



# 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, March 6, 2019

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
  - [19-0298](#) Common Council Meeting Minutes of February 20, 2019
    - Attachments:** [CC Minutes 2-20-19.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR
  - [19-0300](#) CPR Life-saver recognition of Luke Benrud
- I. PUBLIC HEARINGS
  - [19-0101](#) Public Hearing, Rezoning #1-19, Spartan Drive at Meade Street
    - Attachments:** [Public Hearing Notice\\_RZ #-19.pdf](#)
  - [19-0107](#) Public Hearing, Rezoning #2-19, Lucht Annex
    - Attachments:** [RZ #2-19 Public Hearing Notice.pdf](#)
  - [19-0160](#) Public Hearing, Rezoing #4-19, FRNSA Visitors Center
    - Attachments:** [RZ #4-19 Notice of Public Hearing .pdf](#)
- J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

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

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

[19-0256](#) Secondhand Jewelry License Renewal application of Expert Jewelry Repair, 636 W. College Ave, contingent upon approval from all departments.

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

3. **MINUTES OF THE CITY PLAN COMMISSION**

[19-0159](#) Request to approve Rezoning #1-19 for the Spartan Drive at Meade Street Annexation, formerly part of Town of Grand Chute, located on North Meade Street, between E. Edgewood Drive and E. Broadway Drive (Tax Id #31-6-6100-60, formerly part of Grand Chute Tax Id #101006800 and part of #101006802), including to the centerline of the adjacent Meade Street right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to P-I Public Institutional District

**Attachments:** [StaffReport\\_SpartanDrMeadeSt\\_Rezoning\\_For02-12-19.pdf](#)

**Legislative History**

2/12/19 City Plan Commission recommended for approval  
*Proceeds to Council on March 6, 2019.*

[19-0162](#) Request to approve Rezoning #2-19 for the Lucht (E. Broadway Drive) Annexation, formerly part of Town of Grand Chute, located on East Broadway Drive, north of Plamann Park, between N. Meade Street and N. Ballard Road (Tax Id #31-1-9313-00, formerly Grand Chute Tax Id #101001800), including to the centerline of the adjacent Broadway Drive right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District

**Attachments:** [StaffReport\\_LuchtAnnex\\_Rezoning\\_For02-12-19.pdf](#)

**Legislative History**

2/12/19 City Plan Commission recommended for approval  
*Proceeds to Council on March 6, 2019.*

[19-0166](#) Request to approve Rezoning #4-19 for the subject parcels located on South Lawe Street and East Newberry Street (Tax Id #31-4-0296-01, #31-4-0296-02, #31-4-0296-03, and #31-4-0296-04), including to the centerline of the adjacent railroad line and canal, the adjacent one-half (1/2) right-of-way of South Lawe Street, and all of the adjacent East Newberry Street right-of-way, as shown on the attached maps, from PD/C-2 Planned Development General Commercial District #9-10, M-2 General Industrial District, R-2 Two-Family District, R-1B Single-Family District, and P-I Public Institutional District to CBD Central Business District

**Attachments:** [StaffReport FRNSAVisitorsCenter Rezoning For02-12-19.pdf](#)

**Legislative History**

2/12/19 City Plan Commission recommended for approval  
*Proceeds to Council on March 6, 2019.*

[19-0247](#) Request to approve Special Use Permit #1-19 for a cafe/restaurant with alcohol sales and service located at 608 North Lawe Street (Tax Id #31-1-0257-00), 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 and approve attached Resolution (2/3 vote of Common Council required for approval)

**Attachments:** [StaffReport Moonwater Cafe SUP For02-26-19.pdf](#)

**Legislative History**

2/26/19 City Plan Commission recommended for approval

[19-0249](#) Request to approve Special Use Permit #2-19 for an expanded tavern/restaurant and outdoor area with alcohol sales and service located at 201 South Walnut Street (Tax Id #31-3-0847-00 and #31-3-0848-00), 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 and approve attached Resolution (2/3 vote of Common Council required for approval)

**Attachments:** [StaffReport McGuinnessIrishPub SUP For02-26-19.pdf](#)

**Legislative History**

2/26/19 City Plan Commission recommended for approval

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

[19-0259](#) Action: Request Approval of Updated Aquatic Programs Fees and Charges Policy

**Attachments:** [Aquatic Fees and Charges Policy Memo \(2.25.19\).doc](#)

[2019 Aquatic Programs Fees and Charges - REDLINE.docx](#)

[2019 Aquatic Programs Fees and Charges - CLEAN.docx](#)

**Legislative History**

2/25/19 Parks and Recreation Committee recommended for approval  
*Aldersperson Siebers asked Director Gazza for the breakdown of 2018 Revenues and Expenses for the pools. Director Gazza has asked staff for input and the numbers are \$469,298 in revenues and \$524,210 in expenses.*

[19-0264](#)

Action: Request Approval of the Houdini Plaza Rental and Fee Schedule Policy

**Attachments:** [2019 Houdini Plaza Memo.doc](#)  
[2019 Houdini Plaza Rental & Fee Schedule Policy - Redline Version.docx](#)  
[2019 Houdini Plaza Rental & Fee Schedule Policy - Clean.docx](#)

**Legislative History**

2/25/19 Parks and Recreation Committee recommended for approval

[19-0265](#)

Action: Request Approval of the Jones Park Rental and Fee Schedule Policy

**Attachments:** [2019 Jones Park Policy.doc](#)  
[2019 Jones Park Rental & Fee Schedule Policy-Clean.docx](#)

**Legislative History**

2/25/19 Parks and Recreation Committee recommended for approval

## 5. MINUTES OF THE FINANCE COMMITTEE

[19-0267](#)

Request to award Unit B-19 Asphalt Paving to Vinton Construction in the amount of \$1,459,946 with a 5% contingency of \$73,000 for a project total not to exceed \$1,532,946

**Attachments:** [Award of Contract Unit B-19.pdf](#)

**Legislative History**

2/25/19 Finance Committee recommended for approval

[19-0268](#)

Request to award Unit X-19 Prospect Avenue Sewer & Water Reconstruction to Dorner, Inc in the amount of \$2,546,184 with a 2.8% contingency of \$72,057 for a project total not to exceed \$2,618,241

**Attachments:** [Award of Contract Unit X-19.pdf](#)

**Legislative History**

2/25/19 Finance Committee recommended for approval

[19-0269](#) Request to approve rescission or refund of personal property taxes

**Attachments:** [PP tax rescissions for Finance Committee 02-19-19.pdf](#)

**Legislative History**

2/25/19 Finance Committee recommended for approval

[19-0270](#) Request to award the WWTP Entrance Road and Gate Upgrades project contract to Sommers Construction Co, Inc in the amount of \$326,917 with a contingency of 12% for a project total not to exceed \$366,147

**Attachments:** [WWTP Entrance Road and Gate.pdf](#)

**Legislative History**

2/25/19 Finance Committee recommended for approval

[19-0271](#) Request to approve the Relocation Order for the Bluff Site parking ramp tie backs

**Attachments:** [Mosaic - Relocation Order.pdf](#)

**Legislative History**

2/25/19 Finance Committee recommended for approval

[19-0272](#) Request to approve payment of outstanding vonBriesen invoices

**Legislative History**

2/25/19 Finance Committee recommended for approval  
*Amended to pay outstanding invoices totaling \$80,000 to von Briesen and funds to come from Community & Economic Development Capital Projects Fund*

[19-0275](#) Request to approve purchase of equipment for the Fox Cities Exhibition Center and approve the following related 2018 Budget adjustment:

**Community Development Capital Projects Fund**

Equipment	+\$75,000
Fund Balance	- \$75,000

to fund the purchase of equipment for the Fox Cities Exhibition Center

**Attachments:** [Memo Re FFE for the FCEC.pdf](#)

[Critical needs for the FCEC in order of urgency.pdf](#)

[FCEC Fully Executed MA.pdf](#)

**Legislative History**

2/25/19 Finance Committee recommended for approval  
*Amended to 'City of Appleton to purchase equipment'*

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

## 7. MINUTES OF THE UTILITIES COMMITTEE

[19-0283](#) Approval to single source and award 2019J Stormwater Consulting Services Contract for Phase 1 Final Design and Construction documents and 2019 Construction Related Services (CRS) for Spartan Drive with Brown and Caldwell (BC) in an amount not to exceed \$146,740.

**Attachments:** [2019J Spartan Phase I final design BC Award Memo.pdf](#)

[19-0284](#) Approval to single source and award 2019K Stormwater Consulting Services Contract for development of the Stormwater Management Plan and Design for Oneida and Lawrence Streets with McMahon Associates in an amount not to exceed \$42,000.

**Attachments:** [2019K Oneida St swmp Award Memo.pdf](#)

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

## 9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[19-0174](#) Accept STP-Urban Project Funds I.D. #4984-02-00 for \$300,225 to Purchase One Bus

**Attachments:** [STP URBAN Agreement 01-19.pdf](#)

**Legislative History**

2/26/19	Fox Cities Transit Commission	recommended for approval
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[19-0175](#) Authorization to award a three-year contract with two one-year options to Running Inc. for the provision of Paratransit (ADA and Ancillary) Services

**Attachments:** [FCTC Running contract memo.pdf](#)

**Legislative History**

2/26/19	Fox Cities Transit Commission	recommended for approval
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[19-0176](#) Approve Addendum to Fox Valley Technical College Student Pass Contract

**Attachments:** [2019 FVTC Addendum.pdf](#)

[2015 FVTC Contract.pdf](#)

**Legislative History**

2/26/19	Fox Cities Transit Commission	recommended for approval
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[19-0250](#) Approve changes to Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program Management and Coordination Plan

**Attachments:** [5310 Plan Update Approval memo to FCTC.pdf](#)

[VT-ECWRP MOU.pdf](#)

[Appleton MPO 5310 Management Coordination Plan Revised 2-19-19.pdf](#)

**Legislative History**

2/26/19

Fox Cities Transit  
Commission

recommended for approval

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

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[19-0279](#) Ordinances 6-19 to 34-19

**Attachments:** [Ordinances Going to Council 3-6-19.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

[19-0299](#) The Common Council will go into closed session according to State Statute §19.85(1)(e) for the purpose of discussing the investment of public funds and real estate negotiations where competitive or bargaining reasons require a closed session concerning the Bluff Site Development and reconvene into open session.

T. ADJOURN

Kami Lynch, City Clerk

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

