



# City of Appleton

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

## Meeting Agenda - Final-revised Common Council

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Wednesday, August 1, 2018

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

[18-1146](#)

Common Council meeting minutes of July 18, 2018

**Attachments:** [CC Minutes 7-18-18.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR

- I. PUBLIC HEARINGS

[18-1061](#)

Public Hearing - Rezoning #7-18, Appleton Area School District, W. Reeve St.

**Attachments:** [Public Hearing Notice\\_RZ #7-18.pdf](#)

[18-1062](#)

Public Hearing - Rezoning #8-18, 3226 N. Ballard Road

**Attachments:** [Public Hearing Notice\\_RZ #8-18.pdf](#)

[18-1149](#)

Public Hearing - Comprehensive Plan #2-18, Appleton Area School District

**Attachments:** [Class I PH Notice\\_AASD.pdf](#)

- J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. **MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[18-0788](#)

**R/B Resolution #7-R-18 Snow Emergencies**

Submitted by: William Siebers, District 1

Date: May 16, 2018

Referred to: Municipal Services Committee

**Whereas**, there are only 218 days left until winter, And

**Whereas**, the best time to deal with a problem is before circumstances force our hand, And

**Whereas**, with all winters we will once again need to deal with winter storms, which includes calling snow emergencies, And

**Whereas**, snow emergencies are exactly that, emergencies, And

**Whereas**, these emergencies are called to promote the most efficient removal of snow from our streets, and also to promote safety, And

**Whereas**, as common as it is to have snow storms in the winter it is also common for people to ignore the parking ban during the snow emergency, And

**Whereas**, the fine for parking on the street during the snow emergency is the same as a normal parking ticket and not likely a deterrent as we would hope,

**Therefore**, the fine for parking on the street during a snow emergency be more reflective of the seriousness of the situation and be increased **to \$100.**

**Attachments:** [Research by Alderperson Siebers.pdf](#)

**Legislative History**

5/21/18	Municipal Services Committee	referred
	<i>Refer to staff report back June 11, 2018 meeting.</i>	
6/11/18	Municipal Services Committee	held
	<i>Hold until July 9th meeting.</i>	
7/9/18	Municipal Services Committee	held

7/23/18      Municipal Services      recommended for approval  
 Committee  
*motion by Martin to increase to 175 fails for lack of a second*

*recommendation is \$100 for any declared snow emergency*

[18-0890](#)

**Henry Street**, from Warner Street to Telulah Avenue, be reconstructed with asphalt pavement and concrete curb & gutter. The dimensions of the Henry Street reconstruction project are as follows:

*175' west of Warner St - Warner St:* New asphalt pavement to be constructed to a width of 29' from back of curb to back of curb, which is the same width as the existing street within this portion of the project.

*Warner St - Telulah Ave:* New asphalt 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.

New concrete sidewalk would be constructed along the north side of Henry Street from 175' west of Warner Street to Warner Street, ~~and along the south side of Henry Street from 175' west of Warner Street to Telulah Avenue.~~ Existing parking provisions within the project limits will remain unchanged **except near midblock crosswalk.**

**Attachments:** [Sidewalks on Warner & Henry Street.pdf](#)

[Letter from 513 S. Telulah Ave.pdf](#)

[Photo of Henry Street.pdf](#)

**Legislative History**

6/11/18      Municipal Services      recommended for approval  
 Committee

6/20/18      Common Council      referred to the Municipal Services Committee

7/9/18      Municipal Services      held  
 Committee

*Martin made motion to amend to remove the sidewalk on the south side of Henry. Item failed 2-2. Nay-Croatt and Konetzke. Aye-Marting and Williams. Hold until July 23, 2018 meeting.*

7/23/18      Municipal Services      recommended for approval  
 Committee

*Martin moves second by Coenen, to remove sidewalk on South Side of Henry St. and prohibit parking near midblock crosswalk. Passes 3-2 Croatt, Konetzke*

[18-0891](#)

**Warner Street**, from College Avenue to Henry 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. - ~~New concrete sidewalk would be constructed along the west side of Warner Street within the project limits.~~

**Legislative History**

6/11/18	Municipal Services Committee	recommended for approval
	<i>Amend item 18-0891 to not install sidewalks on the west side of Warner Street. Passes 3-2 (Croatt, Konetzke).</i>	
6/20/18	Common Council	referred to the Municipal Services Committee
7/9/18	Municipal Services Committee	held
	<i>Hold until July 23, 2018 meeting.</i>	
7/23/18	Municipal Services Committee	recommended for approval

[18-1004](#)

Request for a street occupancy permit to keep a basketball pole in the street right-of-way at 1513 E. Henry Street.

**Attachments:** [Street Occupancy Permit-1513 E. Henry Street.pdf](#)

**Legislative History**

7/9/18	Municipal Services Committee	held
	<i>Hold until July 23, 2018 meeting</i>	
7/9/18	Municipal Services Committee	held
	<i>Hold until July 23, 2018 meeting.</i>	
7/23/18	Municipal Services Committee	recommended for approval
	<i>With \$40 permit fee and certificate of insurance</i>	

[18-1089](#)

Approve proposed refuse cart fee changes for 2019 Budget as shown on Exhibit A.

**Attachments:** [Proposed refuse cart fee charges 2019 budget.pdf](#)  
[Letter from John Gosling.pdf](#)

**Legislative History**

7/23/18	Municipal Services Committee	recommended for approval
	<i>Motion by Konetzke to keep the smallest cart free. Keep 30 gal cart free.</i>	



[18-1093](#)

**Randall Street**, from Oneida Street to Meade Street, be reconstructed with asphalt pavement and concrete curb & gutter. The dimensions of the Randall Street reconstruction project are proposed as follows:

*Oneida Street - Morrison Street:* New asphalt pavement and concrete curb & gutter to be constructed to a width of 27' from back of curb to back of curb, which is 1' narrower than existing street within this portion of the project. The south curb line will be narrowed by the proposed 1' in an effort to preserve 5 existing street trees along the south terrace.

*Morrison Street - Durkee 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 1' wider than existing street within this portion of the project. This block would shift 1' to the north in an effort to preserve 5 existing street trees along the south terrace.

*Durkee Street - Meade 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.

Existing parking provisions within the project limits proposed to remain unchanged.

**Legislative History**

7/23/18

Municipal Services  
Committee

recommended for approval

[18-1094](#)

**Winnebago Street**, from Division Street to Drew Street, be reconstructed with asphalt pavement and concrete curb & gutter. The dimensions of the Winnebago Street reconstruction project are proposed as follows:

*Division Street - Appleton 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.

*Appleton Street - Oneida Street:* New asphalt pavement and concrete curb & gutter to be constructed to a width of 37' from back of curb to back of curb, which is the same width as the existing street within this portion of the project.

*Oneida Street - Morrison Street:* New asphalt pavement and concrete curb & gutter to be constructed to a width of 37' from back of curb to back of curb, which is the same width as the existing street within this portion of the project. This block would be shifted 1' to the north in order to preserve 5 existing street trees along the south terrace. The existing indented parking area adjacent to the Zion Lutheran Church would be maintained as part of this project.

*Morrison Street - Drew 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 1' narrower than the existing street within this portion of the project.

Existing parking provisions within the project limits proposed to remain unchanged.

**Legislative History**

7/23/18	Municipal Services Committee	recommended for approval
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[18-1118](#)

Approve parking restriction change on the north side of Eighth Street, east of Linwood Avenue.

**Attachments:** [Parking restriction change-Eighth St.pdf](#)

**Legislative History**

7/23/18	Municipal Services Committee	recommended for approval
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[18-1119](#)

Request from Mile of Music to place a Tundraland tent in College Avenue beautification strip adjacent to metered stall CAW403.

**Attachments:** [Tundraland tent in College Ave.pdf](#)

**Legislative History**





- [18-0948](#) Request to approve Rezoning #7-18 for a portion of the subject parcel located at W. Reeve Street (Tax Id #31-5-1463-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from P Parking District to P-I Public Institutional District

**Attachments:** [StaffReport\\_AASD\\_CompPlan+Rezoning\\_For06-26-18.pdf](#)

**Legislative History**

6/26/18 City Plan Commission recommended for approval  
*Proceeds to Council on August 1, 2018.*

- [18-1014](#) Request to approve Rezoning #8-18 to rezone 3226 N. Ballard Road (Tax Id #31-1-6718-00), including to the midpoint of the adjacent road right-of-way, as shown on the attached maps, from R-1A Single-Family District to C-2 General Commercial District

**Attachments:** [StaffReport\\_3226NBallard\\_Rezoning\\_For07-10-18.pdf](#)

[LetterReceivedFromPeterAbresch\\_3221NBallardRd\\_7-13-18.pdf](#)

**Legislative History**

7/10/18 City Plan Commission recommended for approval  
*Proceeds to Council on August 1, 2018.*

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

- [18-1081](#) Action: Request Approval to Accept Donation of Jones Park Amphitheater from Miron Construction

**Attachments:** [2018 Jones Park Amphitheater Donation.pdf](#)

**Legislative History**

7/23/18 Parks and Recreation recommended for approval  
Committee

- [18-1082](#) Action: Award the "1424 and 1434 Northland Avenue Structure Demolition Project" contract to Gene Fredrickson Trucking and Excavating, Inc. in the amount of \$41,526 with a contingency of \$10,000 for a project total not to exceed \$51,526

**Attachments:** [2018 Northland Ave House Demo .docx](#)

**Legislative History**

7/23/18 Parks and Recreation recommended for approval  
Committee

#### 5. MINUTES OF THE FINANCE COMMITTEE

- [18-1106](#) Request from Raymond Dietzen for reconsideration of special assessments for concrete paving of Lake Park Road for parcel 31-9-4180-00

**Attachments:** [Dietzen 319418000.pdf](#)

**Legislative History**

7/23/18 Finance Committee recommended for denial

- [18-1107](#) Request to utilize \$79,764 from the Parks Open Space Special Revenue Fund for the demolition of the homes at 1424 and 1434 Northland Avenue and approve the following 2018 Budget adjustment:

**Park Open Space Fund**

Contractor Fees	+\$79,764
Fund Balance	- \$79,764

to provide funding for the cost of demolishing homes on Northland Avenue

**Attachments:** [2018 Parks Open Space Fund Req for Home Demo.pdf](#)

**Legislative History**

7/23/18 Finance Committee recommended for approval

- [18-1108](#) Request to award the Lower Telulah Park Site Redevelopment project contract to H & H Civil Construction in the amount of \$628,341 with a contingency of \$21,662 for a project not to exceed \$650,003

**Attachments:** [2018 Lower Telulah Site Redevelopment Finance Memo .pdf](#)

**Legislative History**

7/23/18 Finance Committee recommended for approval

- [18-1109](#) Request to award the Wastewater 2018 Electrical Distribution Upgrades Phase 1 project contract to Miron Construction, Co Inc in the amount of \$1,037,026 with a contingency of 10% for a project total not to exceed \$1,140,728

**Attachments:** [2018 Wastewater Electrical Distribution Phase 1 Upgrades.pdf](#)

**Legislative History**

7/23/18 Finance Committee recommended for approval

- [18-1110](#) Request to award the 2018 Red Parking Ramp Elevator Modernization Phase 1 project contract to Otis Elevator Co in the amount of \$242,695 with a contingency of 7% for a project total not to exceed \$259,684

**Attachments:** [Award Memo - 2018 Red Parking Ramp Elevator Modernization.pdf](#)

**Legislative History**

7/23/18 Finance Committee recommended for approval

[18-1111](#) Request to award the Municipal Services Building 2018 Locker Room Remodeling project contract to Miron Construction Co. Inc in the amount of \$314,713 with a contingency of \$12,702 for a project total not to exceed \$327,415

**Attachments:** [2018 MSB Locker Room Remodel .pdf](#)

**Legislative History**

7/23/18 Finance Committee recommended for approval

[18-1138](#) Request to deny Rookies Sports Bar and Grill offer to purchase of .39 acre of City owned property located just North of Rookies, parcel 31-2-0489-00.

**Attachments:** [Rookies Offer to Purchase Memo With Supporting Docs.pdf](#)  
[Amended Offer to Purchase.pdf](#)

**Legislative History**

7/23/18 Finance Committee recommended for approval

[18-1139](#) RIVERSIDE CEMETERY ASSOCIATION submitting a request for payment for maintenance of Veteran's graves.

**Attachments:** [Riverside Cemetery Veteran Grave Care Reimbursement - 2017-2018.pdf](#)

**Legislative History**

7/23/18 Finance Committee recommended for approval

[18-1141](#) Request to accept a \$15,000 grant from Oktoberfest for a public safety unmanned aerial vehicle (UAV) and approval of the following 2018 Budget adjustment:

**General Fund - Mayor's Office**

Equipment	+\$15,000
Grant Proceeds	+\$15,000

to accept grant from Oktoberfest Committee to purchase a drone

**Attachments:** [Council Memo for Oktoberfest Grant.pdf](#)

**Legislative History**

7/23/18 Finance Committee recommended for approval

**6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

**7. MINUTES OF THE UTILITIES COMMITTEE**

[18-1084](#) Amend 2018 Stormwater Management Plan Review contract with raSmith by an increase of \$25,000 for a total contract amount not to exceed \$75,000.

**Attachments:** [2018A SWM Plan Review Amendment Memo Util Cmte \(003\).pdf](#)

**Legislative History**

7/24/18 Utilities Committee recommended for approval

**8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

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

[18-1129](#) Authorization to Accept Buses from Go Transit

**Attachments:** [18-1129 Request for Authorization to Accept Buses from Go Transit Oshkosh.p](#)

**Legislative History**

7/25/18 Fox Cities Transit Commission recommended for approval

**10. MINUTES OF THE BOARD OF HEALTH**

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[18-1153](#) Ordinances 67-18 to 76-18

**Attachments:** [Ordinances going to Council 8-1-18.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

[18-1150](#) Suspend the Council Rules and Convene into the Committee of the Whole

[18-1154](#) Approval of the amendment to U.S. Venture Development Agreement (Finance, Municipal Services & Community and Economic Development Committees)

**Attachments:** [USV - Amendment to Dev Agrm - FINAL - 07-27-2018 2.pdf](#)

[USV - Amend to Dev Agrm - REDLINED FINAL - 07-27-2018.pdf](#)

[USV - Fully Executed Dev Agrm - 12-17-2017.pdf](#)

[USV - Original Exhibit D to 12-19-2017 Dev Agrm 1.pdf](#)

[18-1155](#) The Common Council will go into closed session according to State Statute §19.85(1)(e) for the purposes of deliberating or negotiating the purchasing of public properties and the investing of public funds, regarding the U.S. Venture development project and then reconvene into open session.

[18-1151](#) Reconvene to Common Council

[18-1152](#) Report of the Committee of the Whole

**S. CLOSED SESSION**

[18-1156](#) The Common Council will go into closed session according to State Statute §19.85(1)(e) for the purposes of deliberating or negotiating the purchasing of public properties and the investing of public funds, regarding the U.S. Venture development project 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.*