



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, January 22, 2020

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. BUSINESS PRESENTED BY THE MAYOR

[20-0105](#) Appointments to the Climate Change Task Force

Attachments: [Climate Change Task Force Appts 1-22-20.pdf](#)

- G. PUBLIC PARTICIPATION
 - H. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES
- [20-0098](#) Common Council Meeting Minutes of January 8, 2020

Attachments: [CC Minutes 1-8-20.pdf](#)

- I. PUBLIC HEARINGS
- [20-0101](#) Public Hearing for North McDonald Street Vacation

Attachments: [Publication Document - McDonald Street Vacation.pdf](#)
[PublicHearingNotice_NMcDonaldSt_StreetVacation.pdf](#)

[20-0103](#) Public Hearing for East John Street Vacation

Attachments: [Publication Document- John St Vacation.pdf](#)
[PublicHearingNotice_EJohnSt_StreetVacation.pdf](#)

[20-0104](#) Public Hearing for Rezoning #10-19, Sommers Drive and Spartan Drive from AG (Agricultural) to P-I (Public Institutional)

Attachments: [RZ #10-19 Notice of Public Hearing.pdf](#)
[Sommer REZ.pdf](#)

J. SPECIAL RESOLUTIONS

[20-0102](#) Final Resolution for East John Street Vacation

Attachments: [John Street - Final Resolution.pdf](#)

[20-0100](#) Final Resolution for N. McDonald Street Vacation

Attachments: [Final Resolution - N McDonald Street Vacation.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-1419](#) R/B-Resolution #11-R-19 regarding the creation of a parking lot on the former ~~Blue Ramp~~ Conway site.

Attachments: [Resolution #11-R-19.pdf](#)
[Resolution #11-R-19\(#2\).pdf](#)
[Conway Parking Lot Agreement TERMS.pdf](#)
[Resolution #11-R-19\(#3\).pdf](#)

Legislative History

9/23/19	Municipal Services Committee	recommended for approval
9/23/19	Municipal Services Committee	recommended for denial
10/2/19	Common Council	referred to the Municipal Services Committee
10/7/19	Municipal Services Committee	referred
	<i>Item #19-1914 was referred to staff October 21, 2019.</i>	
10/21/19	Municipal Services Committee	recommended for denial
11/6/19	Common Council	referred to the Municipal Services Committee
12/9/19	Municipal Services Committee	held
	<i>Item 19-1419 held until January 13, 2020.</i>	
1/13/20	Municipal Services Committee	recommended for denial

[19-1886](#)

Request to rescind approval for "The Collective" sculpture within the E. College Avenue and N. Catherine Street right-of-way.

Attachments: [The Collective log of public dialogue-.pdf](#)

Legislative History

12/9/19 Municipal Services held
Committee
Item 19-1886 held until January 13, 2020.

1/13/20 Municipal Services recommended for approval
Committee
Amend item 19-1886. City to work on alternate location in first quarter of 2020.

[20-0013](#)

Request from Author's Kitchen for a street occupancy permit to place tables and chairs in the College Avenue beautification strip at 125 E. College Avenue.

Attachments: [Tables & Chairs-125 E College Ave.pdf](#)

Legislative History

1/13/20 Municipal Services recommended for approval
Committee

[20-0014](#)

Request from Wisconsin Operation Lifesaver (a non-profit safety education and awareness program dedicated to improving safety on or near railroad property) to paint "See Tracks Think Trains " on sidewalks near railroad crossings.

Attachments: [Permanent Railroad Safety Marking.pdf](#)

Legislative History

1/13/20 Municipal Services recommended for approval
Committee

[20-0015](#)

Approve City of Appleton Razing of Buildings Policy.

Attachments: [Razing of Buildings Policy.pdf](#)

Legislative History

1/13/20 Municipal Services recommended for approval
Committee

[20-0043](#)

Approve 2020 Aerial Imagery/LiDAR Contract Award to Ayres Associates in an amount not to exceed to \$62,600.

Attachments: [2020 Aerial ImageryLiDAR Contract.pdf](#)

Legislative History

1/13/20 Municipal Services recommended for approval
Committee

[20-0044](#) Approve Amendment No. 7 to Patrick Engineering for the Oneida Street Bridge Project in the amount of \$37,800 for a total revised not to exceed contract of \$697,810.

Attachments: [Oneida Street Bridge Project.pdf](#)

Legislative History

1/13/20	Municipal Services Committee	recommended for approval
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[20-0045](#) Request from the Community Blood Center to purchase meter bags for the June 2020 Blood Drive in Houdini Plaza be approved per modifications based on staff recommendation.

Attachments: [Community Blood Center-Meter bags.pdf](#)

Legislative History

1/13/20	Municipal Services Committee	recommended for approval
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[20-0048](#) Approve parking restriction change on Lawrence Street, west of Mason Street.

Attachments: [Parking change on Lawrence St, west of Mason St.pdf](#)

Legislative History

1/13/20	Municipal Services Committee	recommended for approval
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[20-0049](#) Approve parking restriction change on Madison Street, north of Fremont Street.

Attachments: [Parking change on Madison St, north of Fremont St.pdf](#)

Legislative History

1/13/20	Municipal Services Committee	recommended for approval
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2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[19-1946](#) Secondhand Jewelry License Renewal application for Krieger Jewelers, Jamie Boyce, Applicant, located at 934 W. Northland Ave., contingent upon approval from all departments.

Attachments: [Krieger Jewelers S&L.pdf](#)

Legislative History

1/15/20	Safety and Licensing Committee	recommended for approval
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[19-1951](#) Secondhand Article License Renewal application for The Attique Resale, James A Boylan, Applicant, located at 415 N Oneida St, contingent upon approval from all departments.

Attachments: [The Attique Resale S&L.pdf](#)

Legislative History

1/15/20 Safety and Licensing Committee recommended for approval

[19-1952](#) Class "A" Beer and "Class A" Liquor License Change of Agent application for Ultimate Mart LLC d/b/a Pick N Save #8123, Ken A Voss, New Agent.

Attachments: [Ken A Voss S&L.pdf](#)

Legislative History

1/15/20 Safety and Licensing Committee recommended for approval

[20-0050](#) Secondhand Jewelry License Renewal application for Expert Jewelry Repair, Randy Kester, Applicant, located at 636 W College Ave, contingent upon approval from all departments.

Attachments: [Expert Jewelry Repair S&L.pdf](#)

Legislative History

1/15/20 Safety and Licensing Committee recommended for approval

[20-0083](#) Operator's Licenses

Attachments: [Operator's Licenses 1-15-2020.pdf](#)

Legislative History

1/15/20 Safety and Licensing Committee recommended for approval

[20-0084](#) License Application for Taxicab Company, Star Protection and Patrol, DBA Star Transportation, 1222 W South Park Ave, Oshkosh, WI 54902

Attachments: [Star Protection and Patrol.pdf](#)

Legislative History

1/15/20 Safety and Licensing Committee recommended for approval

[20-0085](#) "Class A" Liquor and Class "A" Beer License Change of Agent application for Walgreens #12019, Ashley Hopkins, New Agent.

Attachments: [Ashley Hopkins S&L.pdf](#)

Legislative History

1/15/20 Safety and Licensing Committee recommended for approval

[20-0089](#) Request to approve associated Ordinance Language related to Resolution #6-R-19 in the attached Staff Memo.

Attachments: [6-R-19 Massage Establishments.pdf](#)

[S L - Resolution 6-R-19 Update \(Massage Establishments\) 12-06-2019.pdf](#)

Legislative History

1/15/20 Safety and Licensing recommended for approval
Committee

3. MINUTES OF THE CITY PLAN COMMISSION

[20-0096](#) Request to approve Extraterritorial Preliminary Plat for Jenkel Fields located in the Town of Center as shown on the attached maps

Attachments: [StaffReport_JenkelFields_PrePlat_For01-21-20.pdf](#)

Legislative History

1/21/20 City Plan Commission recommended for approval

[19-1817](#) Request to approve Rezoning #10-19 to rezone the area generally located at officially mapped Sommers Drive north and south of officially mapped Spartan Drive (part of Tax Id #31-6-6001-04 and part of #31-6-6001-06), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from AG Agricultural District to P-I Public Institutional District

Attachments: [StaffReport_SommersandSpartanStormwater_Rezoning_For12-10-19.pdf](#)

Legislative History

12/10/19 City Plan Commission recommended for approval
Proceeds to Council on January 22, 2020.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[20-0026](#) Action: Request Approval of Six-Year (2020-2025) Golf Cart Lease to Yamaha Golf & Utility in the Annual Amount of \$27,211.10

Attachments: [2020 Golf Cart Lease Memo.doc](#)

Legislative History

1/13/20 Parks and Recreation recommended for approval
Committee

[20-0042](#) Resolution #2020-01 Wisconsin DOT Application

Attachments: [Resolution for WisDOT Application 2020-01.docx](#)

[Revised Final Resolution for WisDOT Application.docx](#)

[WE Energies Trail Master Plan Handout.pdf](#)

Legislative History

1/13/20 Parks and Recreation recommended for approval
Committee
Director Gazza distributed a revised Resolution "2020-01" that included the costs of construction and funding contributions. He also distributed a WE Energies Trail Master Plan handout.

5. MINUTES OF THE FINANCE COMMITTEE

[20-0055](#) Request to approve repealing and recreating Sec.2-1 Destruction of Public Records for the purpose of adopting a general records retention and disposition schedule

Attachments: [Memo re Creation of Schedule and Ordinance Amendment FINAL - 01-07-2020](#)

Legislative History

1/13/20 Finance Committee recommended for approval

[20-0056](#) Request to approve Relocation Order for reconstruction of a portion of Prospect Avenue and related storm sewer construction

Attachments: [Prospect Ave - Relocation Order.pdf](#)

Legislative History

1/13/20 Finance Committee recommended for approval

[20-0057](#) Request to approve Relocation Order for construction of a storm sewer in the area of Alvin Street

Attachments: [Pathways Church - Relocation Order.pdf](#)

Legislative History

1/13/20 Finance Committee recommended for approval

[20-0058](#) Request to approve Relocation Order for reconstruction of a portion of the Calumet Street and Carpenter Street intersection

Attachments: [Calumet and Carpenter - Relocation Order.pdf](#)

Legislative History

1/13/20 Finance Committee recommended for approval

[20-0059](#) Request to approve moving the Spartan Drive (Haymeadow to 900' east) from the 2021 Sanitary and Watermain Program to the 2020 Program

Attachments: [Spartan Dr Watermain Program.pdf](#)

Legislative History

1/13/20 Finance Committee recommended for approval

[20-0066](#) Request to rescind the following 2019 Real Estate taxes under WI Statute 74.33(l) which allows for the correction of errors.

Parcel 31-2-0662-00 located at 549 N. Clark Street

Parcel 31-1-1353-00 located at 1119 Nawada Court

Attachments: [Property Tax recissions.pdf](#)

Legislative History

1/13/20 Finance Committee recommended for approval

[20-0068](#) Request to award the City of Appleton 2019 MSB Acoustical Ceiling Upgrades Phase 2 Project - Electrical Package contract to VOE Power and Systems, LLC in the amount of \$38,700 with a contingency of \$1,900 for a project total not to exceed \$40,600 and approve the related 2019 Budget adjustment:

Facilities Capital Projects Fund

MSB Ceiling Tile Replacement Project	+\$11,000
MSB Lighting Upgrades Project	- \$11,000

to provide funding to complete the MSB Ceiling Tile Replacement Project (2/3 vote of Common Council required)

Attachments: [2019 MSB Ceiling Replacement Phase 2 - Electrical with Budget Transfer.pdf](#)

Legislative History

1/13/20 Finance Committee recommended for approval

[20-0070](#) Request to award the City of Appleton 2019 Wastewater Treatment Plant Water Lateral Upgrades project contract to Degroot, Inc in the amount of \$269,220 with a contingency of \$30,000 for a project total not to exceed \$299,220

Attachments: [2019 AWWTP Water Lateral Replcement.pdf](#)

Legislative History

1/13/20 Finance Committee recommended for approval

[20-0071](#) Request to reject bids from PayneCrest Electric, Inc, Van Ert Electric Co. Inc, Pieper Electric, Inc., and Michels Power for the 2019 Appleton Wastewater Treatment Plant Electrical Distribution Main Substation Upgrades project

Attachments: [2019 AWWTP Electrical Distribution Main Substation Upgrades Project \(Reject](#)

Legislative History

1/13/20 Finance Committee recommended for approval

[20-0072](#) Request to reject bids from J.F. Ahern Co, EGI Mechanical, Inc, Great Lakes Mechanical, Inc, and Hurkman Mechanical Industries, Inc for the 2019 Appleton Wastewater Treatment Plant HVAC Upgrades project

Attachments: [2019 AWWTP AS Building HVAC Upgrade Project \(Reject Bids\).pdf](#)

Legislative History

1/13/20 Finance Committee recommended for approval

[20-0073](#) Request to award the City of Appleton 2019 MSB Acoustical Ceiling Upgrades Phase 1 Project - Acoustical Ceiling Replacement contract to Cardinal Construction, Inc in the amount of \$35,925 with a contingency of \$3,000 for a project total not to exceed \$38,925

Attachments: [2019 MSB Ceiling Replacement Phase 1.pdf](#)

Legislative History

1/13/20 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[19-1909](#) Request to approve recommended funding of \$10,000 for cooperative campaign with the Department of Public Works and Communications Coordinator regarding parking downtown from the 2019 Community & Economic Development Department's Marketing and Business Services program account as outlined in the attached memo

Attachments: [Memo Recommend Cooperative Campaign Downtown Parking.pdf](#)

Legislative History

12/11/19 Community & Economic Development Committee recommended for approval

12/18/19 Common Council referred to the Community & Economic Development Committee

1/15/20 Community & Economic Development Committee recommended for approval

[20-0041](#) Request to approve recommended funding of \$15,000 for 2020 sponsorships for Appleton Downtown Inc. (ADI) programs as outlined in the attached document

Attachments: [Memo to CEDC on ADI Sponsorships 2020.pdf](#)

[ADI Sponsorship Request for 2020.pdf](#)

Legislative History

1/15/20 Community & Economic Development Committee recommended for approval

7. MINUTES OF THE UTILITIES COMMITTEE

[20-0019](#) Approve update to Municipal Code Section 24-10, Erosion and Sediment Control Applicability and Jurisdiction.

Attachments: [2019 24-10 ESC Update Util Memo.pdf](#)
[Sec 24-10 Changes.pdf](#)

Legislative History

1/14/20 Utilities Committee recommended for approval

[20-0020](#) Approve updates to Municipal Code Section 24-35, Erosion and Sediment Control Plan, Statement and Amendments.

Attachments: [2019 24-35 ESC Update Util Memo.pdf](#)
[Sec 24-35 Changes.pdf](#)

Legislative History

1/14/20 Utilities Committee recommended for approval

[20-0021](#) CRITICAL TIMING - Approve contract with the Wisconsin Department of Natural Resources for the UNPS Planning Grant for the update to the City-wide Stormwater Management Plan in the amount of \$75,000.

Attachments: [2019 Planning grant DNR contract to UC.pdf](#)

Legislative History

1/14/20 Utilities Committee recommended for approval

[20-0022](#) Award 2020D Stormwater Consulting Services Contract for the City-wide Stormwater Management Plan Update to Brown and Caldwell in an amount not to exceed \$199,981.

Attachments: [2020D City-wide SWMP BC Award Memo.pdf](#)

Legislative History

1/14/20 Utilities Committee recommended for approval

[20-0023](#) Award Contract to Fiberglass Solutions Inc. for Hypochlorite Fiberglass Reinforced Plastic Tank Relining Work in the amount of \$42,794 plus a 7.5% contingency of \$3,210 for a total not to exceed cost of \$46,004.

Attachments: [200106 Utilities Memo Fiberglass Tank Relining Contract.pdf](#)

Legislative History

1/14/20 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

[19-1708](#) Resolution #15-R-19 Youth Mental Health

Attachments: [#15-R-19 Youth Mental Health.pdf](#)

[Psychiatric News Article 091919.pdf](#)

[Jessica Anderson Email 10312019.pdf](#)

[Jessica Anderson Questions 11202019.pdf](#)

[WCASA Letter 11252019.pdf](#)

[Mark & Jane Issac Email 11272019.pdf](#)

[Additional related emails.pdf](#)

[Youth Mental Health Resolution - Amendment 1.8.2020.pdf](#)

Legislative History

11/13/19	Board of Health	presented
	<i>sally arrived at 7:26am</i>	
12/11/19	Board of Health	adjourned
1/8/20	Board of Health	amended
	<i>Motion made to amend resolution so that alleged violations are referred to the State for investigation and enforcement, the \$1,000 fine is eliminated, and deleted a reference to a City license for physical and/or mental health practice.</i>	
1/8/20	Board of Health	recommended for approval

M. CONSOLIDATED ACTION ITEMS**N. ITEMS HELD****O. ORDINANCES**

[20-0099](#) Ordinance 5-20 Amending Chpt 23 for Rezoning of Sommers Drive North and South of Spartan Drive from AG Agricultural District to P-I Public Institution District

Attachments: [AMEND005.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**

T. ADJOURN

Kami Lynch, City Clerk

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