



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, July 6, 2016

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
 - [16-1029](#) Common Council Meeting Minutes of June 15, 2016
 - Attachments:** [CC Minutes 6-15-16.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR
 - [16-1030](#) Presentation of Appleton Police Department Civilian Medals of Gallantry to Andrew Maltbey and Nicholas Maltbey
 - [16-1031](#) Presentation of Parks and Recreation Month Proclamation
 - [16-1032](#) Presentation of Children's Week Proclamation
 - [16-1033](#) Presentation of Flag Day Parade Awards
 - [16-1056](#) Appointment of Tanya Rabec to the City Plan Commission
- I. PUBLIC HEARINGS
 - [16-1046](#) Public Hearing for Resolution 3-P-16, Sanitary Sewer, Storm Sewer and Laterals
 - Attachments:** [3-P-16 Public Hearing Notice.pdf](#)
- J. SPECIAL RESOLUTIONS

[16-1034](#) Resolution 3-P-16, Sanitary Sewer, Storm Sewer & Laterals

Attachments: [3-P-16 Final Resolution Sanitary Storm Sewer Laterals.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[16-996](#) Request from Jim Ackerman to appeal his \$50 Weed Administration Fee for 131 W. Winrowe Drive.

Attachments: [131 W. Winrowe Drive.pdf](#)

Legislative History

6/21/16	Municipal Services Committee	recommended for denial
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[16-1003](#) Approve Red Ramp Pedestrian Access Agreement with SOMA Corp.

Attachments: [Red Ramp Pedestrian Access Agreement.pdf](#)

Legislative History

6/21/16	Municipal Services Committee	recommended for approval
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[16-1004](#) Adopt City of Appleton Complete Streets Policy.

Attachments: [Adopt City of Appleton Complete Streets Policy.pdf](#)

Legislative History

6/21/16	Municipal Services Committee	recommended for approval
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[16-1008](#) Preliminary Resolution 4-P-16 for Sidewalk Construction be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [Resolution #4-P-16.pdf](#)

Legislative History

6/21/16	Municipal Services Committee	recommended for approval
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[16-1023](#) Anticipated award for P-16 Epoxy Contract.

Attachments: [Unit P-16.pdf](#)

Legislative History

6/21/16 Municipal Services recommended for approval
 Committee
Amend 16-1023. Award P-16 Epoxy Contract to Brickline, Inc. in an amount not to exceed \$49,000.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[16-956](#) Reserve "Class B" Beer/Liquor License application of El Jaripeo Appleton LLC, Antonio Sandoval, Agent, 3401 E. Evergreen Drive, contingent upon approval from all departments.

Legislative History

6/22/16 Safety and Licensing recommended for approval
 Committee

[16-961](#) Taxi Cab and Limousine Service renewal application of A2B Taxi LLC, Bradley Pingel, 1348 W. Summer Street, contingent upon approvals from all departments.

Legislative History

6/22/16 Safety and Licensing recommended for approval
 Committee

[16-994](#) Taxi Cab and Limousine Service renewal application of LIR Transportation LLC, Igor Leykin, 719 W. Frances Street, contingent upon approvals from all departments.

Legislative History

6/22/16 Safety and Licensing recommended for approval
 Committee

[16-995](#) Farm Market application of Long Cheng Marketplace, Mai Youa Thao, 1804 S. Lawe Street, every day from July to October, 2016, contingent upon approval from all departments.

Legislative History

6/22/16 Safety and Licensing recommended for approval
 Committee

[16-1010](#) Operator's Licenses

Attachments: [Operator's Licenses for 6-22-16 S & L.pdf](#)

Legislative History

6/22/16 Safety and Licensing recommended for approval
 Committee

[16-1011](#) Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 6-22-16 S & L.pdf](#)

Legislative History

6/22/16 Safety and Licensing Committee recommended for approval

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

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

5. **MINUTES OF THE FINANCE COMMITTEE**

[16-1015](#) Request to award Unit H-15 Spartan Drive and Haymeadow Avenue Sewer and Force Main Construction to Kruczek Construction Inc. in the amount of \$427,427 with a 4.7% contingency of \$20,000 for a project total not to exceed \$447,427.

Attachments: [Unit H-15.pdf](#)

Legislative History

6/21/16 Finance Committee recommended for approval

[16-1016](#) Request to reject bid received for Unit Y-16 Arbutus Park Storm Lift Station Rehabilitation and rebid in Fall, 2016.

Attachments: [Unit Y-16.pdf](#)

Legislative History

6/21/16 Finance Committee recommended for approval

[16-1017](#) Request to approve Finance Committee Report 4-P-16 for Sidewalk Construction.

Attachments: [Report 4-P-16.pdf](#)

Legislative History

6/21/16 Finance Committee recommended for approval

[16-1022](#) Request to approve the following 2016 Budget adjustment:

TIF #6

Land Purchase	+\$152,749
Fund Balance (advance from General Fund)	- \$152,749

to provide funding for the repurchase of Lot 13 in the Southpoint Commerce Park.

Attachments: [Commercial Horizons LOI 6-7-16.pdf](#)

[SubjectParcel06162016.pdf](#)

Legislative History

6/21/16 Finance Committee recommended for approval

contingent on approval from CEDC Plank, seconded by Dannecker passes 4-1 (Lobner)

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[16-977](#)

Request to waive repurchase rights for Lot 2 of CSM 3490 in the Northeast Business Park, allowing the transfer from Nicolet National Bank to C3 Corporation or Assigns; this waiver is not transferable, survivable, or assignable and the City's repurchase rights would remain on this property

Attachments: [Repurchase waiver Lot 2 CSM 3490.pdf](#)
[CovenantsandRestrictions_CSM3490Lot2.pdf](#)
[Venture Offer.pdf](#)
[AvailableSites_06122016.pdf](#)

Legislative History

6/22/16 Community & Economic Development Committee recommended for approval

[16-1019](#)

Request to authorize staff to accept the basic terms of the Letter of Intent from Commercial Horizons dated June 7, 2016 and continue to negotiate terms toward offer to purchase and development agreement for Lots 12 and 13 of Plat 1 in the Southpoint Commerce Park (Associated with Action Item #16-1020)

Attachments: [Commercial Horizons LOI 6-7-16.pdf](#)
[SubjectParcel06162016.pdf](#)
[Southpoint Deed Restrictions.pdf](#)

Legislative History

6/22/16 Community & Economic Development Committee recommended for approval

[16-1020](#)

Request to authorize staff to proceed with the repurchase of Lot 13 of Plat 1 in the Southpoint Commerce Park under the terms outlined in Section 13 - Repurchase Rights (Associated with Action Item #16-1019)

Attachments: [Commercial Horizons LOI 6-7-16.pdf](#)
[SubjectParcel06162016.pdf](#)
[Southpoint Deed Restrictions.pdf](#)

Legislative History

6/22/16 Community & Economic Development Committee recommended for approval

[16-1026](#) Request to approve a Variance to the Deed Restrictions and Covenants allowing for a fence setback less than fifteen (15) feet from the lot line at 2619 E. Capitol Drive, specifically to allow a setback of six and one-half (6 1/2) feet on the western property boundary and five (5) feet on the southern boundary

Attachments: [2619 E Capitol Var 6-16-16.pdf](#)

[Variance Request 2619 E. Capitol.pdf](#)

[Northeast Business Park Map.pdf](#)

[NEIP Deed Restrictions.pdf](#)

Legislative History

6/22/16	Community & Economic Development Committee	recommended for approval
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- 7. **MINUTES OF THE UTILITIES COMMITTEE**
- 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
 - [16-1028](#) Ordinance 50-16 and 51-16

Attachments: [Ordinances going to Council 7-6-16.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

[16-706](#) Reconsideration of Request to approve Special Use Permit #2-16 for an 85-foot monopole wireless telecommunication tower with associated antennas and ground equipment located in the 2700 block of N. Kesting Court (Tax Id 31-1-4025-00), as shown on the attached maps and per attached plan of operation, subject to the conditions in the attached staff report

Attachments: [StaffReportReferBack_KestingCtTower_SpecialUsePermit#2-16.pdf](#)
[Kesting Ct Cell Tower Petition.pdf](#)
[Photos submitted to Plan Commission on 5-9-16 re Kesting Ct Tower.pdf](#)

Legislative History

5/9/16	City Plan Commission	recommended for approval
5/18/16	Common Council	referred to the City Plan Commission
	<i>Aldersperson Croatt Referred this Item back to the City Plan Commission. The Item will be on the June 6th City Plan Commission Agenda.</i>	
6/6/16	City Plan Commission	recommended for approval
6/15/16	Common Council	denied
	<i>Special Use Permits require a 2/3 majority vote.</i>	

[16-1053](#) Convene into Committee of the Whole

[16-1057](#) Award contract to Zimmerman Architectural Studios for design and engineering services for the Fox Cities Exhibition Center for a contract of \$1,819,114 and a 10% design contingency for a contract not to exceed \$2,001,025.

Attachments: [2016 Expo Center Architect and Engineer \(002\).pdf](#)

[16-1058](#) Award contract to Miron Construction for Construction Manager at Risk services for the Fox Cities Exhibition Center for a contract of \$589,315 and \$25,000 for reimbursable expenses for a contract not to exceed \$614,315.

Attachments: [2016 Expo Center Construction Manager.pdf](#)

[16-1059](#) Request to approve the following 2016 Budget adjustment:

Exhibition Center Capital Projects Fund

Architect Fees	\$2,001,025
Contractor Fees	\$614,315
Proceeds of Debt/Hotel Room Tax	\$2,615,340

To record cost of architect and construction management fees for the construction of the Exhibition Center.
 Costs will be funded by the hotel room tax.
2/3 vote is required

[16-1055](#) Reconvene to Common Council

[16-1060](#) Report of the Committee of the Whole

S. ADJOURN

Kami Lynch, City Clerk

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