History**

12/9/13 Human Resources recommended for approval  
Committee

**10. MINUTES OF THE FINANCE COMMITTEE**

[13-1793](#) Request to write off \$14,767.47 of accounts receivable invoices and \$25,301.59 of personal property taxes (outstanding over one year).

**Attachments:** [List of accounts to be written off.pdf](#)

**Legislative History**

12/11/13 Finance Committee recommended for approval

[13-1804](#) Request Approval to Apply for the Assistance to Firefighters Grant from the Federal Emergency Management Agency for the purchase of three facility emergency generators (also appears on the Safety and Licensing Committee agenda File #13-1874).

CONSOLIDATED ACTION ITEM FILE #13-1922 ON 12/18/13 COUNCIL AGENDA

**Attachments:** [Notification of Grant Funds.pdf](#)

**Legislative History**

12/11/13 Finance Committee recommended for approval

[13-1817](#) Request to approve the purchase of the self-contained breathing apparatus and associated equipment from Five Alarm Fire and Safety for an amount not to exceed \$415,938 (also appears on the Safety and Licensing Committee agenda File 13-1875 & 13-1878).

CONSOLIDATED ACTION ITEM FILE #13-1921 ON 12/18/13 COUNCIL AGENDA.

**Attachments:** [Fire Equipment Purchase request.pdf](#)

**Legislative History**

12/11/13 Finance Committee recommended for approval  
*Motion to Amend by Alderperson Konetze, seconded by Alderperson Martin, to include the language from File #13-1818 as follows - Request to approve the purchase of the respirator fit testing equipment from TSI Incorporated for an amount not to exceed \$15,000 (also appears on the Safety and Licensing Committee agenda.)"Roll Call vote on amendment carried unanimously 5 to 0.*

M. CONSOLIDATED ACTION ITEMS

[13-1921](#) Consolidated Action Item:

Request to approve the purchase of the self-contained breathing apparatus and associated equipment from Five Alarm Fire and Safety for an amount not to exceed \$415,938; and  
Request to approve the purchase of the respirator fit testing equipment from TSI Incorporated for an amount not to exceed \$15,000.  
File #13-1875 & #13-1878 Safety & Licensing Committee and File #13-1817 Finance Committee

[13-1922](#)

Consolidated Action Item:

Request Approval to Apply for the Assistance to Firefighters Grant from the Federal Emergency Management Agency for the purchase of three facility emergency generators.

File #13-1874 Safety & Licensing Committee and

File #13-1804 Finance Committee

O. ITEMS HELD

P. ORDINANCES

[13-1919](#)

Ordinances #99-13 through #101-13.

**Attachments:** [Ordinances going to 12-18-2013 Council.pdf](#)

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

T. ADJOURN

CHARLENE M. PETERSON, CMC/WCMC  
City Clerk

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