



# City of Appleton

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

## Meeting Agenda - Final Common Council

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Wednesday, March 20, 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  
[19-0387](#) Common Council Meeting Minutes of March 6, 2019

*Attachments:* [CC Minutes 3-6-19.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR  
[19-0388](#) Announcement of the Winning Poems from the 2019 Sidewalk Poetry Program  
[19-0300](#) CPR Life-saver recognition of Luke Benrud

- I. PUBLIC HEARINGS  
[19-0154](#) Public Hearing, Rezoning #3-19, E. Glenhurst Ln and N Lightning Dr, from C-O to R-3

*Attachments:* [REVISED\\_RZ #3-19, Public Hearing Notice.pdf](#)

- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY

## L. COMMITTEE REPORTS

## 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-0325](#) Approve proposed changes to the Sidewalk Maintenance Policy.

**Attachments:** [Sidewalk Maintenance Policy.pdf](#)

**Legislative History**

3/11/19          Municipal Services          recommended for denial  
   Committee

[19-0326](#) Approve installation of STOP control on Washington Street at Bennett Street.  
Follow up to six-month trial period.

**Attachments:** [Intersection traffic control Bennett Street at Washington Street. Follow up to six](#)

**Legislative History**

3/11/19          Municipal Services          recommended for approval  
   Committee

[19-0327](#) Approve parking restrictions on Wayne Street north of Wisconsin Avenue.  
Follow up to six-month trial period.

**Attachments:** [Parking restriction changes on Wayne Street, north of Wisconsin Avenue. Follo](#)

**Legislative History**

3/11/19          Municipal Services          recommended for approval  
   Committee

[19-0328](#) Request from Gene Jacquet, 331 W. Foster Street, to have his sidewalk snow  
removal bill of \$75 waived.

**Attachments:** [331 W. Foster Street.pdf](#)

**Legislative History**

3/11/19          Municipal Services          recommended for denial  
   Committee

[19-0329](#) Approve updates to Municipal Code Sections 16-135 through 16-148  
related to wireless telecommunication facilities in the right-of-way.

**Attachments:** [Municipal Code Sections 16-135 through 16-148 Wireless Telecommunications](#)

**Legislative History**

3/11/19          Municipal Services          recommended for approval  
   Committee

[19-0330](#) Approve Aesthetic Standards for Small Cell Wireless Facilities and other private  
utilities within the public right-of-way.

**Attachments:** [Aesthetic Standards for Small Cell Wireless and Other Private Utilities In Public](#)

**Legislative History**

3/11/19          Municipal Services          recommended for approval  
   Committee

[19-0331](#) Approve 2019 Department of Public Works Fee Schedule.

**Attachments:** [Fee Schedules Department of Public Works.pdf](#)

**Legislative History**

3/11/19          Municipal Services          recommended for approval  
Committee

[19-0340](#) Approve parking restriction changes on the 200 block of N. Bennett Street. Follow up to six-month trial period.

**Attachments:** [Parking restriction changes on the 200 block of N. Bennett Street. Follow up to](#)

**Legislative History**

3/11/19          Municipal Services          recommended for approval  
Committee

[19-0341](#) Approve ALL WAY STOP control at the Cedar Street at Mason Street intersection. Follow up to six-month trial period.

**Attachments:** [Intersection traffic control Cedar Street at Mason Street intersection. Follow up t](#)

**Legislative History**

3/11/19          Municipal Services          recommended for approval  
Committee

[19-0342](#) Approve parking restrictions on Evergreen Drive from Haymeadow Avenue to Meade Street.

**Attachments:** [Parking changes related to Evergreen Drive bike lane retrofit project \(Haymead](#)

**Legislative History**

3/11/19          Municipal Services          recommended for approval  
Committee

[19-0360](#) Request from Josh Nave for a permanent street occupancy permit to install a new awning that extends into the College Avenue right-of-way at 125 E. College Avenue be denied.

**Attachments:** [125 E. College Avenue.pdf](#)

**Legislative History**

3/11/19          Municipal Services          recommended for approval  
Committee

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[19-0343](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 3-13-19 S & L.pdf](#)

**Legislative History**

3/13/19          Safety and Licensing          recommended for approval  
Committee

[19-0357](#) Class "B" Beer and Reserve "Class B" Liquor application of Christianos Pizza, Located at 2400 Kensington Dr, Paul Wise, Agent, contingent upon approval from all departments.

**Attachments:** [Liquor License-Christianos Pizza.pdf](#)

**Legislative History**

3/13/19 Safety and Licensing Committee recommended for approval

[19-0359](#) Cigarette and Tobacco License application for The Factory, Eugene Rice, Agent, 508 W. College Ave.

**Attachments:** [The Factory S&I.pdf](#)

**Legislative History**

3/13/19 Safety and Licensing Committee recommended for approval

### 3. MINUTES OF THE CITY PLAN COMMISSION

[19-0164](#) Request to approve Rezoning #3-19 for the subject parcels located on East Glenhurst Lane (Tax Id #31-1-6501-03 and #31-1-6501-04, Lots 3 and 4 of the Apple Creek Center plat), including all of the adjacent one-half (1/2) right-of-way of East Glenhurst Lane and North Lightning Drive, as shown on the attached maps, from C-O Commercial Office District to R-3 Multi-Family District

**Attachments:** [StaffReport\\_GlenhurstLane\\_Rezoning\\_For02-26-19.pdf](#)

[StaffReport\\_GlenhurstLane\\_Rezoning\\_For02-12-19.pdf](#)

[Addl Email Distributed at 2-26-19 PC mtg.pdf](#)

[Handout\\_Gordon Hale\\_Traffic.pdf](#)

[Handout\\_Gordon Hale\\_Values.pdf](#)

[Handout\\_Henry Chou\\_Photos.pdf](#)

**Legislative History**

2/12/19 City Plan Commission held  
*This item was held until the February 26, 2019 City Plan Commission meeting. Additional emails received commenting on this item have been attached to the end of the staff report.*

2/26/19 City Plan Commission recommended for approval  
*Proceeds to Council on March 20, 2019.*

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

### 5. MINUTES OF THE FINANCE COMMITTEE

[19-0347](#)

Request to approve Relocation Order for Construction of Oneida Street, south of Lawrence Street, a stairway to Rocky Bleier Run, assess to the public parking ramp and necessary retaining walls

**Attachments:** [Oneida \(Pfefferle-Hoffman\) - Relocation Order.pdf](#)

**Legislative History**

3/11/19 Finance Committee recommended for approval

[19-0349](#)

Request for City of Appleton to waive the sidewalk special assessment for 1225 W Cedar Street in exchange for dedication of 752 SF of property needed for future maintenance, and to install a sheet pile retaining wall for the construction of the sidewalk / multi-purpose sidepath

**Attachments:** [Cedar St sidewalk sp assessment.pdf](#)

**Legislative History**

3/11/19 Finance Committee recommended for approval

[19-0352](#)

Request to approve the following 2018 Budget adjustments:

**Housing Rehabilitation Grant**

Project Repayment Revenue	+ \$ 53,900
Federal Grants	+ \$ 76,000
Fund Balance	- \$ 42,511
Grant Expenses	+ \$172,411

to record additional project repayments and grant funds awarded in 2018 and related expenditures (2/3 of Common Council required for approval)

**Police Grants Fund**

State Grants	+ \$60,660
Local Aid	+ \$10,000
Grant Expenses	+ \$70,660

to record additional local and state grant revenue and related expenditures (2/3 of Common Council required for approval)

**General Fund- Fire Department**

State Aids	+ \$70,000
Salaries	+ \$70,000

to record additional State reimbursement for overtime incurred in training exercises (2/3 of Common Council required for approval)

**General Fund**

Salaries/Fringe Benefits - Police Department	+ \$97,000
Salaries/Fringe Benefits - Mayors Office	+ \$ 1,100
Wage Reserve	- \$98,100

to allocate wage reserve funds (2/3 of Common Council required for approval)

**Attachments:** [Finance Committee - 2018 Final Budget adjustments .pdf](#)

**Legislative History**

3/11/19          Finance Committee          recommended for approval

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

[19-0305](#) Request to approve the repurchase of Lot 4 of Plat 4 in the Northeast Industrial Park from Onstage Audio, LLC (d/b/a Event Production Systems) under the terms outlined in Section 11 of the Declaration of Covenants and Restrictions and increase the purchase price by the cost of the wetland delineation

**Attachments:** [Onstage Audio \(EPS\) Repurchase Memo 3-5-19.pdf](#)  
[Letter From EPS Requesting Repurchase of 1-5362 Goodland Drive.pdf](#)  
[NE Ind Park Plat 4 Deed Restrictions & Covenants.pdf](#)  
[Repurchase Calcs for Lot 4 Plat 4 NE Ind Park.pdf](#)  
[EPS Subject Area.pdf](#)

**Legislative History**

3/13/19	Community & Economic Development Committee	recommended for approval
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[19-0306](#) Request to approve recommended funding of \$15,500 for 2019 sponsorships for Appleton Downtown Inc. (ADI) programs as outlined in the attached document

**Attachments:** [Memo to CEDC on ADI Sponsorships 2019.pdf](#)  
[ADI Support Proposal to City 2019.pdf](#)

**Legislative History**

3/13/19	Community & Economic Development Committee	recommended for approval
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[19-0307](#) Request to approve the City of Appleton maintain its current selling prices for business/industrial park land as described in the attached documents

**Attachments:** [Business-Industrial Park Land Value Memo.pdf](#)  
[Exhibit A-Ind Land Sales Comparison.pdf](#)  
[Exhibit B-Ind Land Asking Price Comparison.pdf](#)  
[Southpoint Map.pdf](#)  
[NE Business Park Map.pdf](#)

**Legislative History**

3/13/19	Community & Economic Development Committee	recommended for approval
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## 7. MINUTES OF THE UTILITIES COMMITTEE

[19-0319](#) Approve 2018 Annual Stormwater Report to the Wisconsin Department of Natural Resources.

**Attachments:** [2018 Annual Report to UC with attachments.pdf](#)

**Legislative History**

3/12/19	Utilities Committee	recommended for approval
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[19-0320](#) Award of 2019H Consulting Services Contract to NES Ecological Services for Wetland Delineations in an amount not to exceed \$30,000.

**Attachments:** [2019H Wetland Delineations Award Memo Final 03-04-2019.pdf](#)

**Legislative History**

3/12/19 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**

[19-0185](#) Resolution #1-R-19: E-Cigarettes

**Attachments:** [Resolution #1-R-19 E-Cigarettes.pdf](#)

[Surgeon General's Advisory on E-cigarette Use Among Youth.pdf](#)

[Xtreme Vape, LLC Email.pdf](#)

[WI Department of Health Services E-Cigarette Public Health Advisory.pdf](#)

[Public Health Consequences of E-Cigarettes-Conclusions by Level of Evidence.](#)

[Perio-Implant Advisory- Vaping and Oral Health.pdf](#)

[Attorney's Office Memo.pdf](#)

**Legislative History**

2/13/19 Board of Health held

3/13/19 Board of Health approved

**M. CONSOLIDATED ACTION ITEMS**

**N. ITEMS HELD**

**O. ORDINANCES**

[19-0353](#) Ordinance 35-19

**Attachments:** [Ordinance going to Council 3-20-19.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. ADJOURN

Kami Lynch, City Clerk

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