



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, December 4, 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

[19-1812](#) Common Council meeting minutes of November 20, 2019

Attachments: [CC Minutes 11-20-19.pdf](#)

G. BUSINESS PRESENTED BY THE MAYOR

[19-1810](#) Appointments & Reappointments to the Bicycle & Pedestrian Advisory Committee

Attachments: [MEMO_Council Bicycle Comm Appt 12-4-20.pdf](#)

[19-1811](#) Reappointment of Corey Otis to the Parade Committees

Attachments: [MEMO_Council Parade Comm Appt 2020.pdf](#)

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

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****3. MINUTES OF THE CITY PLAN COMMISSION**[19-1796](#)

Request to approve Certified Survey Map #18-19, which crosses a plat boundary, to reconfigure lot lines for 4338 North Silverleaf Court (Tax Id #31-1-6503-05), 4330 North Silverleaf Court (Tax Id #31-1-6503-07 and #31-1-6503-08), and 4318 North Silverleaf Court (Tax Id #31-1-6503-09), subject to the conditions in the attached staff report and as shown on the attached maps

Attachments: [StaffReport_SilverleafCt_CrossingPlatBoundary_For11-26-19.pdf](#)

Legislative History

11/26/19 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**5. MINUTES OF THE FINANCE COMMITTEE****6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE****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**[19-1813](#)

Ordinance #108-19 Amending Section 12-30 of Chapter 12 of the Municipal Code: Public Nuisances

Attachments: [Ordinance #108-19, 12-4-19 Council Meeting.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.



City of Appleton

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Meeting Minutes - Final Common Council

Wednesday, November 20, 2019

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:01 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Thao

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Chris Croatt, Alderperson Corey Otis and Mayor Timothy Hanna

Excused: 2 - Alderperson Cathy Spears and Alderperson Kyle Lobner

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Finance Saucerman,
Fire Chief Hansen, Health Officer Eggebrecht, Library Director Rortvedt,
Director of Parks, Recreation & Facilities Gazza, Police Chief Thomas,
Director of Public Works Vandehey, Director of Utilities Shaw, Valley Transit General Manager Mc Donald*

*The following were excused:
Community & Economic Development
Human Resources
Information Technology*

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[19-1786](#)

Common Council Meeting Minutes of November 6, 2019 & November 13, 2019 - Budget Adoption

Attachments: [CC Minutes 11-6-19.pdf](#)
[CC Minutes 11-13-19 Budget Adoption.pdf](#)

Aldersperson Meltzer moved, seconded by Aldersperson Reed, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Chris Croatt and Aldersperson Corey Otis

Excused: 2 - Aldersperson Cathy Spears and Aldersperson Kyle Lobner

Abstained: 1 - Mayor Timothy Hanna

G. BUSINESS PRESENTED BY THE MAYOR

H. PUBLIC PARTICIPATION

The following individuals spoke during Public Participation:
Jason Brozek, 711 E Boldt Way Re: Items 19-1495 & 19-1694
KC Wilson, 821 E Atlantic St Re: Item 19-1495
Jill Swenson, 1501 N Elinor St Re: Item 19-1495

I. PUBLIC HEARINGS

[19-1518](#)

Public Hearing on Special Resolution 4-P-19; Storm Main (Liner) Marquette Street - Liner (Ullman Street, 220' e/o Alexander Street, 200' w/o)
Wisconsin Avenue - Liner (Wisconsin Court to Jardin Court, 60' w/o)

Attachments: [4-P-19 Public Hearing Notice.pdf](#)

The public hearing was held, no one spoke during the hearing

J. SPECIAL RESOLUTIONS

[19-1519](#)

Final Resolution 4-P-19; Storm Main (Liner) Marquette St - Liner (Ullman St, 220' e/o Alexander St, 200' w/o)
Wisconsin Ave - Liner (Wisconsin Ct to Jardin Ct, 60' w/o)

Attachments: [4-P-19 Final Resolution.pdf](#)

Aldersperson Martin moved, seconded by Aldersperson Croatt, that the Resolution be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Alex Schultz, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Chris Croatt and Alderperson Corey Otis

Excused: 2 - Alderperson Cathy Spears and Alderperson Kyle Lobner

Abstained: 1 - Mayor Timothy Hanna

[19-1791](#)

Initial Resolution for the Street Vacation of East John Street

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

This Report Action Item was approved

[19-1792](#)

Initial Resolution for the Street Vacation of North McDonald Street

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

This Report Action Item was approved

K. ESTABLISH ORDER OF THE DAY

[19-1495](#)

Resolution #13-R-19 Climate Change

Attachments: [#13-R-19 Climate Change.pdf](#)
[2019 Climate Change Resolution.doc](#)
[2019 Survey-Climate Change-Sustainability Committees.pdf](#)

Alderperson Coenen moved, seconded by Alderperson Van Zeeland, that the Resolution (as amended in Committee) be amended in the first 'Be It Further Resolved' statement that the Taskforce consists of a Chairperson and at least 10 members appointed by the Mayor. Roll Call. Motion carried by the following vote:

Aye: 10 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matt Reed, Alderperson Patti Coenen and Alderperson Chris Croatt

Nay: 3 - Alderperson Alex Schultz, Alderperson Christine Williams and Alderperson Corey Otis

Excused: 2 - Alderperson Cathy Spears and Alderperson Kyle Lobner

Abstained: 1 - Mayor Timothy Hanna

Alderson Coenen moved, seconded by Alderson Van Zeeland, that the Resolution be further amended to state that the Taskforce (instead of Chair) has the authority to create/recommend additional subcommittees. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Chris Croatt and Alderson Corey Otis

Excused: 2 - Alderson Cathy Spears and Alderson Kyle Lobner

Abstained: 1 - Mayor Timothy Hanna

Alderson Martin moved, seconded by Alderson Firkus, that the Resolution be approved as amended. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Chris Croatt and Alderson Corey Otis

Nay: 1 - Alderson Matt Reed

Excused: 2 - Alderson Cathy Spears and Alderson Kyle Lobner

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderson Croatt moved, Alderson Coenen seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 13 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Brad Firkus, Alderson Joe Martin, Alderson Katie Van Zeeland, Alderson Denise Fenton, Alderson Maiyoua Thao, Alderson Matt Reed, Alderson Alex Schultz, Alderson Christine Williams, Alderson Patti Coenen, Alderson Chris Croatt and Alderson Corey Otis

Excused: 2 - Alderson Cathy Spears and Alderson Kyle Lobner

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[19-1678](#)

Request from EnviroForensics, LLC for a permanent street occupancy permit to install two (2) groundwater monitoring wells in Meade Street for tax key parcel 31-1-1145-00.

Attachments: [EnviroForensics-permanent street occupancy.pdf](#)

This Report Action Item was approved.

[19-1679](#)

Request from Wisconsin Electric Power Company for a permanent street occupancy permit for two (2) transformers and associated conduit and cable in the City Center Street right of way. This approval is required in addition to a corresponding easement that requires Finance Committee and Council approval.

Attachments: [Wisconsin Electric Power Co-permanent street occupancy.pdf](#)

This Report Action Item was approved.

[19-1680](#)

Approve John Street Vacation as shown on Exhibit "A".

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

This Report Action Item was approved.

[19-1681](#)

Approve McDonald Street Vacation as shown on Exhibit "A".

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

This Report Action Item was approved.

[19-1682](#)

Approve Snow Storage Lease Agreement with Crescent Lofts-Appleton, LLC for Winter 2019/2020.

Attachments: [Snow Storage Lease Agreement.pdf](#)

This Report Action Item was approved.

[19-1686](#)

Approve Snow Storage Limited License Agreement with Menard, Inc. for Winter 2019/2020.

Attachments: [Snow Storage Limited Lease Agreement.pdf](#)

This Report Action Item was approved.

[19-1692](#)

Minor Street-from Meade Street to Rankin Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 28' from back of curb to back of curb, which is the same width as the existing street. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[19-1693](#)

Jackson Street- from Calumet Street to Fremont Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

This Report Action Item was approved.

[19-1694](#)

Glendale Avenue- from Mason Street to Richmond Street, be reconstructed with concrete pavement and curb and gutter to a width of 35' from back of curb to back of curb, which is 2' narrower than the existing street.

A new bike lane is to be incorporated along the north side of Glendale Avenue within the project limits. On-street parking would be prohibited along the north side of Glendale Avenue.

A new on-street parking lane is to be incorporated along the south side of Glendale Avenue within the project limits.

New traffic calming circles to be constructed at the intersections of Glendale Ave & Summit St and Glendale Ave & Locust St.

New raised medians to be constructed at Glendale Ave & Bennet St.

New dedicated turn lanes to be incorporated along Glendale Avenue at Mason Street and Richmond Street.

This Report Action Item was approved.

[19-1723](#)

Approve amendment to Municipal Code Section 12-30 Public nuisances affecting peace and safety to add language regarding leaves and yard debris on sidewalks.

Attachments: [Amendment 12-30 Public nuisance.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[19-1559](#)

Reserve "Class B" Liquor and Class "B" Beer License Permanent Premise Amendment application for Deja Vu Martini Lounge, located at 519 W. College Ave, contingent upon approval from all departments.

Attachments: [Deja Vu Martini Lounge-permanent amendment.pdf](#)

This Report Action Item was approved.

[19-1675](#)

Class "B" Beer and "Class C" Wine License application for Jerk Joint LLC d/b/a Jerk Joint, Fay Oliver, Agent, located at 1619 W. College Ave Suite D, contingent upon approval from all departments.

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

This Report Action Item was approved.

[19-1683](#)

Reserve "Class B" Liquor and Class "B" Beer License application for Core's Lounge LLC d/b/a Core's Lounge, Kor Xiong, Agent, located at 1350 W. College Ave Suite D, contingent upon approval from all departments.

Attachments: [Liquor License-Core's Lounge S&L.pdf](#)

This Report Action Item was approved.

[19-1782](#)

Operator's Licenses

Attachments: [Operator Licenses 11-20-19- S & L.pdf](#)

This Report Action Item was approved.

[19-1749](#)

Secondhand Jewelry License Renewal application for Tennes Jewelry, Rebecca L Juedes, Applicant, 208 E. College Ave, contingent upon approval from all departments.

Attachments: [Tennes Jewelry S&L.pdf](#)

This Report Action Item was approved.

[19-1752](#)

Secondhand Jewelry License Renewal application for Avenue Jewelers, Jason A Druxman, Applicant, 303 E. College Ave, contingent upon approval from all departments.

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

This Report Action Item was approved.

[19-1747](#)

Secondhand Article License Renewal application for Richmond Resale, Dean M VandenHoy, Applicant, 204 N. Richmond St, contingent upon approval from all departments.

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

This Report Action Item was approved.

[19-1753](#)

Secondhand Article License Renewal application for Warehouse Office Products, Jeff S Lemery, Applicant, 1825 N. Richmond St, contingent upon approval from all departments.

Attachments: [Warehouse Office Products S&L.pdf](#)

This Report Action Item was approved.

[19-1754](#)

Secondhand Article License Renewal application for Side Quest Gaming, John J Steudel, Applicant, 609A W. College Ave, contingent upon approval from all departments.

Attachments: [Side Quest Gaming S&L.pdf](#)

This Report Action Item was approved.

[19-1755](#)

Secondhand Article License Renewal application for Game Stop #5520, Troy W. Crawford, Applicant, 3825 E. Calumet St, contingent upon approval from all departments.

Attachments: [Game Stop #5520 S&L.pdf](#)

This Report Action Item was approved.

[19-1756](#)

Secondhand Article License Renewal application for Game Stop #3349, Troy W. Crawford, Applicant, 2640 W. College Ave, contingent upon approval from all departments.

Attachments: [Game Stop #3349 S&L.pdf](#)

This Report Action Item was approved.

[19-1757](#)

Secondhand Article License Renewal application for ecoATM LLC, Hunter E. Bjorkman, Applicant, 2700 N. Ballard Rd, contingent upon approval from all departments.

Attachments: [ecoATM- Ballard S&L.pdf](#)

This Report Action Item was approved.

[19-1758](#)

Secondhand Article License Renewal application for ecoATM LLC, Hunter E. Bjorkman, Applicant, 511 W Calumet St, contingent upon approval from all departments.

Attachments: [ecoATM-Calumet S&L.pdf](#)

This Report Action Item was approved.

[19-1759](#)

Secondhand Article License Renewal application for ecoATM LLC, Hunter E. Bjorkman, Applicant, 3701 E Calumet St inside Walmart, contingent upon approval from all departments.

Attachments: [ecoATM-Walmart S&L.pdf](#)

This Report Action Item was approved.

[19-1784](#)

Pawnbroker Renewal application for JGB LLC d/b/a Mister Money USA of Appleton, Gregory A Baer, Applicant, 1933B N. Richmond St, contingent upon approval from all departments.

Attachments: [Mister Money-Pawnbroker S&L.pdf](#)

This Report Action Item was approved.

[19-1797](#)

Taxi-Cab Company and Limousine Service Renewal License Application for Cavanaugh's Carriages, Rodger and Jan Cavanaugh, 3910 Fairview Rd, Neenah, contingent approval from all departments.

Attachments: [Cavanaugh's Carriages.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[19-1705](#)

Request to approve the street discontinuance to vacate a portion of East John Street public right-of-way generally located east of South Court and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport_EJohnSt_StreetVacation_For11-12-19.pdf](#)

This Report Action Item was approved.

[19-1707](#)

Request to approve the street discontinuance to vacate a portion of North McDonald Street public right-of-way generally located north of East Northwood Drive and adopt the Initial Resolution and exhibit map

Attachments: [StaffReport_McDonaldStreet_StreetVacation_For11-12-19.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[19-1690](#)

Request to enter into Intergovernmental Agreement with Appleton Area School District to borrow short term cash in an amount not to exceed \$17,500,000 from time to time as needed. The note shall be dated as of date of issuance, shall bear interest at the rate of 2% above the average Federal Funds rate from its dated date until paid; and shall mature no later than June 30, 2020. Interest on the note shall be paid at maturity or redemption.

Attachments: [AASD 2019-2020 Master Note Agreement.pdf](#)
[AASD 2019-2020 Bond Council Letter.pdf](#)

This Report Action Item was approved.

[19-1724](#)

Request to approve payment to City Center West Condo Association for \$229,253 for replacement of chiller and electrical transformers and related 2019 budget amendment

<u>Facilities Management Capital Projects Fund</u>	
City Center Chiller/Electrical Transformer Project	+\$229,253
Blue Ramp Demolition Project	-\$229,253

To transfer funds from the Blue Ramp project to the City Center condo improvements project (2/3 Council vote required)

Attachments: [2019 City Hall Condominium Improvements.pdf](#)

This Report Action Item was approved.

[19-1725](#)

Request to approve two-year extension of contract with CliftonLarsonAllen LLP for auditing services for the years ended December 31, 2019 and 2020 for \$76,500 and \$77,000, respectively.

Attachments: [Audit Services Extension 2019-2020.pdf](#)

This Report Action Item was approved.

[19-1726](#)

Request to approve a 21' by 12' Easement with Wisconsin Electric Power Company for two (2) transformers and associated conduit, cable, etc. on parcel 31-2-0272-00 as shown on the attached exhibit.

Attachments: [WeEnergies Easement.pdf](#)

This Report Action Item was approved.

[19-1727](#)

Request to approve Three Party Street Vacation Agreement for the Erb Street north of Michigan Street vacation.

Attachments: [Erb Street Three Party Agreement.pdf](#)

This Report Action Item was approved.

[19-1733](#)

Request to award the Front-Load Recycling Disposal Contract to Advanced Disposal Services for an amount of \$12,612.

Attachments: [Recycling Disposal Recomm 2019.pdf](#)

This Report Action Item was approved.

[19-1734](#)

Request to award the City of Appleton "Police Station Light Fixture Replacement" purchase order to Crescent Electric Supply, Co. in the amount of \$43,761

Attachments: [2019 PD Light Fixtures.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[19-1699](#) Approve 2019 Water System Distribution Master Plan Update by AECOM.

This Report Action Item was approved.

[19-1711](#) Award AWWTP Primary Clarifier #3 and #4 Cured-in-Place Pipe lining contract to Visu-Sewer in the amount not to exceed \$51,250.

Attachments: [Primary Clarifier 3 4 CIPP Award Memo Visu-Sewer.pdf](#)

This Report Action Item was approved.

[19-1732](#) Reaffirm the following property that has an Assessor land use code of single family or duplex be considered commercial property for stormwater billing purposes. (This property was referred back to Utilities.)

c. 6600 N. Ballard Road

Attachments: [6600 Ballard combined.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[19-1714](#) Authorization to Issue a Purchase Order for 5 - 40 ft. New Flyer Buses

Attachments: [Memo for Authorization to Issue a PO for New Flyer Buses 11.01.2019.pdf](#)
[NFI Quote for five \(5\) Heavy Duty Low-Floor Diesel Transit Buses.pdf](#)

This Report Action Item was approved.

[19-1715](#) Approval of Addendum to Northern Winnebago Dial A Ride Contract VT-16-009

Attachments: [FCTC 2019 NWDAR memo.pdf](#)
[NWDAR Addendum to Contract VT-16-009.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

[19-1308](#) Weights & Measures and Environmental Fee Proposals

Attachments: [Fee Proposals 2019.pdf](#)

This Report Action Item was approved.

M. CONSOLIDATED ACTION ITEMS

[19-1787](#) Consolidated Action Items: E John Street Vacation

19-1680 *Municipal Services Committee*

19-1705 *City Plan Commission*

19-1791 *Special Resolutions*

This Report Action Item was approved.

[19-1788](#) Consolidated Action Items: McDonald Street Vacation

19-1681 *Municipal Services Committee*

19-1707 *City Plan Commission*

19-1792 *Special Resolutions*

This Report Action Item was approved.

N. ITEMS HELD

O. ORDINANCES

[19-1789](#) Ordinances #97-19 to #104-19; #106-19 to #107-19

Attachments: [Ordinances going to Council 11-20-19.pdf](#)

This Report Action Item was approved.

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

[19-1798](#)

The Common Council will go into closed session according to State Statute § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session regarding the bluff site development and then reconvene into open session.

Aldersperson Croatt moved, seconded by Aldersperson Otis, that the Common Council convene into closed session at 7:59 p.m. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Chris Croatt and Aldersperson Corey Otis

Excused: 2 - Aldersperson Cathy Spears and Aldersperson Kyle Lobner

Abstained: 1 - Mayor Timothy Hanna

T. ADJOURN

Motion by Aldersperson Croatt, second by Aldersperson Coenen to reconvene into open session. Roll Call. Motion Carried and at 9:03 p.m. the Common Council reconvened into open session. No action was taken in closed session.

Aldersperson Coenen moved, seconded by Aldersperson Croatt, that the meeting be adjourned at 9:03 p.m. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Brad Firkus, Aldersperson Joe Martin, Aldersperson Katie Van Zeeland, Aldersperson Denise Fenton, Aldersperson Maiyoua Thao, Aldersperson Matt Reed, Aldersperson Alex Schultz, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Chris Croatt, Aldersperson Corey Otis and Mayor Timothy Hanna

Excused: 2 - Aldersperson Cathy Spears and Aldersperson Kyle Lobner

Kami Lynch, City Clerk



“...meeting community needs...enhancing quality of life.”

OFFICE OF THE MAYOR
Timothy M. Hanna
100 North Appleton Street
Appleton, Wisconsin 54911-4799
(920) 832-6400 FAX (920) 832-5962
e-mail: mayor@appleton.org

MEMORANDUM

TO: Members of the Common Council
FROM: Mayor Timothy Hanna
DATE: November 19, 2019
RE: Bicycle & Pedestrian Advisory Committee Appointment & Reappointments

It is with pleasure that I present the following appointment and reappointments for your confirmation at the December 4 Common Council meeting, Per Resolution #8-R-14, attendance has been included.

BICYCLE & PEDESTRIAN ADVISORY COMMITTEE – Appointment

JASON BROZEK 3-year term Active Community Member

A professor of government and environmental studies at Lawrence, with a passion for the study of urbanization, transportation and environmental policy. Jason holds a PhD in political science from UW-Madison and has lead workshops on equity in bike policy/infrastructure for the Bicycle Federation of Wisconsin. He also serves on the Outagamie County Greenway Implementation Committee.

Jason is a year-round bike commuter, recreational rider, trail user and parent of two kids who bike/walk to school.

BICYCLE & PEDESTRIAN ADVISORY COMMITTEE – Reappointments


NATE WOLFF	3-year term	Active Bicyclist/Pedestrian	83.3% attendance
KIM BIEDERMANN	3-year term	ECWRPC	83.3% attendance
GWEN SARGEANT	3-year term	Business Owner	17% attendance



“...meeting community needs...enhancing quality of life.”

OFFICE OF THE MAYOR
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(920) 832-6400 FAX (920) 832-5962
e-mail: mayor@appleton.org

MEMORANDUM

TO: Members of the Common Council
FROM: Mayor Timothy Hanna 
DATE: November 8, 2019
RE: Parade Committee Reappointments

It is with pleasure that I present the following reappointment for your confirmation at the December 4 Common Council meeting, Per Resolution #8-R-14, attendance has been included.

PARADE COMMITTEE – Memorial Day Parade

Corey Otis	1-year term	100% attendance
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PARADE COMMITTEE – Flag Day Parade

Corey Otis	1-year term	100% attendance
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PARADE COMMITTEE – Holiday Parade

Corey Otis	1-year term	100% attendance
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REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: November 26, 2019

Common Council Meeting Date: December 4, 2019

Item: Certified Survey Map #18-19

Case Manager: David Kress

GENERAL INFORMATION

Owners: Eric & Mary Erickson, William & Janet Carroll, and Dale & Jennifer Bushman

Applicant: Fox Valley Land Surveying c/o Andy Shie

Address/Parcel: 4338 North Silverleaf Court (Tax Id 31-1-6503-05), 4330 North Silverleaf Court (Tax Id 31-1-6503-07 and 31-1-6503-08), and 4318 North Silverleaf Court (Tax Id 31-1-6503-09)

Petitioner's Request: The applicant is requesting approval of a Certified Survey Map (CSM) that crosses a plat boundary. The CSM would reconfigure lot lines and attach additional land area to parcels #31-1-6503-07 and #31-1-6503-09.

BACKGROUND

Typically, CSMs are administratively reviewed and approved by City staff. However, the subject properties were originally platted in different plats. Parcels #31-1-6503-07, #31-1-6503-08, #31-1-6503-09, and part of #31-1-6503-05 were included in the Maple Wood Estates Plat, and part of parcel #31-1-6503-05 was included in the Apple Creek Center Plat. In order to satisfy the requirements of Chapter 236 of the Wisconsin State Statutes, the proposed CSM must be approved in the same manner as a Final Plat, which includes Plan Commission and Common Council approval.

On February 4, 2004, Common Council approved Certified Survey Map #04-05 to allow a 30-foot wide strip of land to be attached to parcel #31-1-6503-05. Rezoning #16-03, to rezone this strip from C-O Commercial Office District to R-1A One-Family District, was also approved and the related ordinance was adopted by Common Council on February 18, 2004. The subject CSM would attach portions of the 30-foot wide strip of land to proposed Lots 2 and 3. Parcels #31-1-6503-07 and #31-1-6503-08 would also be combined into proposed Lot 2.

STAFF ANALYSIS

Existing Conditions: Currently, parcel #31-1-6503-05 is an irregular, flag-shaped lot that is developed with a single-family dwelling. Parcels #31-1-6503-07 and #31-1-6503-08, which have continually been sold and owned together, feature a single-family dwelling and vacant land. Parcel #31-1-6503-09 is also developed with a single-family dwelling. All parcels have a zoning designation of R-1A Single-Family District. The total land area included in the CSM is approximately 2.17 acres. If approved, proposed Lots 2 and 3 would increase in size, with land coming from proposed Lot 1.

Certified Survey Map #18-19

November 26, 2019

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Subdivision Ordinance Requirements: Per Section 17-26(b)(1) of the Municipal Code, widths and areas of lots shall not be less than that provided in the City’s Zoning Ordinance. For the R-1A Single-Family District, the minimum lot width is 70 feet and the minimum lot area is 8,000 square feet, per Section 23-92(g) of the Municipal Code. Proposed Lots 1, 2, and 3 satisfy these lot development standards. Per Section 17-26(d) of the Municipal Code, side lot lines shall be at right angles or radial to the street line or substantially so. Transferring a strip of land from proposed Lot 1 to proposed Lots 2 and 3 simplifies the side lot lines and creates more rectangular lot configurations.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally residential in nature.

North: C-O Commercial Office District. The adjacent land to the north is currently vacant.

South: R-1A Single-Family District and NC Nature Conservancy District. The adjacent land uses to the south are currently single-family residential and the Apple Creek corridor.

East: R-3 Multi-Family District. The adjacent land uses to the east are currently multi-family residential.

West: R-1A Single-Family District. The adjacent land uses to the west are currently single-family residential.

Appleton Comprehensive Plan 2010-2030: Community & Economic Development staff has reviewed this proposal and determined it is compatible with the One and Two-Family Residential uses shown on the City’s *Comprehensive Plan 2010-2030* Future Land Use Map.

Technical Review Group (TRG) Report: This item was discussed at the November 5, 2019 Technical Review Group meeting. Comments were received from participating departments and captured in the stipulations found below.

RECOMMENDATION

Based on the above, staff recommends that Certified Survey Map #18-19, as shown on the attached map, **BE APPROVED** subject to the following conditions:

1. Pursuant to Section 17-17(b) of the Municipal Code, all newly placed monuments shall be at least 24” in length.
2. Add the following information to the Certified Survey Map:
A note on Certified Survey Map No. 4771 states: “30’ BUFFER EASEMENT RESTRICTIONS WILL BE RECORDED ON THE DEED BETWEEN NORTH MEADOWS INVESTMENT LTD. AND STEVE AND TERESA WINTER.” This note was fulfilled by Document #1603118 of the Outagamie County Register of Deeds Office and affects this property accordingly.
3. Drainage Plan requirement for this CSM is waived.

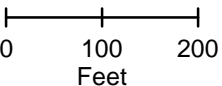
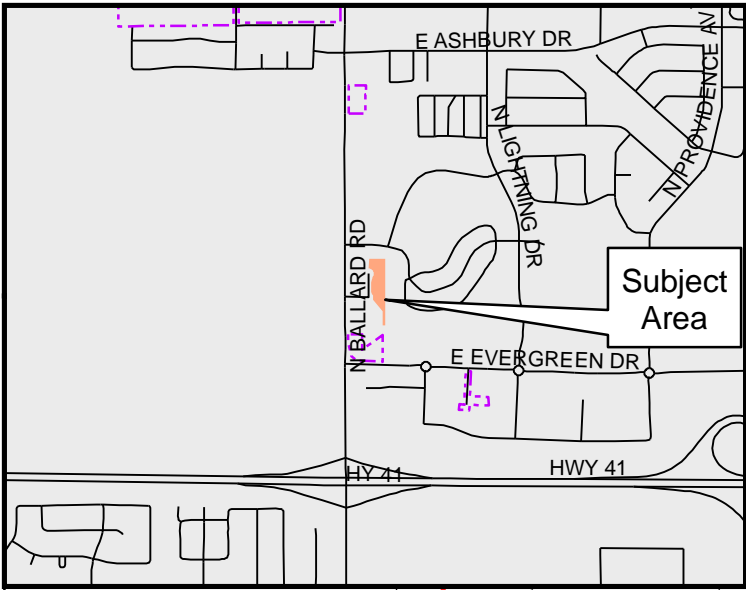
Certified Survey Map #18-19

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4. Pursuant to Section 17-17(a)(8) of the Municipal Code, identify the adjacent land to the east as Lot 2 of CSM 5211.
5. Pursuant to Section 17-17(a)(14) of the Municipal Code, identify the adjacent land to the east as zoned R-3 and the adjacent land to the north as zoned C-O.

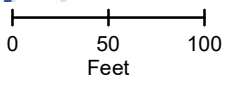
North Silverleaf Court
 Certified Survey Map #18-19
 Crosses Plat Boundary
 Zoning Map



City Plan Commission
 11-26-19



North Silverleaf Court
Certified Survey Map #18-19
Crosses Plat Boundary
Aerial Map



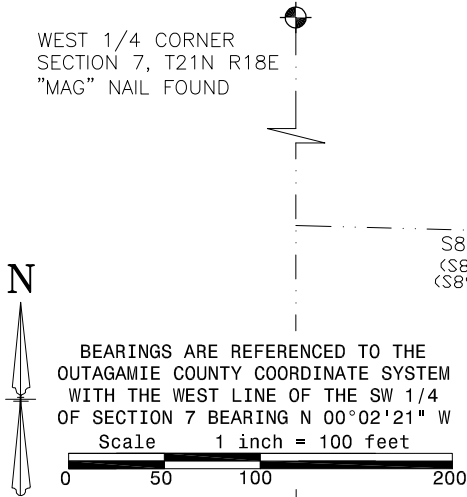
CERTIFIED SURVEY MAP

ALL OF LOT 1 OF CERTIFIED SURVEY MAP 4771, BEING ALL OF LOTS 5 AND 6 OF "MAPLE WOOD ESTATES", AND PART OF OUTLOT 4 OF "APPLE CREEK CENTER". ALL OF LOTS 7-9 OF "MAPLE WOOD ESTATES", ALL LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

NOTES:
 -10' WIDE UTILITY AND 20' WIDE DRAINAGE & STORM SEWER EASEMENTS SHOWN ARE FROM "MAPLE WOOD ESTATES"
 -30' WIDE BUFFER EASEMENT SHOWN IS FROM CSM 4771

SURVEY FOR:
 DALE BUSHMAN
 4318 N. SILVERLEAF CT.
 APPLETON, WI 54913

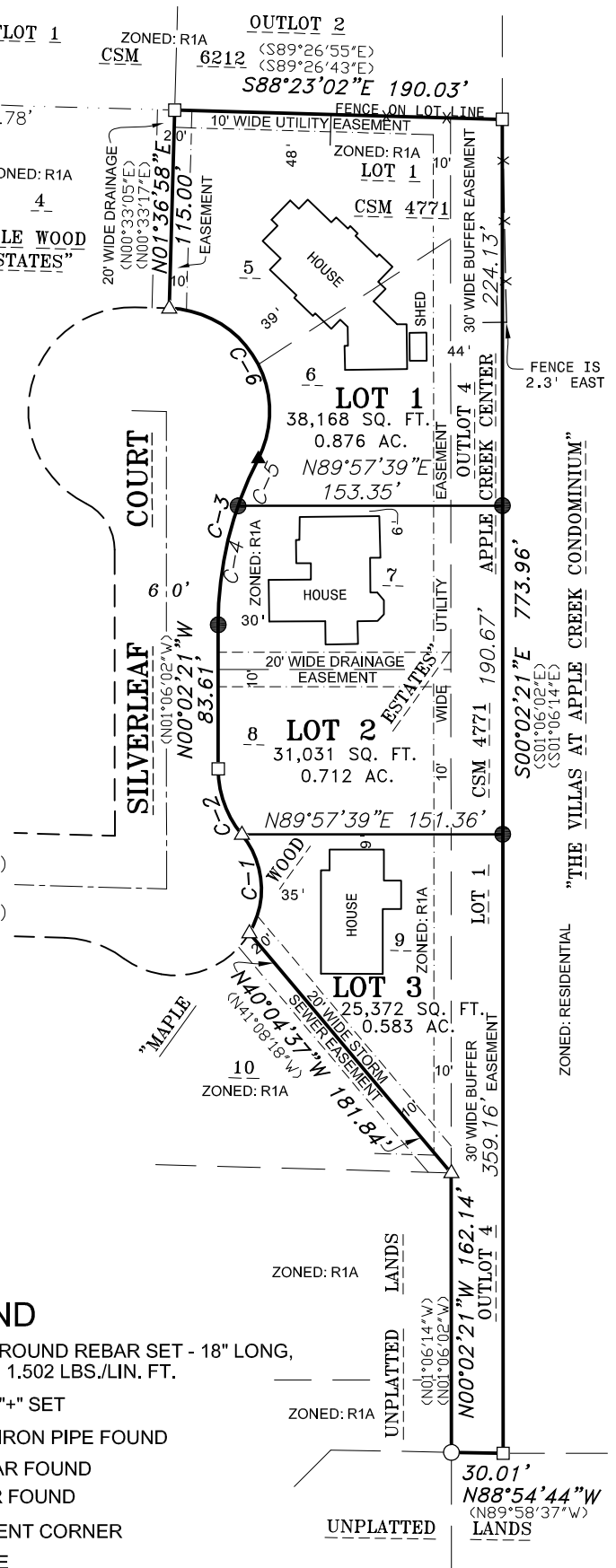
WEST 1/4 CORNER
 SECTION 7, T21N R18E
 "MAG" NAIL FOUND



CURVE TABLE

Curve	Radius	Delta	Length	Chord Bearing	Chord
1	50.00'	70°01'37"	61.11'	N04°25'16"W (N05°29'16"W)	57.38'
2	60.00'	39°24'02"	41.26'	N19°44'47"W (N20°48'03"W)	40.45'
3	210.00'	27°15'44"	99.92'	N13°35'26"E (N12°31'50"E)	98.98'
4	210.00'	19°10'37"	70.29'	N09°32'52"E (N8°29'16"E)	69.96'
5	210.00'	8°05'07"	29.63'	N23°10'43"E (N22°07'09"E), (N22°06'52"E)	29.61'
6	60.00'	115°36'25"	121.06'	N30°34'44"W (N31°38'30"E), (N31°38'48"E)	101.55'

SOUTHWEST CORNER
 SECTION 7, T21N R18E
 CHISELED "+" FOUND



**FOX VALLEY
 LAND SURVEYING**

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 Appleton, WI 54914
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 (920) 474-5025
 mail@foxvalleylandsurveying.com
 foxvalleylandsurveying.com

LEGEND

- 3/4" SOLID ROUND REBAR SET - 18" LONG, WEIGHING 1.502 LBS./LIN. FT.
- ▲ CHISELED "+" SET
- 1-1/4" O.D. IRON PIPE FOUND
- △ 1-1/4" REBAR FOUND
- 3/4" REBAR FOUND
- ⊕ GOVERNMENT CORNER
- ×× FENCE LINE
- () RECORDED AS

CERTIFIED SURVEY MAP _____

All of Lot 1 of Certified Survey Map 4771, being all of Lots 5 and 6 of "Maple Wood Estates", and part of Outlot 4 of "Apple Creek Center". All of Lots 7-9 of "Maple Wood Estates", all located in the Southwest ¼ of the Southwest ¼ of Section 7, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin.

SURVEYOR'S CERTIFICATE:

I, Andrew J. Shie, Professional Land Surveyor, hereby certify that I have surveyed, divided and mapped, at the direction of Dale Bushman, all of Lot 1 of Certified Survey Map 4771, being all of Lots 5 and 6 of "Maple Wood Estates", and part of Outlot 4 of "Apple Creek Center". All of Lots 7-9 of "Maple Wood Estates", all located in the Southwest ¼ of the Southwest ¼ of Section 7, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, described as follows:

Commencing at the Southwest corner of said Section 7; thence North 00 degrees 02 minutes 21 seconds West 1226.60 feet, along the West line of the Southwest ¼ of said Section 7; thence South 88 degrees 23 minutes 02 seconds East 282.78 feet, to the point of beginning; thence South 88 degrees 23 minutes 02 seconds East 190.03 feet, along the North line of said Lots 1 and 5; thence South 00 degrees 02 minutes 21 seconds East 773.96 feet, along the East line of said Lot 1; thence North 88 degrees 54 minutes 44 seconds West 30.01 feet, along the South line of said Lot 1; thence North 00 degrees 02 minutes 21 seconds West 162.14 feet, along the West line of said Lot 1; thence North 40 degrees 04 minutes 37 seconds West 181.84 feet, along the Southerly line of said Lot 9; thence along the Easterly right-of-way line of Silverleaf Court on an arc of a curve to the left 61.11 feet, having a radius of 50.00 feet, whose chord bears North 04 degrees 25 minutes 16 seconds West 57.38 feet; thence along the Easterly right-of-way line of Silverleaf Court on an arc of a curve to the right 41.26 feet, having a radius of 60.00 feet, whose chord bears North 19 degrees 44 minutes 47 seconds West 40.45 feet; thence North 00 degrees 02 minutes 21 seconds West 83.61 feet, along the Easterly right-of-way line of Silverleaf Court; thence along the Easterly right-of-way line of Silverleaf Court on an arc of a curve to the right 99.92 feet, having a radius of 210.00 feet, whose chord bears North 13 degrees 35 minutes 26 seconds East 98.98 feet; thence along the Easterly right-of-way line of Silverleaf Court on an arc of a curve to the left 121.06 feet, having a radius of 60.00 feet, whose chord bears North 30 degrees 34 minutes 44 seconds West 101.55 feet; thence North 01 degrees 36 minutes 58 seconds East 115.00 feet, along the West line of said Lots 1 and 5, to the point of beginning.

I have fully complied with Chapter 236.34 and A-E7 of the Wisconsin Statutes, the Subdivision Ordinances of the City of Appleton in surveying and mapping the above described property. This certified survey map is a correct representation of the exterior boundaries of the lands surveyed and the division thereof.

_____ Date
 Andrew J. Shie, WI. Land Surveyor, S-2504

CITY OF APPLETON APPROVAL

This Certified Survey Map was reviewed and approved by the City of Appleton on this _____ day of _____, 2019.

_____ Clerk
 _____ Mayor

TREASURER'S CERTIFICATE

I hereby certify that there are no unpaid taxes or special assessments on any of the lands on this certified survey map.

_____ Date _____ Date
 City Treasurer County Treasurer

OWNERS, DOCUMENTS, AND TAX PARCEL NUMBERS AT THE TIME OF THIS CERTIFIED SURVEY MAP.

<u>Owner(s)</u>	<u>Document(s)</u>	<u>Tax Parcel Number(s)</u>
Eric W. & Mary F. Erickson	1717914	311650305
William J. & Janet P. Carroll	2088226, 2088227	311650307, 311650308
Dale M. & Jennifer L. Bushman	2022869	311650309

108-19

AN ORDINANCE AMENDING SECTION 12-30 OF CHAPTER 12 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.

(Municipal Services Committee – 11/20/2019)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Section 12-30 of Chapter 12 of the Municipal Code of the City of Appleton, relating to public nuisances affecting peace and safety, is hereby amended to read as follows:

Sec. 12-30. Public nuisances affecting peace and safety.

The following acts, omissions, places, conditions and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within the provisions of §12-27.

- (1) All signs and billboards, awnings and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public so situated or constructed as to endanger the public safety.
- (2) All buildings erected, repaired or altered within the fire limits of the city in violation of the provisions of the ordinances of the City relating to materials and manner of construction of buildings and structures within the district.
- (3) Any unauthorized sign, signal, marking or device placed or maintained upon or in view of any public highway or railway crossing which purport to be or may be mistaken as an official traffic control device, railroad sign or signal or which because of its color, location, brilliance or manner of operation interferes with the effectiveness of any such device, sign or signal.
- (4) All trees, hedges, billboards or other obstructions which prevent persons driving vehicles on public streets, alleys or highways from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk.
- (5) All limbs of trees, hedges, bushes or plantings which project over and less than fourteen (14) feet above any public street, or over and less than ten (10) feet above any public sidewalk, or other public place.

- (6) All trees which are a menace to public safety or are the cause of substantial annoyance to the general public.
- (7) All use or display of fireworks except as provided by the laws of the State and ordinances of the City.
- (8) All buildings or structures so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.
- (9) All wires over streets, alleys or public grounds which are strung less than fifteen (15) feet above the surface thereof.
- (10) The keeping or harboring of any animal or fowl which by frequent or habitual howling, yelping, barking, crowing or making of other noises greatly annoys or disturbs a neighborhood or any considerable number of persons within the city.
- (11) All obstructions of streets, alleys, sidewalks or crosswalks and all excavations in or under streets, alleys, sidewalks or crosswalks, except as permitted by the ordinances of the City, or obstructions which, although made in accordance with such ordinances, are kept or maintained for an unreasonable or illegal length of time after the purpose thereof has been accomplished or which do not conform to the permit.
- (12) All open and unguarded pits, wells, excavations or unused basements freely accessible from any public street, alley or sidewalk.
- (13) Any unauthorized or unlawful use of property abutting on a public street, alley or sidewalk, or use of a public street, alley or sidewalk which causes large crowds of people to gather, obstructing traffic and free use of the streets or sidewalks.
- (14) Repeated or continuous violations of the ordinances of the City or laws of the State relating to the storage of flammable liquids.
- (15) All snow and ice not removed or sprinkled with a material which accelerates melting or prevents slipping as provided in §16-10.
- (16) All junked, disassembled, inoperable or wrecked motor vehicles, or parts thereof, which have been allowed to remain outside of any building upon public or private property for a period in excess of three (3) days, unless in connection with an automotive sales or repair business located in a properly zoned area.
- (17) Any construction debris or materials, unsightly debris, trash, wood, brick, washing machines, refrigerators or junk such as may tend to depreciate property values or be detrimental to the appearance, neatness and cleanliness of the neighborhood, provided that nothing in this subsection shall prohibit reasonable

storage of construction materials during the construction of any building or structure.

- (18) All motor vehicles allowed to remain outside of a building on private or public land which are not currently licensed or operable.
- (19) All leaves and other yard waste debris blocking the safe passage of any sidewalk.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

Dated: December 4, 2019