



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Agenda - Final Common Council

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Wednesday, January 15, 2014

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  
[14-82](#) Approve December 18, 2013 Council Meeting Minutes.

**Attachments:** [CC Minutes 12-18-2013.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR

- I. PUBLIC HEARINGS

[14-83](#) Public Hearing for Proposed Comprehensive Plan Future Land Use Amendment.

**Attachments:** [Class I Public Hearing Notice for Newspaper - Comp. Plan - Bennett Street.doc](#)

[14-84](#) Public Hearing for Rezoning #13-13 North Bennett Street (North Heights Subdivision)

**Attachments:** [Public Hearing - #13-13.doc](#)

- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS

## 1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[14-38](#)

Operator's License application of Dale H. Chu, 24 Eagles Court, Kaukauna.

**Legislative History**

1/9/14	Safety and Licensing Committee	recommended for approval
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[14-41](#)

Operator's Licenses

**Attachments:** [Operator's Licenses for 1-9-14 S & L.pdf](#)

**Legislative History**

1/9/14	Safety and Licensing Committee	recommended for approval
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[14-47](#)

Operator's license applications contingent upon completion of the Responsible Beverage Service Course - Mai Houa Xiong, 706 Fair Oaks Drive, Neenah.

**Legislative History**

1/9/14	Safety and Licensing Committee	recommended for approval
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[14-46](#)

Secondhand Article License Renewal Application for Milo Milo, Corrine E. Jadin, 107 S. Linwood Avenue, contingent upon approval from all departments.

**Legislative History**

1/9/14	Safety and Licensing Committee	recommended for approval
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[14-58](#)

Secondhand Jewelry License Renewal Application for Scanlan Jewelers, Judy A. Scanlan, 2031 E. Calumet Street, contingent upon approval from all departments.

**Legislative History**

1/9/14	Safety and Licensing Committee	recommended for approval
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[14-59](#)

Secondhand Article License Renewal Application for Gamestop #3349, Michael L. Nichols, 2640 W. College Avenue, contingent upon approvals from all departments.

**Legislative History**

1/9/14	Safety and Licensing Committee	recommended for approval
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[14-60](#)

Secondhand Article License Renewal Application for Gamestop #5520, Michael L. Nichols, 3825 E. Calumet Street, Ste 500 contingent upon approvals from all departments.

**Legislative History**

1/9/14	Safety and Licensing Committee	recommended for approval
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[14-61](#) Secondhand Article License Renewal Application for The Attique Resale, James A. Boylan, 415 N. Oneida Street, contingent upon approvals from all departments.

Legislative History

1/9/14 Safety and Licensing Committee recommended for approval

[14-62](#) Secondhand Jewelry License Renewal Application for Expert Jewelry Repair, Randy L. Kester, 636 W. College Avenue, contingent upon approvals from all departments.

Legislative History

1/9/14 Safety and Licensing Committee recommended for approval

[14-63](#) Secondhand Article License Renewal Application for Richmond Resale, LLC, Dean M. Vandenhoy, 204 N. Richmond Street, contingent upon approvals from all departments.

Legislative History

1/9/14 Safety and Licensing Committee recommended for approval

[14-64](#) Reserve "Class B" License Grant Application for Das Ventures Inc. - Appleton Beer Factory, Jeffery Fogle, Agent, 603 West College Avenue, contingent upon approvals from all departments.

Legislative History

1/9/14 Safety and Licensing Committee recommended for approval

[14-65](#) The Class "A" Beer License Application of Kwik Trip Inc., Jessica A. Hartjes, Agent, 2120 E. Edgewood Drive, contingent upon approvals from all departments.

Legislative History

1/9/14 Safety and Licensing Committee recommended for approval

[14-66](#) The Class "A" Beer License Application of Youa Bee Xiong, d/b/a Pheng Houa Daily Foods, 343 1/2 W. Wisconsin Avenue, contingent upon approvals from all departments.

Legislative History

1/9/14 Safety and Licensing Committee recommended for approval

## 2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[13-1771](#) Approve Residential Recycling Cart Exchange Policy.

Attachments: [Res. Recycling Cart Exchange Policy -rev.pdf](#)

Legislative History

12/10/13	Municipal Services Committee	held
	<i>Motion to hold until 1/7/14</i>	
12/18/13	Common Council	approved
1/7/14	Municipal Services Committee	recommended for approval
	<i>Policy will be changed administratively to remove number 4 and add new language to number 5 that states no fee will be charged for smaller carts if cart not exchanged within 24 months.</i>	
	<i>2nd amendment (GD) A smaller size recycling cart shall only be available to properties with the small and medium size refuse carts.</i>	

14-4

Approve Appleton Bike Corral Pilot Project for parking stall in front of 231 E. College Avenue.

**Attachments:** [Appleton Bike Corral Pilot Project.pdf](#)

Legislative History

1/7/14	Municipal Services Committee	recommended for approval
1/7/14	Municipal Services Committee	amended
	<i>Amendment added the language "and waive the \$1400 meter bag fee at this location" to the original action item.</i>	
1/7/14	Municipal Services Committee	recommended for approval

14-5

Approve contract amendment with Graef-USA, Inc. for additional design services for the E. South River Street Retaining Wall project in an amount of \$1,200 for a new total contract not to exceed \$20,690.

**Attachments:** [Contract Amendment with Graef-USA, Inc.pdf](#)

Legislative History

1/7/14	Municipal Services Committee	recommended for approval
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14-6

Approve contract with Steigerwaldt Land Services, Inc. to provide land acquisition services for the Prospect Avenue Bridge Reconstruct Project in an amount not to exceed \$20,700.

**Attachments:** [Steigerwaldt Land Services contract.pdf](#)

Legislative History

1/7/14	Municipal Services Committee	recommended for approval
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14-7

Approve request to sole source purchase LUKE II pay stations, manufactured by Digital Payment Technologies, for installation in the Library Parking Lot.

**Attachments:** [Sole source purchase LUKE II pay stations.pdf](#)

Legislative History

1/7/14	Municipal Services Committee	recommended for approval
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[14-69](#) Sole source purchase request-Variou Traffic Equipment & Technologies

**Attachments:** [Sole source purchase request-Variou Traffic Equipment & Tech.pdf](#)

**Legislative History**

1/7/14	Municipal Services Committee	recommended for approval
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### 3. MINUTES OF THE CITY PLAN COMMISSION

[13-1752](#) Comprehensive Plan 2010-2030 Future Land Use Map Amendment #15-13 to change the current designation from One and Two-Family Residential designation to Commercial designation for two undeveloped parcels along the east side of N. Bennett Street. (Common Council Public Hearing 1/15/14)

**Attachments:** [Comp Plan #15-13 Attachment.pdf](#)

**Legislative History**

11/25/13	City Plan Commission	approved
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[13-1753](#) Rezoning #13-13 - Jamie Boyce, Dale Hulce and Terry Bomier to rezone N. Bennett Street from R-1B Single-Family District to C-2 General Commercial District including the adjacent right-of-way. (Common Council Public Hearing 1/15/14)

**Attachments:** [Rezoning #13-13 Attachment.pdf](#)

**Legislative History**

11/25/13	City Plan Commission	approved
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### 4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[13-1788](#) Approval of Panther Baseball Club for Operation of Adult Softball Program and Appleton Memorial Park Concessions

**Attachments:** [Panthers Baseball Agreement 12-2-13.docx](#)

**Legislative History**

12/11/13	Parks and Recreation Committee	recommended for approval
12/18/13	Common Council	referred to the Parks and Recreation Committee
	<i>Referred back by Alderperson Coenen.</i>	
1/8/14	Parks and Recreation Committee	recommended for approval

[13-1779](#) Approval of Revised Park Ordinances

**Attachments:** [Park Ordinance 01-10-14.pdf](#)

**Legislative History**

12/11/13	Parks and Recreation Committee	held
	<i>Motion by Spears to change alcohol hours in parks to 10:00 a.m. ending at 10:00 p.m. seconded by Oswald 4-0</i>	
	<i>Motion by Loebner seconded by Oswald for dogs in parks amendment 3-1 Spears</i>	
1/8/14	Parks and Recreation Committee	recommended for approval
	<i>Motion to amend by Lobner to City Attorney language, seconded by Oswald 3-2/Croatt, Spears</i>	

[14-3](#) Approval of Ground Lease Agreement with Verizon Wireless to House Wireless Communication Equipment at Reid Golf Course

**Attachments:** [Memo-Verizon Wireless Lease Agreement.docx](#)

**Legislative History**

1/8/14	Parks and Recreation Committee	recommended for approval
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**5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

**6. MINUTES OF THE UTILITIES COMMITTEE**

[14-50](#) Award of 2014B Stormwater Consulting Services Contract to RA Smith for Wetland Delineation Services in an amount not to exceed \$10,600.

**Attachments:** [2014B Wetland Delineations.docx](#)

**Legislative History**

1/7/14	Utilities Committee	recommended for approval
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[14-52](#) Award of 2014C Stormwater Consulting Services Contract for Leona Street Pond and Storm Sewer Preliminary Engineering to Brown & Caldwell in an amount not to exceed \$34,005.

**Attachments:** [2014C Leona Street Pond.doc](#)

**Legislative History**

1/7/14	Utilities Committee	recommended for approval
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[14-53](#) Award of 2014D Stormwater Consulting Services Contract to Brown & Caldwell for Spartan Avenue Drainage Study in an amount not to exceed \$34,957.

**Attachments:** [2014D Spartan Avenue.docx](#)

**Legislative History**

1/7/14	Utilities Committee	recommended for approval
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[14-54](#) Award of 2014E Stormwater Consulting Services Contract to Brown & Caldwell for Flood Hazard Mitigation Plan Update in an amount not to exceed \$19,964.

**Attachments:** [2014E Flood Hazard Mitigation Plan Update.docx](#)

**Legislative History**

1/7/14

Utilities Committee

recommended for approval

7. **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**8. **MINUTES OF THE BOARD OF HEALTH**9. **MINUTES OF THE HUMAN RESOURCES COMMITTEE**10. **MINUTES OF THE FINANCE COMMITTEE**[14-14](#)

Request for approval of the Wisconsin Avenue reconstruction settlement.

**Legislative History**

1/8/14

Finance Committee

recommended for approval

[14-15](#)

Request for approval of contract to Staab Construction Corporation for Regulatory Upgrades and Process Improvements to the Appleton Water Treatment Facility in the amount of \$4,857,000 with a 15% contingency of \$728,550 and a project total not to exceed \$5,585,550, and the following related 2013 Budget Adjustment:

Water Utility

RUIP Equipment +\$361,923

Water Distribution Capital - \$250,000

Fund Balance - \$111,923

to fund the contingency for the contract to Staab Construction for RUIP project (also appears on the Utilities Committee agenda of January 7, 2014) (2/3 vote required).

**Attachments:** [RUIP Construction Contract Award included Budget adjustment 01-02-14.doc](#)

**Legislative History**

1/8/14

Finance Committee

recommended for approval

[14-19](#)

Request to approve Relocation Order for Prospect Avenue Bridge/Jackman Street Project.

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

[TPP Page 1.pdf](#)

[TPP Page 2.pdf](#)

**Legislative History**

1/8/14

Finance Committee

recommended for approval

[14-67](#)

Request to Approve the sale of twelve retired Hamilton parking cash entry machines in the amount of \$1,200.

**Attachments:** [Sale of Hamilton Machines.pdf](#)

**Legislative History**

1/8/14

Finance Committee

recommended for approval

[14-68](#) Recommendation to reject all bids for Unit Y-13, WWTP Storm Sewer Reconstruction.

**Attachments:** [Rejection of Bids Unit Y-13 WWTP Storm Sewer.pdf](#)

**Legislative History**

1/8/14 Finance Committee recommended for approval  
*This item overrides previous Action Item 13-1800.*

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

[14-85](#) Ordinances #1-14 through #4-14.

**Attachments:** [Ordinances going to 01-15-2014 Council.pdf](#)

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

[14-39](#) Motion to Reconsider the Operator's License application of Terri A. Bishop, W10763 Everts Lane, New London. (File 13-1828)

[13-1828](#) Operator's License application of Terri A. Bishop, W10763 Everts Lane, New London.

**Legislative History**

12/12/13 Safety and Licensing Committee recommended for approval

12/18/13 Common Council approved

*The Mayor stated eight votes were needed to approve the recommendation to approve by the Safety & Licensing Committee. Motion failed with 7 ayes and 6 nays.*

[14-86](#) The Common Council will meet in Closed Session pursuant to s. 19.85(g) for the purpose of conferring with legal counsel regarding the Appleton East Stormwater project. The Common Council will then reconvene into an open session and conduct further business.

T. ADJOURN



CHARLENE M. PETERSON, CMC/WCMC  
City Clerk

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