



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, December 2, 2020

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
[20-1545](#) Common Council Meeting Minutes of November 18, 2020

Attachments: [CC Minutes 11-18-2020.pdf](#)
- G. BUSINESS PRESENTED BY THE MAYOR

[20-1543](#) Board & Committee Reappointments

Attachments: [Board-Committee Reappts 12-2.pdf](#)

[20-1544](#) COVID-19 Update

Attachments: [COVID -19 Cases 12-2-2020.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

[20-1472](#)

R/B-Schultz-Request from Tilson Technology Management for a permanent street occupancy permit to install a 5.5' X 3' X 5' utility cabinet for the TDS 5G Project at the Drew Street/Roosevelt Street intersection. This location is number 1 of 13 total nodes.

Attachments: [TDS 5G-Drew St-Roosevelt St.pdf](#)

Legislative History

11/9/20	Municipal Services Committee	recommended for approval
11/18/20	Common Council	referred to the Municipal Services Committee
11/23/20	Municipal Services Committee	recommended for approval

[20-1473](#)

R/B-Schultz-Request from Tilson Technology Management for a permanent street occupancy permit to install a 5.5' X 3' X 5' utility cabinet for the TDS 5G Project at the Oneida Street/Northland Avenue intersection. This location is number 2 of 13 total Nodes.

Attachments: [TDS 5G-Oneida St-Northland Ave.pdf](#)

Legislative History

11/9/20	Municipal Services Committee	recommended for approval
11/18/20	Common Council	referred to the Municipal Services Committee
11/23/20	Municipal Services Committee	recommended for approval

[20-1474](#)

R/B-Schultz-Request from Tilson Technology Management for a permanent street occupancy permit to install a 5.5' X 3' X 5' utility cabinet for the TDS 5G Project at the Kamps Street/Linwood Avenue intersection. This location is number 3 of 13 total Nodes.

Attachments: [TDS 5G-Kamps St-Linwood Ave.pdf](#)

Legislative History

11/9/20	Municipal Services Committee	recommended for approval
11/18/20	Common Council	referred to the Municipal Services Committee
11/23/20	Municipal Services Committee	recommended for approval

[20-1531](#) Approve Intergovernmental Cooperation Agreement with the Village of Harrison for the resurfacing of Coop Road in 2021.

Attachments: [Coop Road IGA.pdf](#)

[Appleton - Harrison - Coop Road Agreement - Revised Final.pdf](#)

Legislative History

11/23/20 Municipal Services recommended for approval
Committee
Motion included amendment to include add Sec. 5 that speed limit be mutually agreed upon by parties to the agreement.

[20-1535](#) Request from Tilson Technology Management for a permanent street occupancy permit to install a 5.5' X 3' X 5' utility cabinet for the TDS 5G Project at the Pierce Avenue/8th Street intersection. This location is number 4 of 13 total Nodes.

Attachments: [Pierce - 8th Node location.pdf](#)

Legislative History

11/23/20 Municipal Services recommended for approval
Committee

[20-1533](#) Approve 2020 Materials Testing Contract (M-20) Amendment with OMNNI Associates, Inc. from an amount not to exceed \$125,000 to an amount not to exceed \$200,000.

Attachments: [Materials Testing Memo.pdf](#)

Legislative History

11/23/20 Municipal Services recommended for approval
Committee

[20-1536](#) Request from Tilson Technology Management for a permanent street occupancy permit to install a 5.5' and 3' X 5' utility cabinet for the TDS 5G project at the Kernan Avenue/Midway Road intersection. This location is number 5 or 13 total nodes.

Attachments: [TDS Node attachment.pdf](#)

Legislative History

11/23/20 Municipal Services recommended for approval
Committee

2. **MINUTES OF THE SAFETY AND LICENSING COMMITTEE**
3. **MINUTES OF THE CITY PLAN COMMISSION**
4. **MINUTES OF THE PARKS AND RECREATION COMMITTEE**

5. MINUTES OF THE FINANCE COMMITTEE

[20-1538](#) Request to award the "2019 AWWTP Improvement Project" contract to Staab Construction in the amount of \$2,689,000 with a contingency of 12.5% for a project total not to exceed \$3,025,125 and approve the following related 2020 Budget amendment:

Wastewater Utility

2019 AWWTP Improvement Project	+\$535,622
2017 AWWTP Improvement Project	- \$461,180
2018 Phase 2 Midway Lift Station Project	- \$ 74,442

to provide additional funding for the 2019 AWWTP Improvement Project
(2/3 vote of Common Council required)

Attachments: [Finance Committee - WW Utility 2019 Improvements Project Bid Award Staab](#)

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**

[20-1546](#) Ordinance #131-20, Town of Buchanan Boundary Adjustment

Attachments: [Ordinance #131-20 Buchanan Boundary Adjustment.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 18, 2020

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Woodford at 7:07 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Otis

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska, Alderperson Corey Otis and Mayor Jake Woodford

Excused: 1 - Alderperson Patti Coenen

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

All departments were represented.

F. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[20-1523](#)

Common Council Meeting Minutes of November 4, 2020 & November 11, 2020

Attachments: [CC Minutes 11-4-2020.pdf](#)
[CC Minutes 11-11-2020.pdf](#)

Alderperson Otis moved, seconded by Alderperson Siebers, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

G. BUSINESS PRESENTED BY THE MAYOR

[20-1525](#)

Proclamations:
- Native American Heritage Month
- Small Business Week

Attachments: [Native American Heritage Month Proclamation.pdf](#)
[Small Business Week Proclamation.pdf](#)

This Report Action Item was presented

[20-1524](#)

COVID-19 Update

Attachments: [COVID -19 Cases 11-18-20.pdf](#)

H. PUBLIC PARTICIPATION

Julie Stoffel representing the WWBIC spoke regarding Item 20-1461

Jennifer Stephany representing ADI spoke regarding Item 20-1493

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[20-1472](#)

R/B-Schultz-Request from Tilson Technology Management for a permanent street occupancy permit to install a 5.5' X 3' X 5' utility cabinet for the TDS 5G Project at the Drew Street/Roosevelt Street intersection. This location is number 1 of 13 total nodes.

Attachments: [TDS 5G-Drew St-Roosevelt St.pdf](#)

This Report Action Item was referred to the Municipal Services Committee by Alderperson Schultz due back on 11/23/2020.

[20-1473](#)

R/B-Schultz-Request from Tilson Technology Management for a permanent street occupancy permit to install a 5.5' X 3' X 5' utility cabinet for the TDS 5G Project at the Oneida Street/Northland Avenue intersection. This location is number 2 of 13 total Nodes.

Attachments: [TDS 5G-Oneida St-Northland Ave.pdf](#)

This Report Action Item was referred to the Municipal Services Committee by Alderperson Schultz due back on 11/23/2020.

[20-1474](#)

R/B-Schultz-Request from Tilson Technology Management for a permanent street occupancy permit to install a 5.5' X 3' X 5' utility cabinet for the TDS 5G Project at the Kamps Street/Linwood Avenue intersection. This location is number 3 of 13 total Nodes.

Attachments: [TDS 5G-Kamps St-Linwood Ave.pdf](#)

This Report Action Item was referred to the Municipal Services Committee by Alderperson Schultz due back on 11/23/2020.

[20-1493](#)

Action Item-Request to Install Oversized Wooden Letters Spelling "HOPE" within Houdini Plaza

Attachments: [Houdini Plaza-HOPE Sign.pdf](#)

This Report Action Item was approved

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

[20-1477](#)

Action Item-Request Approval of Reid Golf Course 2021 Rates Policy

Attachments: [2021 Golf Rates Memo.doc](#)
[Reid Rate Policy 2021 Final.docx](#)
[Reid Rate Policy 2021 redline.pdf](#)

Alderperson Siebers moved, seconded by Alderperson Prohaska, that the Rate Policy be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderperson Siebers moved, Alderperson Reed seconded, to approve the balance of the agenda. The motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[20-1499](#)

Approve recommendation to modify location for Wisconsin Avenue Enhanced Pedestrian Crossing from Story Street to Bennett Street.

Attachments: [Wisconsin Av 2021 Pedestrian Crossing.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[20-1366](#)

"Class B" Liquor and Class "B" Beer License application for Poonsiri Parncharn d/b/a Jai Sung Mah, located at 122 W Wisconsin Ave, contingent upon approvals from all departments.

Attachments: [Jai Sung Mah - Poonsiri Parncharn.pdf](#)

This Item was held in Committee, no action was taken at Council on 11/18

[20-1510](#)

Class "B" Beer and "Class B" Liquor License application for Lou's Brew Cafe & Lounge Inc d/b/a Lou's Brew Cafe, Laura Loukidis, Agent, located at 233 E College Ave, contingent upon approval from all departments.

Attachments: [Lou's Brew Cafe.pdf](#)

This Report Action Item was approved.

[20-1513](#)

"Class B" Liquor and Class "B" Beer License application for Driftwood Special Servicing LLC d/b/a Appleton Red Lion Paper Valley - Banquet Services, Linda M Garvey, Agent, located at 333 W. College Ave, contingent upon approval from all departments.

Attachments: [Red Lion - Banquet Services.pdf](#)

This Report Action Item was approved.

[20-1514](#)

"Class B" Liquor and Class "B" Beer License application for Driftwood Special Servicing LLC d/b/a Appleton Red Lion Paper Valley - Lombardi Bar, Linda M Garvey, Agent, located at 333 W. College Ave, contingent upon approval from all departments.

Attachments: [Red Lion - Lombardi Bar.pdf](#)

This Report Action Item was approved.

[20-1515](#)

"Class B" Liquor and Class "B" Beer License application for Driftwood Special Servicing LLC d/b/a Appleton Red Lion Paper Valley - Blaze, Linda M Garvey, Agent, located at 333 W. College Ave, contingent upon approval from all departments.

Attachments: [Red Lion- Blaze.pdf](#)

This Report Action Item was approved.

[20-1516](#)

"Class B" Liquor and Class "B" Beer License application for Driftwood Special Servicing LLC d/b/a Appleton Red Lion Paper Valley - Clubhouse, Linda M Garvey, Agent, located at 333 W. College Ave, contingent upon approval from all departments.

Attachments: [Red Lion - Clubhouse.pdf](#)

This Report Action Item was approved.

[20-1517](#)

"Class B" Liquor and Class "B" Beer License application for Driftwood Special Servicing LLC d/b/a Fox Cities Exhibition Center, Linda M Garvey, Agent, located at 355 W. Lawrence St, contingent upon approval from all departments.

Attachments: [Fox Cities Exhibition Center.pdf](#)

This Report Action Item was approved.

[20-1518](#)

Class "A" Beer and "Class A" Liquor License Change of Agent application for Ultimate Mart LLC d/b/a Pick 'N Save #8187, Ruth K Ackerman, New Agent, located at 511 W Calumet St, contingent upon approval from APD.

Attachments: [Ruth K Ackerman S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[20-1469](#)

Action Item-Request Approval of the Updated Miracle League Field-Rental and Fee Schedule Policy

Attachments: [Miracle League Field Policy - Clean.doc](#)
[Miracle League Field Policy - Redlined.pdf](#)

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE

[20-1496](#)

Resolution authorizing staff to finalize land transaction terms with the City of Menasha

Attachments: [Finance Utilities - CRB Memo - 11-2020 - Authorizing Resolution.pdf](#)
[Authorizing Resolution \(with Menasha regarding Water Plant land needs\) - 11-5-20.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[20-1461](#)

Request to approve 2021-2022PY Community Development Block Grant (CDBG) Community Partner Allocation Recommendations

Attachments: [Alloc Recs Memo to CEDC 11-11-20.pdf](#)
[2021 CDBG Advisory Board Membership.pdf](#)
[Approved CDBG Policy 10-14-2020.pdf](#)
[2021 CDBG Community Partner Award Recommendations.pdf](#)
[2021 CDBG Simple Summary Award Recommendations.pdf](#)

This Report Action Item was approved.

[20-1511](#)

Request to approve a six (6) month extension to the Planning Option Agreement with Merge, LLC (d/b/a Merge Urban Development Group) for a potential mixed-use development located on the former Blue Ramp and Conway Hotel sites

Attachments: [Merge Option Extension Memo_11-11-20.pdf](#)
[Term Extension Planning Option Agree MERGE 11-09-2020 Draft.pdf](#)
[Merge Option Memo to CEDC 1-29-20.pdf](#)
[Planning Option Agreement_Merge LLC-City of Appleton_v3_Signed.pdf](#)
[Map_Blue Ramp+Conway Hotel.pdf](#)
[Letter of Intent Merge_11-29-19.pdf](#)
[Merge Projects + References.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[20-1438](#)

Revisions to: Chapter 20, Section 20-203(2) and Chapter 20, Section 20-69, Definitions, Pollutant

Attachments: [Amend Sec 20-69 .pdf](#)
[Amend Sec 20-203\(2\).pdf](#)
[Amend Sec 20-204\(b\).pdf](#)

This Report Action Item was approved.

[20-1440](#)

Approve 2019 AWWTP Improvements Project Engineering Services Amendment #1 increasing the McMahon total contract amount by \$49,630 from \$169,886 to \$219,516.

Attachments: [2019 AWWTP Improvements Project McMahon Contract Amendment No1.pdf](#)

This Report Action Item was approved.

[20-1476](#)

Approval to Single-Source and Award 2020H Stormwater Consulting Services Contract for Edgewood Drive (CTH JJ) Drainage Study to raSmith, Inc. in an amount not to exceed \$47,500.

Attachments: [2020H Edgewood Drive CTH JJ Drainage Study Approval Memo raSmith final 11-04-2020.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[20-1482](#)

Approve Valley Transit's Public Transportation Agency Safety Plan (PTASP)

Attachments: [Valley Transit PTASP.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[20-1519](#)

Ordinances 128-20 to 130-20

Attachments: [Ordinances 128-20 to 130-20.pdf](#)

Alderperson Otis moved, seconded by Alderperson Siebers, that the Ordinances be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska and Alderperson Corey Otis

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Jake Woodford

- 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

Alderperson Siebers moved, seconded by Alderperson Otis, that the meeting be adjourned at 7:53 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Brad Firkus, Alderperson Joe Martin, Alderperson Katie Van Zeeland, Alderperson Denise Fenton, Alderperson Maiyoua Thao, Alderperson Matthew Reed, Alderperson Alex Schultz, Alderperson Mike Smith, Alderperson Nate Wolff, Alderperson Kyle Lobner, Alderperson Joe Prohaska, Alderperson Corey Otis and Mayor Jake Woodford


Excused: 1 - Alderperson Patti Coenen

Kami Lynch, City Clerk



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

OFFICE OF THE MAYOR
Jacob A. Woodford
100 North Appleton Street
Appleton, Wisconsin 54911-4799
Phone: (920) 832-6400
Email: Mayor@Appleton.org

TO: Members of the Common Council
FROM: Mayor Jacob A. Woodford 
DATE: December 2, 2020
RE: Confirmation of Authority, Board, and Committee Reappointments

It is with pleasure that I present the following reappointments for your confirmation at the December 2 Common Council meeting.

APPLETON HOUSING AUTHORITY – Reappointment

Christopher Biese	5-year Term	New Term Expires December 2025
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APPLETON REDEVELOPMENT AUTHORITY – Reappointment

Marissa Downs	5-year Term	New Term Expires November 2025
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BUSINESS IMPROVEMENT DISTRICT BOARD – Reappointment

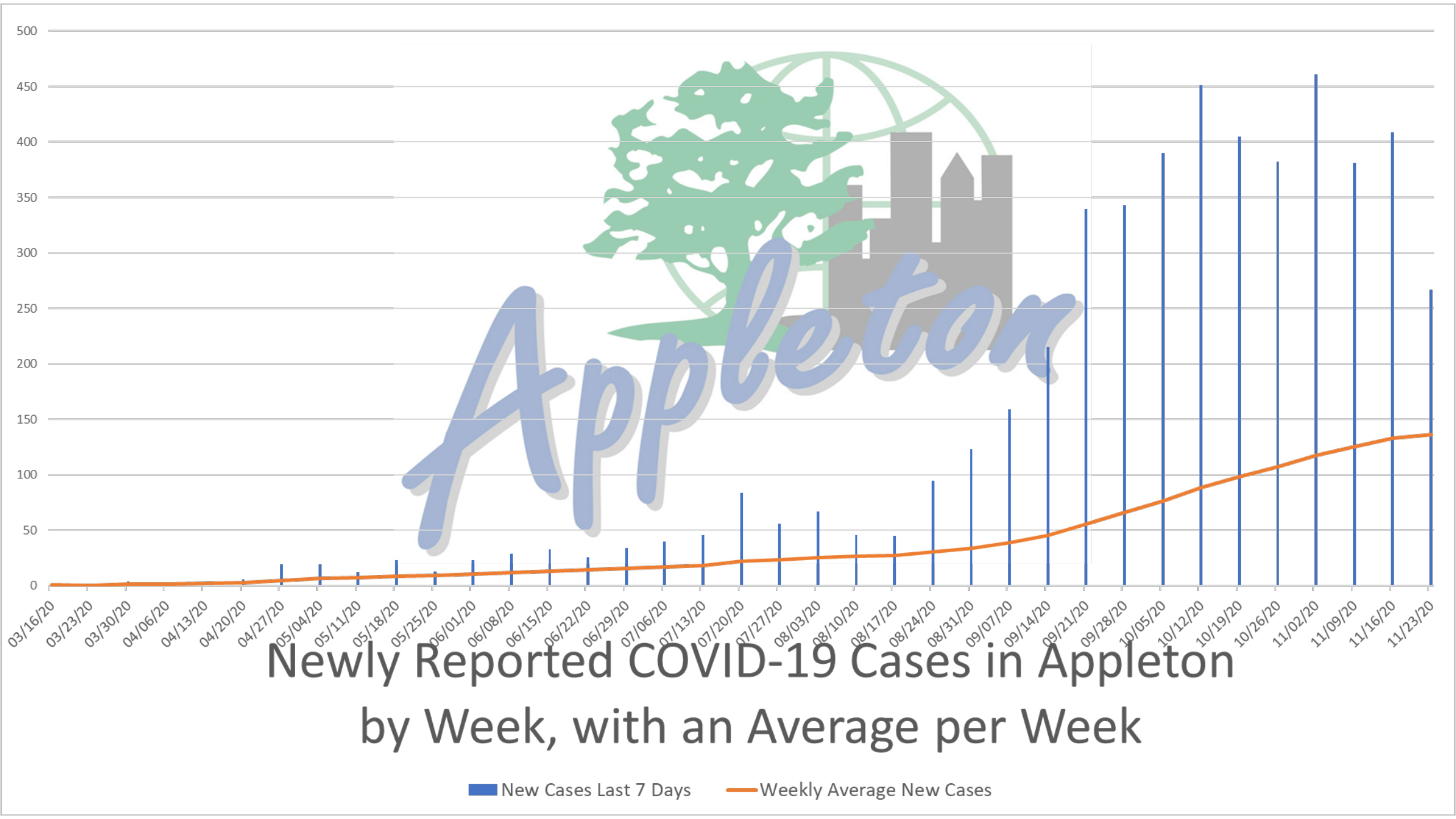
Brad Schwebs	3-year Term	New Term Expires December 2023
Marcie Harris	3-Year Term	New Term Expires December 2023

BOARD OF ZONING APPEALS– Reappointments

Kelly Sperl	3-year Term	New Term Expires May 2023
Kevin Loosen	3-year Term	New Term Expires May 2023

EXHIBITION CENTER ADVISORY COMMITTEE OF THE ARA – Reappointment

Dana Reader	2-year Term	New Term Expires January 2022
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$409 + 267 = 676$ (2 week case counts)

$676 / 75,000 = .009$ (Appleton population 75,000)

$.009 \times 100,000 = 901$ (equals burden)

Low less than or equal to 10 per 100,000 people

Moderate greater than 10 but less than 50 per 100,000 people

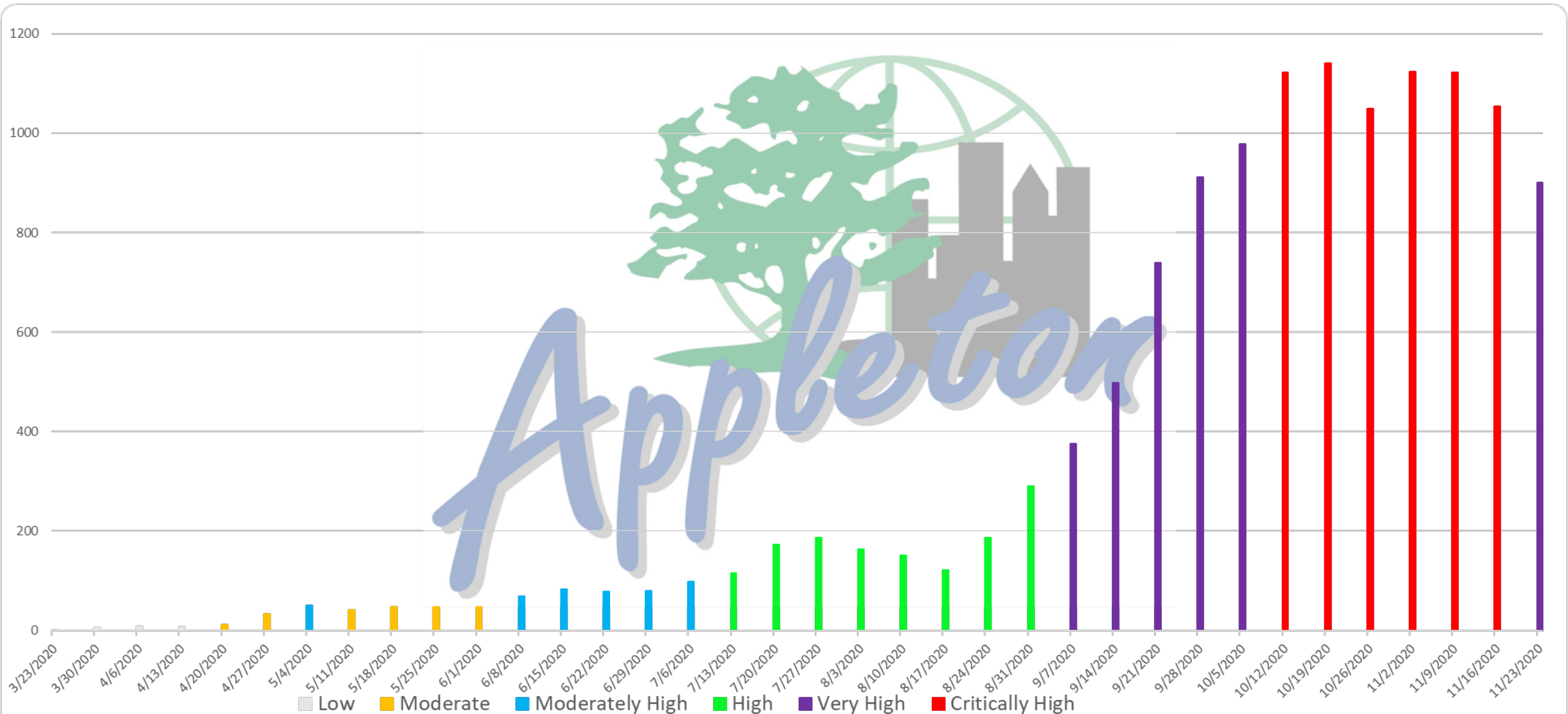
Moderately High greater than 50 but less than 100 per 100,000 people

High is greater than 100 per 100,000 people

Very High is greater than 350 per 100,000 people

Critically High is greater than 1,000 per 100,000 people

Table 1. Two indicators being based on confirmed cases: Burden and Trajectory. A third indicator maps Burden and Trajectory indicators into one composite indicator.					
Indicator	Definition	Classes			
Burden	Total number of cases per 100,000 in the last two weeks (B)	Low	$B \leq 10$		
		Moderate	$10 < B \leq 50$		
		Moderately High	$50 < B \leq 100$		
		High	$100 < B \leq 350$		
		Very High	$350 < B \leq 1000$		
		Critically High	$1000 < B$		
Trajectory	Percent change in the last two weeks (T), p-value from a test against $T = 0$ (p)	Shrinking	$T \leq -10\%$ and $p < 0.025$		
		Growing	$10\% \leq T$ and $p < 0.025$		
		Not changing (No Call)	Otherwise		
Case status indicator(Composite of burden and trajectory)	Summary concern based on Burden and Trajectory classifications		Shrinking	No Call	Growing
		Low	Low	Low	Medium
		Moderate	Medium	Medium	High
		Moderately High	Medium	High	High
		High	High	High	High
		Very High	Very High	Very High	Very High
		Critically High	Critically High	Critically High	Critically High



Two Week Total New COVID-19 Cases in Appleton,
 Rate per 100,000 Population, Risk Level Assessments per WDHS

**INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN
CITY OF APPLETON AND VILLAGE OF HARRISON
COOP ROAD**

The Parties to this Intergovernmental Cooperation Agreement (hereinafter the "Agreement") are the City of Appleton (hereinafter the "City") and the Village of Harrison (hereinafter the "Village").

RECITALS

WHEREAS, the boundaries between the City and Village have been established with the incorporation of the Village; and

WHEREAS, Coop Road is a significant boundary along the eastern edge of the City; and

WHEREAS, the majority of the Coop Road boundary is in the City;

NOW THEREFORE, the parties agree as follows:

1. The statutory authority for this Agreement is under Wis. Stat. §§66.0301(1)-(5).
2. Within 60 days of this Agreement, the City shall begin the process to detach from its incorporated boundaries, from the centerline of Coop Road to the Village limits and extending from Lorna Lane to Midway Road, said stretch shall thereafter be attached to the Village. As "owner" of the lands under said area to be detached, the City shall undertake the tasks required for detachment identified in Wis. Stat. §66.0227(1); and thereafter as soon as reasonably possible and practical adopt an ordinance for detachment pursuant to Wis. Stat. §66.0227(2); thereafter, within 60 days, the Village shall adopt an ordinance for attachment of said land pursuant to Wis. Stat. §66.0227(2).
3. The City shall resurface Coop Road, from Midway Road to Lorna Lane, with asphalt pavement in 2021.
4. In exchange for the foregoing, the Village shall pay the City \$120,000 towards the Coop Road asphalt resurfacing project based on the overall percentage of the project within the new Village boundary (56%). Said payment from the Village to the City shall be made within thirty (30) days of the resurfacing project's substantial completion.

Dated this ____ day of _____, 2020.

SIGNATURES BEGIN ON THE FOLLOWING PAGE

VILLAGE OF HARRISON

By: _____
Kevin M. Hietpas, Village President

By: _____
Jennifer Weyenberg, Village Clerk

Provision has been made to pay the liability that will accrue under this contract

Approved as to form:

Jennifer Weyenberg, Clerk-Treasurer

Andrew J. Rossmeissl, Village Attorney

CITY OF APPLETON

By: _____
Jacob A. Woodford, Mayor

By: _____
Kami Lynch, City Clerk

Provision has been made to pay the liability that will accrue under this contract

Approved as to form:

Anthony D. Saucerman, Finance Director

Christopher R. Behrens, City Attorney

**INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN
CITY OF APPLETON AND VILLAGE OF HARRISON
COOP ROAD**

The Parties to this Intergovernmental Cooperation Agreement (hereinafter the “Agreement”) are the City of Appleton (hereinafter the “City”) and the Village of Harrison (hereinafter the “Village”).

RECITALS

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WHEREAS, Coop Road is a significant boundary along the eastern edge of the City; and

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3. The City shall resurface Coop Road, from Midway Road to Lorna Lane, with asphalt pavement in 2021.
4. In exchange for the foregoing, the Village shall pay the City \$120,000 towards the Coop Road asphalt resurfacing project based on the overall percentage of the project within the new Village boundary (56%). Said payment from the Village to the City shall be made within thirty (30) days of the resurfacing project’s substantial completion.
5. The posted speed limit for the shared portion of Coop Road shall be mutually agreed upon by the City and Village.

Dated this ____ day of _____, 2020.

SIGNATURES BEGIN ON THE FOLLOWING PAGE

VILLAGE OF HARRISON

By: _____
Kevin M. Hietpas, Village President

By: _____
Jennifer Weyenberg, Village Clerk

Provision has been made to pay the liability that will accrue under this contract

Approved as to form:

Jennifer Weyenberg, Clerk-Treasurer

Andrew J. Rossmeissl, Village Attorney

CITY OF APPLETON

By: _____
Jacob A. Woodford, Mayor

By: _____
Kami Lynch, City Clerk

Provision has been made to pay the liability that will accrue under this contract

Approved as to form:

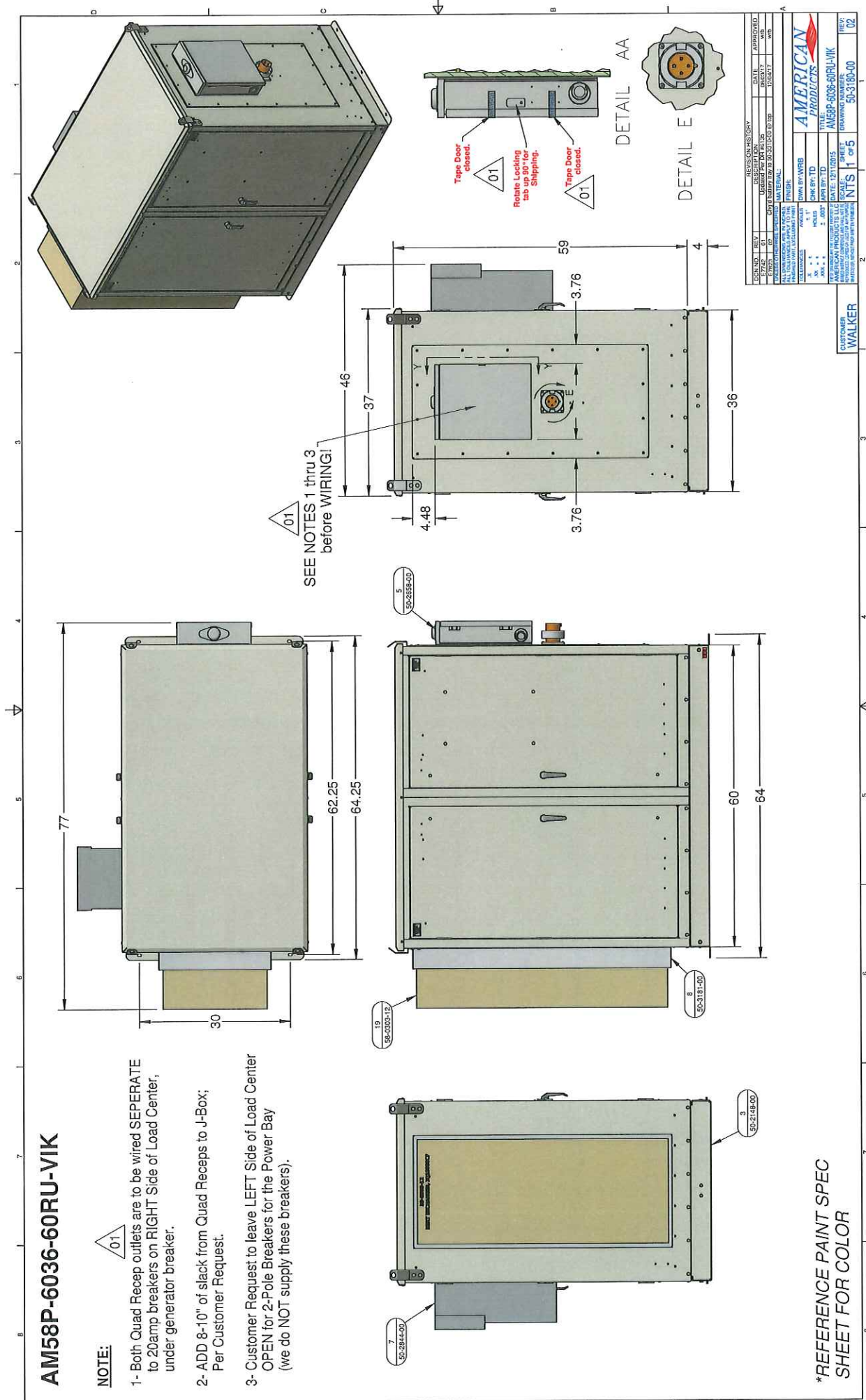
Anthony D. Saucerman, Finance Director
City Law: 20-0263

Christopher R. Behrens, City Attorney

AM58P-6036-60RU-VIK

NOTE:

- 1- Both Quad Recept outlets are to be wired SEPERATE to 20amp breakers on RIGHT Side of Load Center, under generator breaker.
- 2- ADD 8-10" of slack from Quad Recepts to J-Box; Per Customer Request.
- 3- Customer Request to leave LEFT Side of Load Center OPEN for 2-Pole Breakers for the Power Bay (we do NOT supply these breakers).



DOC NO.	REV	REVISION	DATE	APPROVED
E776	01	Updated for DTR1105	08/01/17	
DESIGNED BY		20-02-1005-02-03	DESIGNED BY	
CHECKED BY			CHECKED BY	
DRAWN BY		WVB	DRAWN BY	
MATERIAL			MATERIAL	
FINISH			FINISH	
SCALE			SCALE	
SHEET NUMBER		1	SHEET NUMBER	02
DRAWING NUMBER		AM58P-6036-60RU-VIK	DRAWING NUMBER	
PROJECT NUMBER		50-3180-00	PROJECT NUMBER	
CUSTOMER		WALKER	CUSTOMER	

*REFERENCE PAINT SPEC SHEET FOR COLOR



MEMO

"...meeting community needs...enhancing quality of life."

TO: Municipal Services Committee

FROM: Paula Vandehey, Director of Public Works
Sue Olson, Staff Engineer

DATE: November 18, 2020

RE: Amend 2020 Materials Testing Contract (M-20) with OMNNI Associates, Inc. from an amount not to exceed \$125,000 to an amount not to exceed \$200,000.

The Department of Public Works recommends amending the 2020 Materials Testing Contract with OMNNI Associates, Inc. from an amount not to exceed \$125,000 to an amount not to exceed \$200,000. Funding for work under this contract is from the various project accounts, including water main (5371), stormwater (5230) and street paving (17014). Sufficient 2020 fund balance exists within these Capital Improvements business units to support this amendment.

The Department of Public Works is requesting additional funding for the 2020 Materials Testing Contract due to testing and response needs exceeding anticipated amounts and to begin testing to obtain the necessary permits for 2021 projects. Some examples are:

- Working with WDNR to relieve the City of responsibility for contamination within the Valley Road right-of-way not removed prior to the reconstruction of Oneida Street
- Meeting all railroad requirements for the utility crossings on Atlantic Street, Appleton Street and Weimer Court
- Assisting the City with proper handling of stormwater pond sediment for NR 528 requirements
- Geotechnical testing at un-anticipated subdivisions, such as Broadway Hills Estates

In order to keep projects moving forward and take advantage of any good weather conditions, staff recommends amending the 2020 Materials Testing Contract with OMNNI Associates, Inc. from an amount not to exceed \$125,000 to an amount not to exceed \$200,000.



...ting community needs...enhancing quality of life."

Department of Utilities
Wastewater Treatment Plant
2006 E Newberry Street
Appleton, WI 54915-3128
920-832-5945 tel.
920-832-5949 fax

To: Chairperson Kyle Lobner and Members of the Finance Committee

From: Utilities Deputy Director, Chris Stempa

Date: November 19, 2020

Re: Finance Committee Action: Award "2019 AWWTP Improvements Project" Base Bid with no Alternate Bids to Staab Construction in the amount of \$2,689,000 with 12.5% contingency of \$336,125 for a project total not to exceed \$3,025,125

Finance Committee Action: Approve positive fund balance transfer of \$461,180 from the AWWTP 2017 Improvements Project and \$74,442 from the Phase 2 Midway Lift Station Improvements Project for a total amount of \$535,622

The 2019 Appleton Wastewater Treatment Plant (AWWTP) Improvements Project was originally comprised by five individual projects identified in the 2019 budget that involve the rehabilitation, replacement, or improvements to address immediate needs and long term reliability. Those project elements include Return Activated Sludge (RAS) pump replacement, piping modifications (e.g. filtrate piping and rehabilitation of the waste gas burner system), Primary Clarifiers #1 through #4 concrete recoating, repair of the outside secondary containment for chemical offloading, and replacement of the plant air compressors.

The filtrate tank repairs and piping modification contract was awarded by Common Council in early March 2020 and completed in May to advance the work ahead of the other project elements because of implications to seasonal low-level ammonia effluent discharge limits. There were other critical operation and maintenance (O&M) needs identified during that initial phase of construction that were outside of the original 2019 AWWTP Improvements Project scope. The Utilities Department staff acknowledged synergies with parallel efforts associated with the 2019 AWWTP Improvements Project that would be also required of 2020 Capital Improvement Projects (CIPs) along with the additional O&M work not previously identified within the budget. The list of additional project scope work summarized below was identified for inclusion as part of the 2019 AWWTP Improvements Project.

1. Plant Effluent Pumping Station #2 Pump Replacement (2020 CIP)
2. Primary Clarifier #5 and #6 Drive Replacement (2020 CIP)
3. Blended Sludge Piping Replacement

4. B-Building Headworks Slide Gate Replacement
5. B-Building and D-Building Programmable Logic Controllers (PLC's)

To take advantage of design and construction economies of scale and a potentially favorable bidding climate, McMahan included the additional scope items as part of the 2019 AWWTP Improvements Project bidding documents. Alternate bid items were identified based on the impact to treatment operations, meeting regulatory compliance, and seasonal impacts that could impeded work within one-year contract period. The alternate bid items would also provide flexibility with the contract award in the event the base bids exceeded the available project budget. Alternate bids #1 through #4 are described below for reference.

1. Deduct for removing rehabilitation of Primary Clarifiers #1 through #4
2. Deduct for removing floor and coating of floor and existing steel of Primary Clarifiers #5 through #6.
3. Deduct for removing demolition and replacement of blended sludge shell-in-tube heat exchanger.
4. Deduct for removing B-Building influent slide gate demolition and replacement.

BIDS:

On November 17, 2020 the City opened and reviewed the bids from three contractors which are summarized in the Table 1 below. Each bid met the submittal requirements. The alternate bids or any combination of alternative bids could not be accepted because the base bid exceeded the available budget identified as part of the 2019 AWWTP Improvements Project. As a result, Staab Construction was the least cost responsible bidder. Staab has successfully completed project work for the Department of Utilities in the past.

Table 1: 2019 AWWTP Bid Tab Summary

Company	Ahern	August Winter & Sons	Staab
Base Bid	\$3,582,000	\$3,783,000	\$3,762,000
Alternate #1	\$378,000	\$534,000	\$520,000
Alternate #2	\$176,000	\$266,000	\$365,000
Alternate #3	\$178,000	\$151,000	\$166,000
Alternate #4	\$27,000	\$25,000	\$22,000
Base Bid minus Alternate Bid Items	\$2,823,000	\$2,807,000	\$2,689,000

RECOMMENDATION:

The Utility requests the transfer of \$461,180 in remaining funds from the 2017 AWWTP Improvements Project and \$74,442 from the Phase 2 Midway Lift Station Improvements Project for a total amount of \$535,622 to cover the shortfall between the total bid price and the remaining original budget. The Finance Department was consulted and to help provide this recommendation.

I am requesting an award of the 2019 AWWTP Improvements Project Base Bid and no Alternate Bids to Staab Construction in the amount of \$2,689,000 with 12.5% contingency of \$336,125 for a project total not to exceed \$3,025,125.

If you have any questions or require additional information regarding this project please contact Chris Stempa at 920-832-5945.

ADOPTED: December 2, 2020
PUBLISHED: December 7, 2020
Office of the City Clerk

131-20

**AN ORDINANCE MODIFYING THE BOUNDARIES
INCLUDED IN THE AGREEMENT WITH
THE TOWN OF BUCHANAN**

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

Section 1. Territory Modified. In accordance with §66.0301(6)(c) of the Wisconsin Statutes and the intergovernmental cooperation agreement between the Town of Buchanan and the City of Appleton, the Town and the City hereby establish the boundary line separating the Town and the City, in Outagamie County, Wisconsin, lying contiguous to both the City of Appleton and the Town of Buchanan:

All of Lot 1 and part of Lot 2 of Certified Survey Map No. 1716 and part of Government Lots 1, 2, 3, 4 and 5 of Section 29, Township 21 North, Range 18 East, Town of Buchanan, Outagamie County, Wisconsin, containing 8.0 Acres m/l and being further described by:

Commencing at a meander corner in the East line of Section 29 said corner located in Newberry Street (aka Kimberly Avenue, aka C.T.H. "Z") and the Northerly extension of the centerline of Marcella Street;

Thence South 00°14'00" West 35.58 feet along a Southerly extension of the East line of Section 29 to the Northeasterly extension of the Southerly line of Newberry Street;
Thence South 68°15'53" West 43.11 feet m/l along the Northeasterly extension of the Southerly line of Newberry Street to the West line of Marcella Street and being the point of beginning;

Thence continue South 68°15'53" West 365.13 feet m/l along said extension and said Southerly line to the East line of Outagamie County Certified Survey Map No.494;
Thence South 00°00'00" East 331.23 feet along the East line of Outagamie County Certified Survey Map No.494 to the Southeast corner thereof;

Thence South 68°15'53" West 380.50 feet along the Southerly line of Outagamie County Certified Survey Map No.494 to the West line thereof and also the East line of lands described in 316d105 of the Outagamie County Register of Deeds Office;

Thence North 00°00'00" East 171.76 feet m/l along the West line of Certified Survey Map No. 494, to a point lying 195.00 feet Southerly of the centerline of Newberry Street;

Thence South 68°15'53" West 131.00 feet m/l parallel to the centerline of said Newberry Street to the East line of Government Lot 3 of said Section 29;
Thence North 00°00'00" East 159.47 feet m/l along the East line of Government Lot 3 of said Section 29 to the Southerly line of Newberry Street;
Thence South 68°15'53" West 1332.61 feet m/l along the Southeasterly line of Newberry Street to its intersection with the East line Government Lot 6, said Section 29;
Thence South 00°13'19" East 570.19 feet m/l along said East line to the South line of the Wisconsin Central Railway Limited;
Thence North 83°21'14" East 260.77 feet m/l along the South line of the Wisconsin Central Railway Limited to its intersection with a line lying 150.00 feet West of and parallel to the West line of Government Lot 4;
Thence North 00°05'36" East 100.70 feet m/l along said parallel line to the North line of the Wisconsin Central Railway Limited;
Thence South 83°21'14" West 6.38 feet along the North line of the Wisconsin Central Railway Limited;
Thence North 00°05'36" East 302.28 feet m/l parallel to Kensington Drive to the Southwesterly extension of a Northerly line of Lot 2 of Certified Survey Map No. 1716;
Thence North 68°20'36" East 136.02 feet to a Northerly line of Lot 2 of Certified Survey Map No. 1716 and then along said Northerly line and also being parallel to Newberry Street to the West line of Kensington Drive;
Thence North 87°28'35" East 60.07 feet to the East line of Kensington Drive;
Thence North 83°17'14" East 160.00 feet;
Thence North 00°05'36" East 124.73 feet parallel to Kensington Drive;
Thence North 68°15'53" East 45.56 feet m/l parallel to Newberry Street to the Southwest corner of lands described In Jacket 11476, Image 14;
Thence North 00°05'36" East 181.15 feet m/l along the West line of said lands to the Southeasterly line of Newberry Street;
Thence North 68°15'53" East 424.21 feet m/l along said Southeasterly line to the East line of lands described in Document No. 999489;
Thence South 00°00'43" West 208.70 feet along said East line to the Northerly line of Certified Survey Map No. 382;
Thence North 68°15'53" East 215.49 feet m/l along the North line of said Certified Survey Map No. 382 to the East line of Government Lot 3 of Section 29, Township 21 North, Range 18 East;
Thence South 00°00'00" West 122.53 feet along said East line to the extended South line of Certified Survey Map No. 494;
Thence North 68°15'53" East 101.00 feet along said extension;
Thence South 21°44'07" East 30.00 feet to a line lying 30.00 feet South of and parallel to said Certified Survey Map No. 494;
Thence North 68°15'53" East 429.33 feet m/l along said parallel line to a line lying 30.00 feet East of and parallel to Certified Survey Map No. 494;
Thence North 00°00'00" West 331.73 feet m/l along said parallel line to a line lying 30.00 feet South of and parallel to the South line of Newberry Street;
Thence North 68°15'53" East 332.79 feet m/l along said parallel line to the West line of Marcella Street;

Thence North 00°12'51" East 32.34 feet along the West line of Marcella Street to the point of beginning.

Being all of Tax parcels 030046101, 030046300, 030046200, 030046100, 030046102, 030045700, 030045800, 030043900, 030044300, 030044800, 030044900, 030045000, part of Wisconsin Central Railroad Ltd. lands adjacent to parcel 030046101 that is not currently within the City of Appleton corporate limits and that part of Kensington Drive not currently within the City of Appleton corporate limits.

The above-described properties shall be included within the boundaries of the City of Appleton, Outagamie County, Wisconsin.

Section 2. Effect of Boundary Modification. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Appleton for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Appleton.

Section 3. Ward Designation. The territory described in Section 1 of this ordinance Area 1 is hereby made a part of the Sixty-third (63rd) Ward, attached to this Third (3rd) Aldermanic District and Area 2 is hereby made a part of the Fifty-ninth (59th) Ward, attached to the Third (3rd) Aldermanic District of the City of Appleton, Outagamie County, subject to the ordinances, rules and regulations of the City governing wards.

Section 4. Zoning Classification (pursuant to attached zoning map). The territory described in Section 1 is hereby zoned as follows, pursuant to §66.0301(6)(e), Stats., and §23-65(e), Appleton Municipal Code:

- AREA 1: R-1A Single-Family District, R-1B Single-Family District, M-2 General Industrial District, as identified on the attached map.
- AREA 2: R-1B Single-Family District, M-2 General Industrial District, as identified on the attached map.

Section 5. Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance, which can be given without the invalid or unconstitutional provision or application.

Section 6. Effective Date. This ordinance shall take effect upon passage and publication.

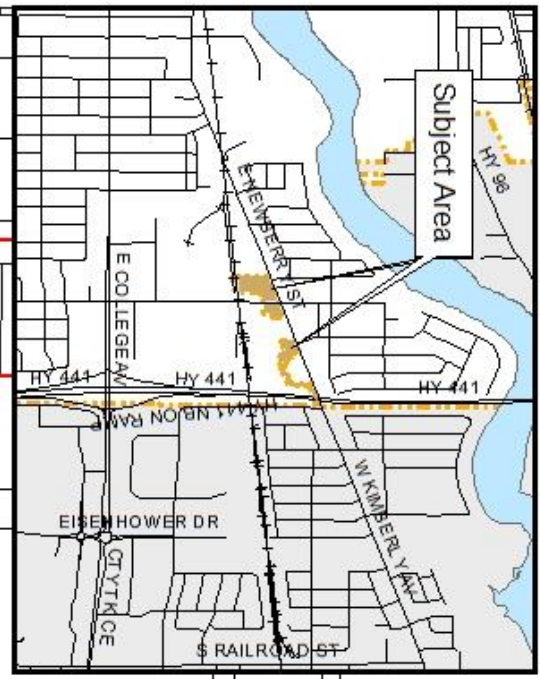
Dated: December 2, 2020

Jacob A. Woodford, Mayor
CityLaw A20-0249/19-1150

Kami Lynch, City Clerk



City Limit



Intergovernmental Cooperation Agreement
 City of Appleton/Town of Buchanan
 Zoning Map

