



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, September 4, 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

[19-1292](#) Common Council meeting minutes of August 21, 2019

Attachments: [CC Minutes 8-21-19.pdf](#)

G. BUSINESS PRESENTED BY THE MAYOR

[19-1295](#) Committee Reappointments - Public Arts Committee

Attachments: [APPTS TO PUBLIC ARTS COMM 090419.pdf](#)

[19-1298](#) Presentation concerning US Venture Bluff Site Development and Status of Project

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

[19-1131](#) Public Hearing, Street Vacation for Alley west of S. Oneida Street

Attachments: [Public Hearing - Alley W of Oneida.pdf](#)

[19-1132](#) Public Hearing, Street Vacation for W. Water Street

Attachments: [Public Hearing - W.WaterSt.pdf](#)

[19-1133](#) Public Hearing, Street Vacation for E. North Island Street

Attachments: [Public Hearing - ENorthIsland.pdf](#)

[19-1138](#) Public Hearing, Rezoning #7-19, Perez - 219 W. Edgewood Drive Annexation

Attachments: [RZ #7-19 Notice of Public Hearing.pdf](#)

[19-1122](#) Public Hearing, Zoning Ordinance Text Amendments, Sec. 23-22 & 23-651 Historic Preservation

Attachments: [Public Hearing Sec 23-22 & 23-651 HPC Amendments.pdf](#)

J. SPECIAL RESOLUTIONS

[19-1290](#) Resolution Authorizing General Obligation Promissory Notes, Series 2019A

Attachments: [Appleton 2019A G.O. Promissory Notes - Award Resolution.pdf](#)

[19-1287](#) Final Resolution for Street Vacation for Alley west of S. Oneida Street

Attachments: [Alley West of Oneida - Final Resolution.pdf](#)

[19-1288](#) Final Resolution for Street Vacation for W. Water Street

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

[19-1289](#) Final Resolution for Street Vacation for E. North Island Street

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

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-0985](#) R/B-Approve proposed changes to Municipal Code Section 19-110 Metered on-street parking and Section 19-111 Metered off-street parking related to red-head meter time limits.

Attachments: [Existing Red-head Meter Parking.pdf](#)

Legislative History

7/15/19	Municipal Services Committee	recommended for approval
7/24/19	Common Council	referred to the Municipal Services Committee
7/29/19	Municipal Services Committee	referred to the Municipal Services Committee
	<i>Item 19-0985 was referred to staff August 26th meeting.</i>	
8/26/19	Municipal Services Committee	recommended for approval
	<i>Amend to this item shall be reviewed at end of August 2020 Coenen second by Firkus</i>	
	<i>4-1 Williams approved as amended 4-1 Williams</i>	

[19-1006](#)

Resolution #8-R-19 North Clark Street

Attachments: [Resolution #8-R-19.pdf](#)

Legislative History

7/15/19	Municipal Services Committee	referred
	<i>Refer to staff August 26, 2019</i>	
8/26/19	Municipal Services Committee	recommended for approval

[19-1247](#)

Approve Appleton Downtown Inc. request to purchase up to 36 parking stalls on September 20, 2019 for Park(ing) Day.

Attachments: [ADI-Art on the Town.pdf](#)

Legislative History

8/26/19	Municipal Services Committee	recommended for approval
	<i>Amend to 40 stalls by Coenen second by Williams approved 5-0</i>	

[19-1248](#)

Approve Intergovernmental Agreement with Outagamie County and the Town of Grand Chute for the reconstruction of Prospect Avenue.

Attachments: [Intergovernmental Agreement for Prospect Avenue.pdf](#)

Legislative History

8/26/19	Municipal Services Committee	recommended for approval
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[19-1249](#)

Request from Sal Galante, 510 E. Frances Street, for a variance to Municipal Code 19-91 (f)(5) to extend the driveway 13 feet into the front yard.

Attachments: [Driveway variance-510 E Frances St.pdf](#)

Legislative History

8/26/19	Municipal Services Committee	recommended for approval
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[19-1250](#) Request from Deja vu Martini Lounge for a Street Occupancy Permit to place a boarder fence, barricade posts and dumpster privacy fencing in the alley at 519 W. College Avenue.

Attachments: [Deja vu Martini Lounge-Street Occupancy Permit.pdf](#)

Legislative History

8/26/19	Municipal Services Committee	recommended for approval
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[19-1251](#) Request from Hoffman Planning, Design & Construction, Inc. for a Street Occupancy Permit to place a table at 122 E. College Avenue.

Attachments: [Hoffman-table request.pdf](#)

Legislative History

8/26/19	Municipal Services Committee	recommended for approval
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2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[19-1031](#) Resolution #6-R-19 regarding Massage Establishments

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

[SL - Memo re Resolution #6-R-19.pdf](#)

Legislative History

7/17/19	Safety and Licensing Committee	referred
8/28/19	Safety and Licensing Committee	recommended for approval

[19-1204](#) Class "B" Beer and "Class B" Liquor License Change of Agent application for Applebee's Neighborhood Grill & Bar, Joseph E. Behn, New Agent, located at 3040 E College Ave.

Attachments: [Joseph E Behn S&L 8-28-19.pdf](#)

Legislative History

8/28/19	Safety and Licensing Committee	recommended for approval
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[19-1226](#) Class "B" Beer and "Class C" Wine License application for Meraki Tea Bar LLC d/b/a Fika Tea Bar, Ashon Anderson, Agent, located at 207 W College Ave, contingent upon approval from all departments.

Attachments: [Liquor License-Fika Tea Bar S&L 8-28-19.pdf](#)

Legislative History

8/28/19	Safety and Licensing Committee	recommended for approval
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[19-1235](#) Class "A" Beer and "Class A" Liquor License application form for Family Dollar Stores of Wisconsin LLC d/b/a Family Dollar #23800, Joshua D Nigbor, Agent, located at 808 W. Wisconsin Ave, contingent upon approval from all departments.

Attachments: [Liquor License-Family Dollar.pdf](#)

Legislative History

8/28/19	Safety and Licensing Committee	recommended for approval
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[19-1271](#) Operator's Licenses

Attachments: [Operator's Licenses for 8-28.pdf](#)

Legislative History

8/28/19	Safety and Licensing Committee	recommended for approval
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3. MINUTES OF THE CITY PLAN COMMISSION

[19-0942](#) Request to approve the dedication of land for public right-of-way for a portion of West Water Street generally located on the northwesterly side of West Water Street, southwest of South Elm Street and southeast of West Prospect Avenue (part of Tax Id #31-3-0373-00), as shown on the attached maps (Associated with File Item #19-0941)

Attachments: [StaffReport WaterStreet StreetDedication For07-09-19.pdf](#)

Legislative History

7/9/19	City Plan Commission	recommended for approval
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Proceeds to Council on September 4, 2019.

[19-1154](#) Request to approve Rezoning #7-19 for the Perez Annexation, formerly part of Town of Grand Chute, consisting of approximately 0.8 acres located at 219 West Edgewood Drive, including all of the adjacent 1/2 right-of-way of West Edgewood Drive (Tax Id #31-6-5803-00, formerly Grand Chute Tax Id #101039314), as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District

Attachments: [StaffReport Perez Annex Rezoning For081319.pdf](#)

Legislative History

8/13/19	City Plan Commission	recommended for approval
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Proceeds to Council on September 4, 2019.

[19-1158](#) Request to approve text amendments to Chapter 23 Zoning Ordinance of the Municipal Code relating to Section 23-22 Words and Terms Defined related to Historic Preservation and Section 23-651 Historic Preservation, as identified in the attached staff report

Attachments: [StaffReport ZOTextAmendments Sec23-22+23-651 For08-13-19.pdf](#)

Legislative History

8/13/19 City Plan Commission recommended for approval
Proceeds to Council on September 4, 2019.

[19-1230](#)

Request to approve the Spartan Drive-Sommers Drive-Edgewood Drive Annexation consisting of approximately 31.8498 acres generally located north of Edgewood Drive and west of Haymeadow Avenue, currently in the Town of Grand Chute, as shown on the attached maps, subject to the stipulation in the attached staff report

Attachments: [StaffReport_SpartanSommersEdgewood_Annexation_For08-27-19.pdf](#)

Legislative History

8/27/19 City Plan Commission recommended for approval

[19-1231](#)

****CRITICAL TIMING**** Annual review and request to approve the Downtown Appleton Business Improvement District (BID) 2020 Operating Plan

Attachments: [StaffReport_2020BIDOperatingPlan_For08-27-19.pdf](#)

[2020 BID Operational Plan.pdf](#)

[2018 BID Annual Report.pdf](#)

[2018 BID Audit - Financial Statements.pdf](#)

[2018 BID Audit - Management Communications.pdf](#)

Legislative History

8/27/19 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**5. MINUTES OF THE FINANCE COMMITTEE**[19-1266](#)

Request to award the City of Appleton 2019 Pierce Park Playground Sitework project contract to Cardinal Construction Co, Inc in the amount of \$250,467.37 with a contingency of \$24,000 for a project not to exceed \$274,467.37 and approve the following 2019 Budget adjustment:

Facilities Capital Projects Fund

2019 Parks Lighting Upgrades Project	- \$100,000
2019 Pierce Park Playground Sitework Project	+\$100,000

to transfer funds between projects (2/3 of Common Council required for approval)

Attachments: [2019 Pierce Park Playground Project with Budget transfer.pdf](#)

Legislative History

8/26/19 Finance Committee recommended for approval

[19-1267](#) Request to reject bids from Van Ert Electric, Michels Power, and Bodart Electric for the 2019 Pierce Park Lighting Upgrades Project Phase 1

Attachments: [2019 Parks Lighting Upgrades Project \(Reject Bids\).pdf](#)

Legislative History

8/26/19 Finance Committee recommended for approval

[19-1268](#) Request to approve storm sewer easement agreement with Lawrence University for their property at 100 W. Water Street

Attachments: [RockyBleier Lawrence UW 0815 2019.pdf](#)

Legislative History

8/26/19 Finance Committee recommended for approval

[19-1269](#) Request to approve sole source contract to Holtger Bros., Inc for a contract fee of \$36,840 and a contingency of \$3,800 for installation of fiber to the Scheig Center for a contract amount not to exceed \$40,640

Attachments: [2019 Scheig Center Fiber Installation Sole Source.pdf](#)

Legislative History

8/26/19 Finance Committee recommended for approval

[19-1275](#) A Resolution authorizing and providing for the sale and issuance of \$18,660,000 General Obligation Promissory Notes, Series 2019, and all related details

Attachments: [Appleton 2019A G.O. Promissory Notes - Award Resolution.pdf](#)

[19-1270](#) Request to approve contract for Concrete Column and Beam Repairs in the Green and Yellow Parking Ramps to The Boldt Company in the amount of \$26,868 with a 15% contingency of \$4,030 for a project total not to exceed \$30,898

Attachments: [Memo Parking Ramp contract award.pdf](#)

Legislative History

8/26/19 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[19-1237](#) Amend 2019H Wetlands Delineation Contract with NES by an amount not to exceed \$16,650.

Attachments: [2019H Wetlands Delineation Amendment 2 Memo Util Cmte 08-20-2019 FINAL](#)

[19-1293](#) Award Phase 1 Optimized Corrosion Control Treatment Studies to Jacobs in the amount of \$34,080 with an option to Award Phase 2 Engineering Services for \$116,070 with a total not to exceed cost of \$150,150.

Attachments: [OCCT Project 08-28-19.pdf](#)

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

[19-1286](#) Ordinances: 86-19 (Truancy Repeal), 87-19 & 88-19 (HPC Text Amendments), 89-19 (Perez Annexation Rezoning), 90-19 (Spartan Drive/Sommers Drive/Edgewood Drive Annexation)

Attachments: [Ordinances going to Council 9-4-19.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

[19-1291](#) 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.