



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, October 7, 2015

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. PUBLIC PARTICIPATION
- G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES
 - [15-1525](#) Common Council Meeting Minutes from September 16, 2015
Attachments: [CC Minutes 09-16-2015.pdf](#)
 - [15-1577](#) Common Council Meeting Minutes from September 29, 2015
Attachments: [CC Minutes 09-29-2015 - Special Meeting.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR
 - [15-1578](#) Presentation of Fire Prevention Week Proclamation
 - [15-1579](#) Presentation of Fire Department Good Samaritan Award to Lexie Hein and Sylvia Petsinger
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS

[15-1556](#) A Resolution authorizing and providing for the sale and issuance of \$5,830,000 General Obligation Promissory Notes, Series 2015, and all related details.

Attachments: [Award Resolution - Appleton 2015 G.O. Prom Notes.docx](#)

[15-1557](#) A Resolution authorizing and providing for the sale and issuance of \$9,335,000 Storm Water System Revenue Bonds, Series 2015, and all related details.

Attachments: [Award Resolution - Appleton 2015 Storm Water System Rev Ref Bonds.docx](#)

[15-1558](#) A Resolution authorizing and providing for the sale and issuance of \$21,360,000 Water System Revenue Bonds, Series 2015, and all related details.

Attachments: [Award Resolution - Appleton 2015 Water Rev Ref Bonds.docx](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

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

[15-1430](#) Request from Hearthstone to appeal the "Guidelines for Signs in the Street Right -of-Way" to install a ground sign in the Memorial Drive right-of-way. If approved, sign shall be installed in location approved by the Department of Public Works and comply with the Zoning Code standards regarding animation.

Attachments: [Hearthstone.pdf](#)

Legislative History

9/8/15	Municipal Services Committee	held
	<i>Item 15-1430 was held until the October 13, 2015 meeting for clarification on exact location of sign.</i>	
9/22/15	Municipal Services Committee	recommended for approval

[15-1431](#) Request from Mr. Robert Klemp for a variance to the Street Terrace Policy for his fence and bushes outside of the ~~60-foot~~ **25-foot** obstruction zone. **The remaining bushes required to be maintained at 3 feet or less.**

Attachments: [Robert Klemp-633 N Linwood.pdf](#)

Legislative History

9/8/15	Municipal Services Committee	recommended for approval
9/16/15	Common Council	referred to the Municipal Services Committee
9/22/15	Municipal Services Committee	recommended for approval

Item 15-1431 amended to change the "60" feet to "25" feet. Also add language that state the bushes required to be maintained at 3 feet or less.

[15-1507](#)

Approve Inter-Governmental Agreement for Midway Road Pedestrian Improvements at the Hemlock/Southfield Intersection with the City of Menasha and Calumet County.

Attachments: [Midway Road Pedestrian Improvements.pdf](#)
[Mike Muoio handout.pdf](#)

Legislative History

9/22/15	Municipal Services Committee	recommended for approval
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[15-1512](#)

Approve traffic ordinance changes for the Emerald Valley 2nd Addition subdivision.

Attachments: [Emerald Valley 2nd Addition Subdivision.pdf](#)

Legislative History

9/22/15	Municipal Services Committee	recommended for approval
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[15-1514](#)

Approve parking ordinance changes for Ashbury Drive intersection bumpouts.

Attachments: [Ashbury Drive Intersection Bumpouts.pdf](#)

Legislative History

9/22/15	Municipal Services Committee	recommended for approval
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[15-1515](#)

Approve parking ordinance changes for Fox Valley Estates.

Attachments: [Fox Valley Estates.pdf](#)

Legislative History

9/22/15	Municipal Services Committee	recommended for approval
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[15-1516](#)

Award Downtown Appleton Mobility Plan to AECOM Technical Services, Inc. in an amount not to exceed \$105,000.

Attachments: [Downtown Appleton Mobility Plan.pdf](#)

Legislative History

9/22/15 Municipal Services recommended for approval
 Committee

[15-1517](#) Approve amendments to Municipal Code Section 19-91, Parking in front and side yard in residential district.

Attachments: [Parking in front and side yard.pdf](#)

Legislative History

9/22/15 Municipal Services recommended for approval
 Committee

[15-1518](#) Approve revised State/Municipal Agreement for the construction of the Lawe Street Bridge over the power canal.

Attachments: [Lawe Street Bridge.pdf](#)

Legislative History

9/22/15 Municipal Services recommended for approval
 Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[15-1414](#) Operator's License application of Jessica L. Ahrens, 218 S. Outagamie Street.

Legislative History

9/23/15 Safety and Licensing recommended for approval
 Committee

[15-1492](#) Operator's License application of Chad D. Dishno, 617 Kenneth Avenue, Kaukauna.

Attachments: [Chad Dishno memo.pdf](#)

Legislative History

9/23/15 Safety and Licensing recommended for denial
 Committee

[15-1413](#) Operator's License application of Brian L. Strebe, 1318 N. Division Street.

Legislative History

9/9/15 Safety and Licensing held
 Committee

9/23/15 Safety and Licensing recommended for denial
 Committee

[15-1491](#) Operator's Licenses

Attachments: [Operator's Licenses for 09-23-2015 S&L.pdf](#)

Legislative History

9/23/15 Safety and Licensing Committee recommended for approval

[15-1481](#)

Class "A" Beer License application of Shopko Stores Operating Co., LLC, Mark Grasmick, Agent, 1000 West Northland Avenue, contingent upon approval from all departments.

Legislative History

9/23/15 Safety and Licensing Committee recommended for approval

[15-1505](#)

Class "B" Beer and Class "C" Wine License application of The Cozy Corner LLC, d/b/a Cozy Corner, Natasha M. Banks, Agent, 111 North Walnut Street, contingent upon approvals from all departments.

Legislative History

9/23/15 Safety and Licensing Committee recommended for approval

[15-1526](#)

"Class A" Liquor (Cider only) License application of Van Zeeland Oil Co Inc, d/b/a Valley Mobil, Todd G. Van Zeeland, Agent, 2661 S. Oneida St., contingent upon approval from all departments.

Legislative History

9/23/15 Safety and Licensing Committee recommended for approval

[15-1527](#)

"Class A" Liquor (Cider only) License application of Van Zeeland Oil Co Inc, d/b/a Apple Creek Mobil, Todd G. Van Zeeland, Agent, 2000 E. Edgewood Dr., contingent upon approval from all departments.

Legislative History

9/23/15 Safety and Licensing Committee recommended for approval

[15-1528](#)

"Class A" Liquor (Cider only) License application of Van Zeeland Oil Co Inc, d/b/a Northgate Mobil, Todd G. Van Zeeland, Agent, 105 W. Northland Ave., contingent upon approval from all departments.

Legislative History

9/23/15 Safety and Licensing Committee recommended for approval

[15-1530](#)

"Class A" Liquor (Cider only) License application of Van Zeeland Oil Co Inc, d/b/a Richmond Street Mobil, Todd G. Van Zeeland, Agent, 3401 N. Richmond St., contingent upon approval from all departments.

Legislative History

9/23/15 Safety and Licensing Committee recommended for approval

3. MINUTES OF THE CITY PLAN COMMISSION

[15-1500](#)

Request to approve Special Use Permit #12-15 for a car wash in conjunction with an existing convenience store/gas station, at 320 S. Kensington Drive, 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

Attachments: [StaffReport_MotoMart_SUP_For09-21-15.pdf](#)

Legislative History

9/21/15 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[15-1320](#)

Resolution Introduced by Alderperson Jirschele and Alderperson Martin at the Common Council meeting of August 5, 2015:

#11-R-15

Whereas, City of Appleton Parks are developed and managed for the greatest possible benefit of, and use by, the people of the city, and;

Whereas, alcohol abuse and the dysfunctional behavior associated with such use has become an obstacle to the full enjoyment of our parks by the broader citizenry;

Be it resolved that alcoholic beverages and their consumption be permitted in City of Appleton Parks only by permit as provided through a revised, simple reservation/registration process administered by the Parks, Recreation and Facilities Department and the Appleton Police Department.

Attachments: [Action-Alcohol in Parks Ordinance Change Redline \(9-21-15\).pdf](#)

[Application for Consumption of Alcohol in City of Appleton.docx](#)

[Chief Thomas Memo Park Security & Alcohol Issues-Informational \(8-10-15\).pdf](#)

Legislative History

8/10/15	Parks and Recreation Committee	referred to the Parks and Recreation Committee
		<i>Referred to staff for more specifics.</i>
8/10/15	Safety and Licensing Committee	received and filed
9/21/15	Parks and Recreation Committee	recommended for approval

5. MINUTES OF THE FINANCE COMMITTEE

[15-1482](#) Request to award contract for Fire Station #4 Air Handler Replacement to EGI Mechanical, Inc in the amount of \$30,297 with a contingency of \$1,500 for a contract total not to exceed \$31,797.

Attachments: [2015 Fire Station #4 Air Handler Unit Recommendation.pdf](#)

Legislative History

9/22/15 Finance Committee recommended for approval

[15-1484](#) Request to award contract for Municipal Services Salt Shed Door Replacement to Silvercrest Construction Group, Inc in the amount of \$42,990 with a contingency of \$500 for a contract total not to exceed \$43,490.

Attachments: [2015 Municipal Services Salt Shed Door Recommendation.pdf](#)

Legislative History

9/22/15 Finance Committee recommended for approval

[15-1486](#) Request to award contract for Municipal Services Building Condensing Boiler Addition to EGI Mechanical, Inc in the amount of \$54,267 with a contingency of \$2,000 for a contract total not to exceed \$56,267, and

Request to approve the follow 2015 Budget Adjustment:

General Fund - Facilities

Fire Station AHU #4 Project	- \$10,000
MSB Condensing Boiler Addition Project	+\$10,000

to reallocate positive fund balance.

Attachments: [2015 Municipal Services Building Boiler Recommendation.pdf](#)

Legislative History

9/22/15 Finance Committee recommended for approval

[15-1535](#) *Request to award contract for Miscellaneous Maintenance in the Blue, Yellow and Green Parking Ramps to The Boldt Company in the amount of \$30,741.80, with a contingency of \$3,258.20 for a contract total not to exceed \$34,000.*

Attachments: [Misc Ramp Maint-Boldt Co.pdf](#)

Legislative History

9/22/15 Finance Committee recommended for approval

[15-1534](#) Adopt the 2016 City of Appleton Policy for Special Assessments

Attachments: [Finance - Assessment Policy - 2016 Draft.pdf](#)

Legislative History

9/22/15 Finance Committee recommended for approval
Motion to hold by Alderperson Lobner fails for lack of a second

[15-1548](#)

Request approval to amend City ordinance regarding the collection of real estate taxes as a condition of the issuance of a business license.

Attachments: [Finance - Delinquent Tax Ord Amendments.pdf](#)

Legislative History

9/22/15 Finance Committee recommended for approval

[15-1524](#)

Changes to the Procurement and Contract Management Policy

Attachments: [Purchasing Policy Memo 2015.pdf](#)

[Purchasing Policy Strike-bold 2015.pdf](#)

[Purchasing Policy Survey 2015.pdf](#)

Legislative History

9/22/15 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[15-1489](#)

Request to approve Amendments to Citizen Participation Plan for Community Development Block Grant (CDBG) Program

Attachments: [Memo to CEDC CPP Action.pdf](#)

[Citizen Participation Plan Draft with Markup.pdf](#)

[Citizen Participation Plan Draft Clean.pdf](#)

Legislative History

9/23/15 Community & Economic Development Committee recommended for approval

7. MINUTES OF THE UTILITIES COMMITTEE

[15-1425](#)

Award rehabilitation and painting of Water Plant Softener #4 to Howard Grote and Sons in the amount of \$248,806 with a 5% contingency of \$12,440 for a project total not to exceed \$261,246.

Attachments: [Softener Painting 09-02-15.pdf](#)

Legislative History

9/8/15 Utilities Committee recommended for approval

9/16/15 Common Council referred to the Utilities Committee

9/22/15 Utilities Committee recommended for approval

[15-1426](#) Approve additional rehabilitation and painting of Water Plant Softener #3 to Howard Grote and Sons in the amount of \$248,806 with a 5% contingency of \$12,440 for a project total not to exceed \$261,246 pending City Council approval of the 2016 Water Utility Budget.

Attachments: [Softener Painting 09-02-15.pdf](#)

Legislative History

9/8/15 Utilities Committee held
This item was held pending more information from Director Shaw at the Utilities Committee meeting of September 22, 2015.

9/22/15 Utilities Committee recommended for approval

[15-1493](#) Award of Arbutus Park Lift Station Conditions Assessment and Alternatives Technical Memo contract, in an amount not to exceed \$8,900 and authorization to single source future design contract with Strand Associates.

Attachments: [Arbutus Park Lift Station Technical Memo Award.pdf](#)

Legislative History

9/22/15 Utilities Committee recommended for approval

[15-1497](#) Award of 2015E Stormwater Consulting Services Contract for Spartan Drive Culvert and Stormwater Practices Preliminary Design and Lift Station Stormwater Management Plan to Brown & Caldwell in an amount not to exceed \$133,855.

Attachments: [2015 Spartan Ave BMP culvert Contract Award Memo to BC.pdf](#)

Legislative History

9/22/15 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES COMMITTEE

[15-463](#) Request to approve Mayor salary for
2016 - 2017
2017 - 2018
2018 - 2019
2019 - 2020

Attachments: [Nonrep Attorney Mayor Increase Calculations-2004 5-11-15.pdf](#)

[Mayor Rates revised 9-21-15.pdf](#)

[mayor attorney email and info for 6-8-15.pdf](#)

[Elected salary proposals 8.26.15.pdf](#)

Legislative History

3/23/15 Human Resources Committee held
Next meeting on April 6

5/11/15	Human Resources Committee	held
6/8/15	Human Resources Committee	held
	<i>Also held 15-488 under this motion to 6/22/15 meeting.</i>	
6/22/15	Human Resources Committee	held
7/6/15	Human Resources Committee	recommended for approval
	<i>Motion to hold failed 2-2.</i>	
	<i>\$94,686 annually for entire next elected term of office. (Motion failed 2-2)</i>	
7/6/15	Human Resources Committee	held
8/24/15	Human Resources Committee	recommended for approval
	<i>1.5% increase each year represents:</i>	
	<i>2016-17 \$ 96,106</i>	
	<i>2017-18 \$ 97,548</i>	
	<i>2018-19 \$ 99,011</i>	
	<i>2019-20 \$100,496</i>	
9/2/15	Common Council	referred to the Human Resources Committee
9/21/15	Human Resources Committee	recommended for approval
	<i>Amendment Proposed by Ald. Ed Baranowski: First year salary for 2016-17 salary to lower to \$84,250 with a 1.5% increase each year (second year is \$85,513.75, third year is \$86,796.46, fourth year is \$88,098.40). Ald. Baranowski motion to amend, 2nd by Ald. Spears.</i>	

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[15-1540](#) Authorization to Issue and Advertise a Request for Proposal for Providing ADA Certifications

Attachments: [ADA Certs 2015 RFP.pdf](#)

Legislative History

9/23/15 Fox Cities Transit Commission recommended for approval

[15-1541](#) Authorization to Issue and Advertise a Request for Proposal for Providing Rural Transportation Services in Outagamie County

Attachments: [OutCo Rural RFP Auth.pdf](#)

Legislative History

9/23/15 Fox Cities Transit Commission recommended for approval

[15-1542](#) Authorization to Issue and Advertise a Request for Proposal for Providing Specialized Transportation Services in Outagamie County

Attachments: [OutCo Spclzd Trans RFP Auth.pdf](#)

Legislative History

9/23/15 Fox Cities Transit Commission recommended for approval

[15-1543](#) Authorization to Issue and Advertise a Request for Proposal for Providing Northern Winnebago Dial-A-Ride Service

Attachments: [NWDAR 2015 RFP Auth.pdf](#)

Legislative History

9/23/15 Fox Cities Transit Commission recommended for approval

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

[15-1595](#) Ordinances 78-15 through 82-15

Attachments: [Ordinances going to 10-07-2015 Council.pdf](#)

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER COUNCIL BUSINESS

[15-1580](#) Convene into Committee of the Whole

[15-1581](#) Approval of the Fifth Amendment to the RiverHeath Development Agreement

Attachments: [CC 09-29-15 RiverHeath KH Memo.pdf](#)

[CC 09-29-15 RiverHeath Redlined.pdf](#)

[CC 09-29-15 RiverHeath Clean.pdf](#)

[CC 09-29-15 RiverHeath Exhibits.pdf](#)

[15-1598](#) Approval of the Intergovernmental Agreement (Cooperation Agreement) for the Fox Cities Exhibition Center

Attachments: [CC 10-07-2015 - Expo Center - Cooperation Agrm.pdf](#)

[15-1599](#) Approval of the Amended and Restated Room Tax Commission and Tourism Zone Agreement (Exhibition Center)

Attachments: [CC 10-07-2015 - Expo Center - Room Tax and Tourism Agrm.pdf](#)

[15-1600](#) Approval of draft ordinance imposing a hotel/motel room tax (Exhibition Center)

Attachments: [CC 10-07-2015 - Expo Center Ordinance.pdf](#)

[15-1582](#) Reconvene to Common Council

[15-1583](#) Report of Committee of the Whole

T. ADJOURN

Jamie L. Griesbach, Deputy City Clerk

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