



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, October 16, 2013

7:00 pm

Council Chambers

- A. CALL TO ORDER
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE TO THE FLAG
- D. ROLL CALL OF ALDERPERSONS
- E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS
- F. PUBLIC PARTICIPATION
- G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES
[13-1498](#) Approve October 2, 2013 Council Meeting Minutes.
- H. BUSINESS PRESENTED BY THE MAYOR
[13-1499](#) Appointment: Appleton Redevelopment Authority - Reappointment of Curt Detjen and James Van Dyke.

Attachments: [CC 10-16-2013 - Committee Reappointments.pdf](#)
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. **MINUTES OF THE SAFETY AND LICENSING COMMITTEE**
[13-1449](#) The Taxicab Driver's License application of Mark A. Tessen, 1513 Henry Street, Neenah.

Legislative History

10/10/13 Safety and Licensing Committee recommended for approval

[13-1304](#)

Operator's License application of Marsha L. Anthony, 532 N. Meade Street.

Legislative History

9/26/13 Safety and Licensing Committee recommended for approval
Felony #1 - Manufacture/Deliver Controlled Substance - not substantially related - vote 3-0.

Felony #2 - Criminal Slander of Title - not substantially related - vote 3-0.

10/2/13 Common Council referred to the Safety and Licensing Committee

This Report Action Item was referred to the Safety and Licensing Committee by Alderperson Smith.

10/10/13 Safety and Licensing Committee recommended for approval

Felony #1: Manufacture/Deliver Controlled Substance - not substantially related. Vote: 5-0.

Felony #2: Criminal Slander of Title - not substantially related. Vote: 5-0.

[13-1461](#)

Operator's License application of Raul Ramirez Banales, 721 N. Appleton Street, Apt. A.

Legislative History

10/10/13 Safety and Licensing Committee recommended for denial

[13-1462](#)

Operator's License application of Brandon D. Abrahamzon, 511 N. Wisconsin Avenue.

Legislative History

10/10/13 Safety and Licensing Committee recommended for denial

Felony #1 - Possess w/Intent THC - is substantially related. Vote: 3-2; Nay-Oswald, Trauger

Felony #2 - Possession of THC - is not substantially related. Vote: 3-2;

Nay-Plank, Smith

Felony #3 - Bail Jumping - is not substantially related. Vote: 3-2; Nay-Plank, Smith

Felony #4 - Bail Jumping - is not substantially related. Vote: 3-2; Nay-Plank, Smith

Felony #5 - OWI - is substantially related. Vote: 5-0

[13-1453](#)

Operator's Licenses

Attachments: [Operator's Licenses for 10-10-13 S & L.pdf](#)

Legislative History

10/10/13 Safety and Licensing Committee recommended for approval

- [13-1457](#) Operator's license applications contingent upon completion of the Responsible Beverage Service Course
Crystal L. Figueroa, 1420 Silvercrest Drive

Legislative History

10/10/13 Safety and Licensing Committee recommended for approval

- [13-1465](#) Police Department request to enter an agreement for Fox Valley Mutual Aid.

Attachments: [S&L 10-10-2013 2013 Fox Cities Mutual Aid Agreement - 2013 Final \(Council\).d](#)

Legislative History

10/10/13 Safety and Licensing Committee recommended for approval

- [13-1450](#) Request to amend license premises description for "Class B" Beer/Liquor license of Appleton Moose Lodge, at 1216 E Wisconsin Avenue to read as follows: current description with the addition of outside sale/consumption for October 19th from 10:00 am until 9:00 pm only, for a BBQ party - contingent upon departmental approvals.

Legislative History

10/10/13 Safety and Licensing Committee recommended for approval

- [13-1451](#) Special Class "B" Beer License application of Buddha Buddies Club, Steve A. Newcombe, Person in Charge, 1700 E Wisconsin Avenue, October 20, 2013 contingent upon departmental approvals.

Legislative History

10/10/13 Safety and Licensing Committee recommended for approval

2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[13-1119](#)

R/B - Smith - Glendale Avenue from Ballard Road to Roemer Road be reconstructed with concrete pavement and curb and gutter to a width of 48' from back of curb to back of curb, which is 1' narrower than the existing street width. The newly reconstructed Glendale Avenue would include an 8' parking lane along the north side of the street, a 3' buffer area between the parking lane and bike lane, a 5' wide bike lane along the north side of the street, two 12.5' travel lanes, and a 6' wide bike lane along the south side of the street. Parking would be removed from the south side of Glendale Avenue within the proposed project limits. New Sidewalks would be constructed to the right-of-way line along both sides of Glendale Avenue within the project limits. Approved by a vote of Aye-2/Dannecker, Oswald; Nay-1/Martin.

Amendment #1 at 9/4/13 Council: Strike north" in all cases, replace with south," and vice versa. This amendment will move the proposed parking lane from the north to the south side of the street. Approved by a vote of Aye-10; Nay-5.

Amendment #2 at 9/4/13 Council: In the last sentence, strike both sides" and replace with the north side." This removes the proposed sidewalk from the south side of the road. Approved by a vote of Aye-8; Nay-7.

Attachments: [Glendale Ave drawings.pdf](#)

Legislative History

8/13/13	Municipal Services Committee	held
8/27/13	Municipal Services Committee	recommended for approval
9/4/13	Common Council <i>Amendment #1</i>	amended
9/4/13	Common Council <i>Amendment #2</i>	amended
9/4/13	Common Council <i>Amendment to Amendment #2 failed.</i>	amended
9/4/13	Common Council <i>Referred to Municipal Services Committee.</i>	referred to the Municipal Services Committee
9/4/13	Common Council <i>Motion to go into Committee of the whole failed.</i>	denied
9/10/13	Municipal Services Committee	held

10/8/13 Municipal Services amended
 Committee
Amendment #3 at 10/8/13 MSC: Glendale Avenue from Ballard Road to Roemer Road be reconstructed with concrete pavement and curb and gutter to a width of 47' from back of curb to back of curb, which is 2' narrower than the existing street width in areas with parking on the south side only, and 56' in areas with parking on both sides of the street. The newly reconstructed Glendale Avenue would include bike lanes and buffers on both sides of the street and sidewalk on the north side of the street.

[13-1291](#)

All properties within the Glendale Avenue (Ballard to Roemer) Reconstruction Project that will not have sidewalks installed as part of the project, be required to either remove all signage, parking, etc. from the street right-of-way or apply for a permanent street occupancy permit through the Municipal Services Committee.

Legislative History

9/10/13 Municipal Services held
 Committee
 10/8/13 Municipal Services recommended for approval
 Committee

[13-1444](#)

Proposed modifications to Municipal Code Section 16-10 Snow and Ice Removal.

Attachments: [Amendment Municipal Code 16-10.pdf](#)

Legislative History

10/8/13 Municipal Services recommended for approval
 Committee

[13-1464](#)

Appleton St-Proposed traffic ordinance changes related to recently completed Houdini Plaza Project & Mid-Block Crosswalk Improvement.

Attachments: [Appleton St-traffic changes.pdf](#)

Legislative History

10/8/13 Municipal Services recommended for approval
 Committee

3. **MINUTES OF THE CITY PLAN COMMISSION**
4. **MINUTES OF THE PARKS AND RECREATION COMMITTEE**
5. **MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**
6. **MINUTES OF THE UTILITIES COMMITTEE**

[13-1368](#) Approve Alternative 10C in the West Wisconsin Drainage Study.

Attachments: [West Wisc Study Approval Request Alt.docx](#)
[Phase 3 - Results Comparison Combined-100yr.pdf](#)
[SW costs requested by Ald Martin.pdf](#)

Legislative History

9/24/13	Utilities Committee	recommended for approval
10/2/13	Common Council	referred to the Utilities Committee <i>This Report Action Item was referred to the Utilities Committee by Alderperson Croatt.</i>
10/8/13	Utilities Committee	recommended for approval

[13-1441](#) Award Appleton WWTP ACCU Replacement to August Winter & Sons, Inc. for a contract amount of \$62,150 and a contingency of \$3,000 for a contract total not to exceed \$65,150.

Attachments: [WWTP ACCU Replacement.docx](#)

Legislative History

10/8/13	Utilities Committee	recommended for approval
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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

[13-1433](#) Request to approve the following 2013 Budget Adjustment:

General Fund - Unclassifieds

Infrastructure - Streets	+\$121,797
Infrastructure- Sidewalks	+\$ 17,488

General Fund - Public Works

Infrastructure - Streets	- \$139,285
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To transfer funds available from positive bid variance from the additional concrete street construction projects granted in May 2013 to pay for subdivision concrete street special assessments levied to the general fund (city park properties adjacent to the street projects completed in the subdivision fund). These special assessments were inadvertently missed in the 2013 Budget. (2/3 vote required)

Legislative History

10/9/13

Finance Committee
Meeting went into Recess

recommended for approval

Meeting Reconvened

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

[13-1500](#) Ordinances #84-13 through #90-13.

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

[13-1501](#) The Common Council will meet in closed session to confer with legal counsel concerning strategy to be adopted by the body with respect to litigation in which it is involved or likely to become involved regarding the East High School Underground Stormwater Storage Project and Fox River cleanup pursuant to the exceptions contained in §19.85(1)(g) of the Wisconsin Statutes. 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.