



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, December 18, 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

[19-1929](#) Common Council Meeting Minutes of December 4, 2019

Attachments: [CC Minutes 12-4-19.pdf](#)

G. BUSINESS PRESENTED BY THE MAYOR

[19-1931](#) Appointment of Election Inspectors for the 2020-2021 Election Cycle

Attachments: [Election Inspector Appt List 2020-2021REV.pdf](#)

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

[19-1933](#) Initial Resolution - Erb Street Vacation

Attachments: [Erb Street Vacation - Initial Resolution.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-1594](#) R/B-Approve proposed changes to Municipal Code Section 19-90 related to parking violation forfeitures.

Attachments: [Changes to Municipal Code Section 19-90.pdf](#)

Legislative History

10/21/19	Municipal Services Committee	recommended for approval
11/6/19	Common Council	referred to the Municipal Services Committee
11/11/19	Municipal Services Committee	held
<i>Item 19-1954 held until December 9, 2019 meeting.</i>		
12/9/19	Municipal Services Committee	recommended for approval

[19-1872](#) Approve Resolution regarding the jurisdictional transfer of CTH KK (John Street to western WIS 441 ramps) from Outagamie County to City of Appleton, and corresponding Intermunicipal Agreement.

Attachments: [Resolution-John Street to western WIS 441 ramps.pdf](#)

Legislative History

12/9/19	Municipal Services Committee	recommended for approval
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[19-1873](#) Request from Winsome Rentals LLC for a permanent street occupancy permit to keep their dumpster in the Harp Alley street right-of-way.

Attachments: [2411 E Peter St.pdf](#)

Legislative History

12/9/19	Municipal Services Committee	recommended for approval
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[19-1876](#) Approve Erb Street Vacation as shown on Exhibit "A".

Attachments: [Erb Street Vacation.pdf](#)

Legislative History

12/9/19	Municipal Services Committee	recommended for approval
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[19-1877](#) Approve amended Street Name Sign Distribution Policy.

Attachments: [Street Name Sign Policy.pdf](#)

Legislative History

12/9/19	Municipal Services Committee	recommended for approval
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[19-1878](#) Approve second amendment to the 2019 Materials Testing Contract (M-19) with OMNNI Associates, Inc. from an amount not to exceed \$170,000.

Attachments: [2019 Materials Testing Contract \(M-19\) 2nd amendment.pdf](#)

Legislative History

12/9/19 Municipal Services recommended for approval
Committee

[19-1879](#) Award of 2020 Materials Testing Contract (M-20) to OMNNI Associates, Inc. in an amount not to exceed \$125,000.

Attachments: [2020 Materials Testing Contract \(M-20\).pdf](#)

Legislative History

12/9/19 Municipal Services recommended for approval
Committee

[19-1880](#) Award 2020 Contract for Operation, Maintenance, and Monitoring at the Closed City of Appleton Landfill to SCS Engineers, in an amount not to exceed \$96,754.

Attachments: [Closed City of Appleton Landfill-2020 Contract.pdf](#)

Legislative History

12/9/19 Municipal Services recommended for approval
Committee

[19-1881](#) Request from Kip Golden for a Street Occupancy Permit for the following at 823, 825 and 827 W. College Avenue:

- *Signs to project 2'0" with 8'0" clearance
- *Light fixtures to project 8" with 7'0" clearance
- *Facade to project 1'4" with 14'0" clearance
- *Canopy to project 3'0" with 10'0" clearance

Attachments: [Kip Golden-Street Occupancy Permit.pdf](#)

Legislative History

12/9/19 Municipal Services recommended for approval
Committee

[19-1883](#) Approve 2-hour time limit parking in the new Jones Park Parking Lot per Section 19-112 of the Municipal Code.

Attachments: [Jones Park Parking Lot.pdf](#)

Legislative History

12/9/19 Municipal Services recommended for approval
Committee
Amend item 19-1883 from 5 AM to 11 PM. No Parking from 11PM to 5 AM.

[19-1801](#) Cigarette and Tobacco Products Retail License application for Medley Taverns LLC d/b/a Fox River House, 211 S. Walnut St, contingent upon approval from all departments.

Attachments: [Medley Taverns LLC - Fox River House S&L 12-11-19.pdf](#)

Legislative History

12/11/19 Safety and Licensing recommended for approval
Committee

[19-1814](#) Secondhand Jewlery License Renewal application for Kay Jewelers #4739, Megan Stepniewski, Applicant, 3845 E Calumet St, contingent upon approval from all departments.

Attachments: [Kay Jewelers #4739 S&L.pdf](#)

Legislative History

12/11/19 Safety and Licensing recommended for approval
Committee

[19-1824](#) Secondhand Article License Renewal application for Beatnik Betty's Resale Butik, Monika L Austin, Applicant, 214 E College Ave, contingent upon approval from all departments.

Attachments: [Beatnik Bettys Resale S&L.pdf](#)

Legislative History

12/11/19 Safety and Licensing recommended for approval
Committee

[19-1825](#) Secondhand Article License Renewal application for The Exclusive Company, J A Giombetti, Applicant, 770 W Northland Ave, contingent upon approval from all departments.

Attachments: [The Exclusive Co.pdf](#)

Legislative History

12/11/19 Safety and Licensing recommended for approval
Committee

[19-1829](#) Class "A" Beer and "Class A" Liquor License application for PNB LLC d/b/a Memorial Liquor, Nawaraj Subedi, Agent, located at 415 S. Memorial Dr, contingent upon approval from all departments.

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

Legislative History

12/11/19 Safety and Licensing recommended for approval
Committee

[19-1905](#) Request to approve Resolution #9-R-19 and associated Ordinance Language in the attached Staff Memo

Attachments: [#9-R-19.pdf](#)
[Memo Re #9-R-19.pdf](#)

Legislative History

12/11/19 Safety and Licensing recommended for approval
 Committee

[19-1906](#) Request to Approve Update to Section 19-114 of the Municipal Code.

Attachments: [Update to Section 19-114 of the Municipal Code 12.05.19 .pdf](#)

Legislative History

12/11/19 Safety and Licensing recommended for approval
 Committee

[19-1910](#) Secondhand Article License Renewal application for T&S Sports, Michael Milloy, Application, 611 W Northland Ave, contingent upon approval from all departments.

Attachments: [T&S Sports S&L.pdf](#)

Legislative History

12/11/19 Safety and Licensing recommended for approval
 Committee

3. MINUTES OF THE CITY PLAN COMMISSION

[19-1795](#) Request to approve the street discontinuance to vacate a portion of North Erb Street public right-of-way generally located north of West Michigan Street and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport Erb Street Vacation For 11-26-19.pdf](#)

Legislative History

11/26/19 City Plan Commission recommended for approval
Proceeds to Council on December 18, 2019.

[19-1819](#) Request to approve Special Use Permit #11-19 for a medical office building that exceeds 60 feet in height, not to exceed 95 feet in height, located at 2500 East Capitol Drive (Tax Id #31-1-6601-01 and #31-1-6601-02), as shown on the attached maps, 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 ThedaCare SUP For12-10-19.pdf](#)

Legislative History

12/10/19 City Plan Commission recommended for approval

[19-1820](#) Request to approve the dedication of land for public right-of-way for the northerly extension of Sommers Drive generally located north of Spartan Drive as shown on the attached maps and certified survey map

Attachments: [StaffReport SommersNorthofSpartan StreetDedication For12-10-19.pdf](#)

Legislative History

12/10/19 City Plan Commission recommended for approval

[19-1821](#) Request to approve the dedication of land for public right-of-way for the southerly extension of Sommers Drive generally located south of Spartan Drive as shown on the attached maps and certified survey map

Attachments: [StaffReport SommersSouthOfSpartan StreetDedication For12-10-19.pdf](#)

Legislative History

12/10/19 City Plan Commission recommended for approval

[19-1822](#) Request to approve the dedication of land for public right-of-way for the westerly extension of Clearfield Lane and Wentworth Lane and the southerly extension of Haymeadow Avenue, as shown on the attached maps and certified survey map

Attachments: [StaffReport ClearfieldWentworthHaymeadow StreetDedication For12-10-19.pdf](#)

Legislative History

12/10/19 City Plan Commission recommended for approval

[19-1823](#) Request to approve the Evergreen Heights Annexation consisting of approximately 4.914 acres generally located east of N. Richmond Street and south of W. Evergreen Drive, currently in the Town of Grand Chute, as shown on the attached maps, subject to the stipulation in the attached staff report

Attachments: [StaffReport EvergreenHeights Annexation For12-10-19.pdf](#)

Legislative History

12/10/19 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[19-1913](#) Anticipated award of Contract for North Edgewood Estates sanitary lift station and force main (bids to be opened Monday, December 16, 2019)

[19-1930](#)

Request to approve the purchase of property at 3001 E Glendale Avenue for \$455,000 along with an additional \$45,000 for potential site remediation costs and \$3,000 for closing costs, and approve the following related 2019 Budget amendment:

Public Works Capital Projects Fund

Land	+\$503,000
Asphalt Paving Program	- \$175,000
Bridge Improvement Program	- \$ 75,000
Transfer from Facilities Cap Projects Fund	- \$253,000

Facilities Capital Projects Fund

Transfer to Public Works Cap Projects Fund	+\$253,000
Blue Ramp Demolition Project	- \$253,000

to provide funding for the purchase of land adjacent to MSB (2/3 vote of Common Council required)

Attachments: [3001 E Glendale Purchase memo 12-5-19 FINAL.pdf](#)
[3001 E Glendale LRR Listing Sheet 11-18-19.pdf](#)
[3001 E Glendale AO with Counter 1 & 2.pdf](#)

[19-1728](#)

Request to approve Land Dedication Agreement with the Evers Family LTD Partnership for Sequoia Drive. In addition, add Sequoia Drive sanitary sewer to the 2020 Budget (page 509) and Sequoia Drive watermain to the 2020 Budget (page 487) as approved projects. No additional spending authority requested.

Attachments: [Evers - Land Dedication Agrm - Revised 11-15-2019.pdf](#)

Legislative History

11/11/19	Finance Committee	held
12/9/19	Finance Committee	recommended for approval

[19-1809](#)

Request to approve Amendment to Intergovernmental Cooperation Agreement with the Village of Little Chute

Attachments: [Little Chute Agreement.pdf](#)

Legislative History

12/9/19	Finance Committee	recommended for approval
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[19-1865](#) Request to approve the “2019 North Water Tower Driveway Replacement Project” contract to Northeast Asphalt, Inc. in the amount of \$25,972.50 with a contingency of \$6,000 for a project total not to exceed \$31,972.50.

Attachments: [2019 North Water Tower Driveway Replacement .pdf](#)

Legislative History

12/9/19 Finance Committee recommended for approval

[19-1866](#) Request to approve amendment to the Apple Ridge Subdivision Development Agreement.

Attachments: [Apple Ridge Subdivision.pdf](#)

Legislative History

12/9/19 Finance Committee recommended for approval

[19-1868](#) Request to approve contract amendment and Change Order No. 1 to contract 36-19 for Unit Y-19 Sewer and Water Reconstruction No. 3 for additional measured sanitary sewer and storm sewer construction quantities in the amount of \$30,000.00 resulting in a reduction in contingency from \$79,088.65 to \$51,901.28. Overall contract increases from \$1,660,861.65 to \$1,663,674.28.

Attachments: [Unit Y-19 Change Order No.1.pdf](#)

Legislative History

12/9/19 Finance Committee recommended for approval

[19-1869](#) Request to award City of Appleton “2019 DPW Remodel Project” contract to Milbach Construction Services, Co. in the amount of \$605,630 with a contingency of \$35,000 for a project total not to exceed \$640,630, and related 2020 Budget amendment

Facilities Management Capital Projects Fund

DPW Interior and Workstation Project	+\$390,630
Community Development/Assessors Office Remodel Project	-\$350,000
City Hall Common Space Update Project	-\$40,630

To transfer funds among projects within the 2020 Interior Finishes and Furniture CIP (2/3 Council vote required)

Attachments: [2019 DPW Remodel Project with Budget transfer.pdf](#)

Legislative History

12/9/19 Finance Committee recommended for approval

[19-1870](#) Request to award the City of Appleton "Public Works Department Furniture Remodel" contract to Nordon Business Environments in the amount of \$208,300.

Attachments: [2019 DPW Furniture Sole Source.pdf](#)

Legislative History

12/9/19 Finance Committee recommended for approval

[19-1874](#) Award the Lawe Street Trestle and Trail project contract to Janke General Contractors, Inc. in the amount of \$1,305,205.25 with a 10% contingency of \$130,520.53 for a project not to exceed \$1,435,725.78

Attachments: [Lawe Street Trestle and Trail Project.pdf](#)

Legislative History

12/9/19 Finance Committee recommended for approval

[19-1895](#) Request to award Wireless Phone and Data Services contract for 3 years + one optional two-year extension to U.S. Cellular Corp.

Attachments: [Wireless Phone and Data Service.pdf](#)

Legislative History

12/9/19 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[19-1835](#) Request to approve 2020-2024 Draft Consolidated Plan for the Community Development Block Grant (CDBG) Program

Attachments: [CEDC- Con Plan draft approval memo 12-11-19.pdf](#)
[DRAFT 2020-2024 Consolidated Plan.pdf](#)

Legislative History

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

[19-1836](#) Request to approve 2020 Draft Analysis of Impediments to Fair Housing (AI)

Attachments: [CEDC- AI draft approval memo 12-11-19.pdf](#)
[Appleton AI- Final DRAFT 12.5.19.pdf](#)
[Appleton AI Appendix 2019 with page numbers.pdf](#)

Legislative History

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

[19-1837](#)

****CRITICAL TIMING**** Request to approve the Housing Affordability Analysis, 2018 and the New Housing Fee Report, 2018 prepared for the City of Appleton by East Central Wisconsin Regional Planning Commission

Attachments: [Memo Recommend Housing Affordability and Fee Reports 2018.pdf](#)
[AppletonHousingAffordabilityReportCombined Recd11-26-19.pdf](#)
[AppletonHousingFeeReportCombined Recd11-26-19.pdf](#)
[Zoning+SubdivisionFees.pdf](#)
[DPW-InspectionsFees.pdf](#)
[2020AssessmentPolicy-Adopted10-21-19.pdf](#)

Legislative History

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

[19-1840](#)

Request to approve the Development Agreement with Bela Development LLC for rehabilitation of the property located at 513 W. College Avenue in Tax Increment Financing District No. 12

Attachments: [Memo Recommend Bela Development LLC Dev Agrmt.pdf](#)
[Bela LLC Development Agreement 513 W College 12-3-19 Draft.pdf](#)
[Project Description_Bela Development LLC.pdf](#)

Legislative History

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

[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

7. MINUTES OF THE UTILITIES COMMITTEE

[19-1842](#)

Award of 2020A Stormwater Consulting Services Contract for 2020 Stormwater Management Plan Reviews to Brown and Caldwell in an amount not to exceed \$25,000.

Attachments: [2020A Plan Review Award Util Memo BC.pdf](#)

Legislative History

12/10/19 Utilities Committee recommended for approval

[19-1843](#)

Award of 2020B Stormwater Consulting Services Contract for 2020 Stormwater Management Plan Reviews to raSmith in an amount not to exceed \$30,000.

Attachments: [2020B Plan Review Award Util Memo raSmith.pdf](#)

Legislative History

12/10/19 Utilities Committee recommended for approval

[19-1844](#)

Approval to Single-Source and Award 2019R Stormwater Consulting Services Contract for Lightning-French Drainage Corridor Study and 30% Preliminary Engineering to raSmith, Inc. in an amount not to exceed \$49,680.

Attachments: [2019R Lightning-French Corridor Approval Memo raSmith Final.pdf](#)

Legislative History

12/10/19 Utilities Committee recommended for approval

[19-1845](#)

Award Unit K-20 Native Landscape Management Contract to Applied Ecological Services, Inc. in an amount not to exceed \$226,460.

Attachments: [K-20 contract award util memo 12-03-2019 final.pdf](#)

Legislative History

12/10/19 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[19-1888](#)

Request to approve a 2.0% increase to the Seasonal Pay Plan for 2020.

Attachments: [2020 Seasonal Salary Schedules.pdf](#)

Legislative History

12/11/19 Human Resources & Information Technology Committee recommended for approval

[19-1893](#)

Request to approve to over hire the position of Wastewater Instrumentation Technician

Attachments: [Instrumentation Technician Overhire Request.pdf](#)

Legislative History

12/11/19 Human Resources & Information Technology Committee recommended for approval

[19-1894](#) Request to approve changes to the Salary Administration Policy.

Attachments: [Salary Administration Policy 2019.pdf](#)

Legislative History

12/11/19 Human Resources & Information Technology Committee recommended for approval

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[19-1850](#) Approve the Intermunicipal Agreement with Outagamie County for Specialized Transportation Services for 2020 Contingent on Outagamie County Approval

Attachments: [OUTAGAMIE CONTRACT - 2020.pdf](#)

Legislative History

12/10/19 Fox Cities Transit Commission recommended for approval

[19-1851](#) Approve the Intermunicipal Agreement with Winnebago County for Specialized Transportation Services for 2020 Contingent on Winnebago County Approval

Attachments: [WINNEBAGO CONTRACT - 2020.pdf](#)

Legislative History

12/10/19 Fox Cities Transit Commission recommended for approval

[19-1852](#) Approve the Intermunicipal Agreement with Calumet County for Specialized Transportation Services for 2020 Contingent on Calumet County Approval

Attachments: [CALUMET CONTRACT - 2020.pdf](#)

Legislative History

12/10/19 Fox Cities Transit Commission recommended for approval

[19-1853](#) Approve the Intermunicipal Agreement with the City of Neenah and the Village of Fox Crossing for the Northern Winnebago Dial A Ride Service for 2020 Contingent on City of Neenah and the Village of Fox Crossing Approval

Attachments: [NW Dial-A-Ride - 2020.pdf](#)

Legislative History

12/10/19 Fox Cities Transit Commission recommended for approval

- [19-1854](#) Approve the Memorandum of Understanding Between The City of Appleton, Valley Transit and Community Care Inc. for Specialized Transportation Services for 2020

Attachments: [2020 MOU Community Care and Valley Transit.pdf](#)

Legislative History

12/10/19 Fox Cities Transit Commission recommended for approval

10. MINUTES OF THE BOARD OF HEALTH

- [19-1828](#) Noise Variance Request - Fox River House 2020

Attachments: [Noise Variance Request - Fox River House 2020.pdf](#)

Legislative History

12/11/19 Board of Health recommended for approval

M. CONSOLIDATED ACTION ITEMS

- [19-1932](#) **Consolidated Action Items: Erb Street Vacation**

19-1876 Municipal Services Committee

19-1795 City Plan Commission

19-1933 Special Resolutions

N. ITEMS HELD

O. ORDINANCES

- [19-1928](#) Ordinance #109-19 Evergreen Heights Annexation

Attachments: [Ordinances Going to Council 12-18-2019.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.

