



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, March 18, 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
- G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES
[20-0411](#) Common Council Meeting Minutes of March 4, 2020

Attachments: [CC Minutes 3-4-20.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR
- F. PUBLIC PARTICIPATION
- I. PUBLIC HEARINGS
[20-0407](#) Public Hearing for Zoning Text Amendments

Attachments: [PublicHearingNotice_ZOTextAmendments_2020_UPDATED.pdf](#)

- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. **MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[19-1886](#)

R/B-Request to rescind approval for "The Collective" sculpture within the E. College Avenue and N. Catherine Street right-of-way.

Attachments: [The Collective log of public dialogue-.pdf](#)

Legislative History

12/9/19	Municipal Services Committee	held
	<i>Item 19-1886 held until January 13, 2020.</i>	
1/13/20	Municipal Services Committee	recommended for approval
	<i>Amend item 19-1886. City to work on alternate location in first quarter of 2020.</i>	
1/22/20	Common Council	referred to the Municipal Services Committee
1/27/20	Municipal Services Committee	held
	<i>Item 19-1886 be held until February 19, 2020 meeting.</i>	
2/19/20	Municipal Services Committee	held
	<i>Item 19-1886 be held until March 9th meeting.</i>	
3/9/20	Municipal Services Committee	recommended for approval

[20-0281](#)

Resolution #2-R-20, designating the month of May, 2020 as No Mow May.

Attachments: [Resolution #2-R-20-No Mow May.pdf](#)
[Resolution #2-R-20-Citizen Comments.pdf](#)
[Issues to address for Municipal Services Committee.pdf](#)

Legislative History

2/24/20	Municipal Services Committee	held
	<i>Item 20-0281 be held and referred to staff</i>	
3/9/20	Municipal Services Committee	recommended for approval
3/9/20	Municipal Services Committee	recommended for denial

[20-0360](#)

Request from two business owners to convert two 2-hour meters (CAW 608 and CAW 610) to 30-minute "red head" meters on the north side of the 600 West block of College Avenue be approved.

Attachments: [Request to convert two 2 hr meters to 30 min meters CAW 608 & CAW 610.pdf](#)

Legislative History

3/9/20	Municipal Services Committee	recommended for approval
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[20-0364](#) Request from Jake Viane of Bard Media for a permanent street occupancy permit to install a timelapse camera on a city-owned street light pole at 820 W. College Avenue to capture the construction project at 825 W. College Avenue be approved.

Attachments: [Permanent Street Occupancy 825 W College Ave.pdf](#)

Legislative History

3/9/20 Municipal Services recommended for approval
Committee
Amend item 20-0364 Contingent upon capturing video of 825 W. College Avenue only. Motion by Croatt, 2nd by Coenen. Motion passed 4-0.

[20-0366](#) Preliminary Resolution 2-P-20 for Concrete Pavement, Driveway Aprons and Sidewalk Construction be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [Resolution 2-P-20.pdf](#)

Legislative History

3/9/20 Municipal Services recommended for approval
Committee

[20-0367](#) Approve parking restriction changes on Capitol Drive near Classical Charter School (Follow-up to six month trial period).

Attachments: [Parking changes Capital Drive-Classical Charter School.pdf](#)

Legislative History

3/9/20 Municipal Services recommended for approval
Committee

[20-0369](#) Approve parking restriction changes on the 900 block of E. Commercial Street (Follow-up to six month trial period).

Attachments: [Parking changes 900 block of E. Commercial Street.pdf](#)

Legislative History

3/9/20 Municipal Services recommended for approval
Committee

[20-0370](#) Approve parking restriction changes on Spencer Street, between Story Street and Pierce Avenue (Follow-up to six month trial period).

Attachments: [Parking changes Spencer St between Story St & Pierce Ave.pdf](#)

Legislative History

3/9/20 Municipal Services recommended for approval
Committee

[20-0372](#) Approve parking restriction changes on W. Packard Street, between Outagamie Street and Badger Avenue (Follow-up to six month trial period).

Attachments: [Parking changes W. Packard St-Outagamie St to Badger Ave.pdf](#)

Legislative History

3/9/20 Municipal Services recommended for approval
 Committee

[20-0373](#) Approve parking restriction changes on Durkee Street near Classical Charter School (Follow-up to six month trial period).

Attachments: [Parking changes Durkee St Classical Charter School.pdf](#)

Legislative History

3/9/20 Municipal Services recommended for approval
 Committee

[20-0376](#) Approve installation of STOP signs on Durkee Street at Brewster Street (Follow-up to six month trial period).

Attachments: [Intersection traffic control Brewster St & Durkee St.pdf](#)

Legislative History

3/9/20 Municipal Services recommended for approval
 Committee

[20-0377](#) Approve installation of STOP signs on Jarchow Street at Marquette Street (Follow-up to six month trial period).

Attachments: [Intersection traffic control Marquette St & Jarchow St.pdf](#)

Legislative History

3/9/20 Municipal Services recommended for approval
 Committee

[20-0378](#) Approve permanent street occupancy permit request for monument signage and landscaping in the Peregrine Boulevard terrace area contingent upon the following:

- *City installs and maintains all terrace trees.
- *Developer installs and maintains monument signs and landscaping.
- *City has no liability of any plant or monument sign damage due to plowing or any other public works related services.
- *\$40 permit fee
- *Certificate of Insurance

Attachments: [Permanent Street Occupancy Peregrine Boulevard.pdf](#)

Legislative History

3/9/20 Municipal Services recommended for approval
 Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[20-0391](#)

Request to authorize the City Clerk as the Designated Municipal Official to Issue Operator's Licenses, Pursuant to 2019 Wis. Act 166

Attachments: [Designating City Clerk as the Municipal Official to Issue Operator Licenses.pdf](#)

Legislative History

3/11/20 Safety and Licensing recommended for approval
Committee

[20-0345](#)

Appleton Police Department received \$22,902.92 in funding through Octoberfest for the purchase of the Autovu 2 Camera System.

Attachments: [Octoberfest Notice to Accept Funds.pdf](#)

Legislative History

3/11/20 Safety and Licensing recommended for approval
Committee

[20-0309](#)

Temporary Premise Amendment application for Sangria's Mexican Grill, Sarah Gregory, Agent, located at 215 S Memorial Dr, contingent upon approval from all departments.

Attachments: [Sangrias Mexican Grill 2020.pdf](#)

Legislative History

3/11/20 Safety and Licensing recommended for approval
Committee

[20-0310](#)

Class "B" Beer and "Class C" Wine application for Miss Brown's Fine Foods II LLC d/b/a Miss Brown's Fine Food II, Donnahugh (Phill) Brown, Agent, located at 400 N. Richmond St Ste G, contingent upon approval from all departments.

Attachments: [Miss Brown's Fine Foods II.pdf](#)

Legislative History

3/11/20 Safety and Licensing recommended for approval
Committee

[20-0325](#)

"Class B" Liquor and Class "B" Beer License application for Asian Thai 2 Inc d/b/a Asian Thai, Rong Zhang, Agent, located at 201 W. Northland Ave, contingent upon approval from all departments.

Attachments: [Asian Thai.pdf](#)

Legislative History

3/11/20 Safety and Licensing recommended for approval
Committee

- [20-0337](#) Class "B" Beer License application for Breakout Green Bay LLC d/b/a Appleton Axe, Patrick Van Abel, Agent, located at 1400 W College Ave, contingent upon approval from all departments.

Attachments: [Appleton Axe.pdf](#)

Legislative History

3/11/20	Safety and Licensing Committee	recommended for approval
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- [20-0390](#) Operator Licenses

Attachments: [3-11-2020.pdf](#)

Legislative History

3/11/20	Safety and Licensing Committee	recommended for approval
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3. MINUTES OF THE CITY PLAN COMMISSION

- [20-0240](#) Request to approve proposed text amendments to Chapter 23 Zoning Ordinance of the Municipal Code relating to Sec. 23-21 Purpose, Sec. 23-22 Words and Terms Defined, Sec. 23-35 Transition Rules, Sec. 23-42 Nonconforming Buildings, Structures, Uses and Lots, Sec. 23-44 Fences and Walls, Sec. 23-50 Dimensional Exceptions and Modifications, Sec. 23-63 Board of Appeals, Sec. 23-65 Zoning Amendments, Sec. 23-66 Special Use Permits, Sec. 23-67 Variances, Sec. 23-91 AG Agricultural District, Sec. 23-92 R-1A Single-Family District, Sec. 23-93 R-1B Single-Family District, Sec. 23-94 R-1C Central City Residential District, Sec. 23-95 R-2 Two-Family District, Sec. 23-96 R-3 Multifamily District, Sec. 23-112 C-1 Neighborhood Commercial District, Sec. 23-113 C-2 General Commercial District, Sec. 23-114 CBD Central Business District, Sec. 23-131 M-1 Industrial Park District, Sec. 23-132 M-2 General Industrial District, Sec. 23-172 Off-Street Parking and Loading Standards, Sec. 23-422 Special Use Permit Requirements, Sec. 23-570 Site Plan Review and Approval, and Sec. 23-601 Landscaping and Screening Standards, as identified in the attached document

Attachments: [StaffReport_TextAmendment_2020Bundle_For02-25-20.pdf](#)
[EmailsSubmittedAtPCMTg_ProposedDistilleryRegs_ZoningCode.pdf](#)

Legislative History

2/25/20	City Plan Commission	recommended for approval
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Proceeds to Council on March 18, 2020.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

- [20-0413](#) Request to approve changes to Sec. 2-29(a) Alderperson absence; participation electronically, of the Appleton Municipal Code
Attachments: [AMEND058 Redlined.pdf](#)
- [20-0414](#) Request to repeal Sec. 2-561 of the Appleton Municipal Code re: Authority of City Clerk regarding elections.
Attachments: [AMEND059.pdf](#)
- [20-0415](#) Request the approval of Mayor's Proclamation Declaring a State of Emergency pursuant to Ch. 323, Wis. Stats.
Attachments: [COVID-19 Proclamation.pdf](#)
- [20-0347](#) CEA Review Committee Report
Attachments: [CEA MeetingMinutes04-Mar-2020-03-22-35.pdf](#)

Legislative History
3/9/20 Finance Committee recommended for approval
- [20-0348](#) Request to approve the following 2020 Budget adjustment:

Police Grants Fund
Equipment +\$22,903
Local Grants +\$22,903

to record receipt of Octoberfest grant to purchase Automatic License Plate Recognition equipment

Attachments: [Finance Committee Plate Recognition Grant.pdf](#)

Legislative History
3/9/20 Finance Committee recommended for approval
Alderson Martin was excused at 6:27pm
- [20-0349](#) Request to approve Resolution #0202-02 Sales Tax Shared Revenue

Attachments: [#2020-02 County Sales Tax Resolution.pdf](#)
[Sales Tax Revenue Sharing Correspondence 2019.pdf](#)
[County Sales Tax Municipal FAQ.PDF](#)

Legislative History
3/9/20 Finance Committee recommended for approval

[20-0350](#)

Request to award the City of Appleton 2020 Park Pavilion HVAC Upgrades contract to J.F. Ahern Co in the amount of \$68,900 with a contingency of \$1,100 for a project total not to exceed \$70,000

Attachments: [2020 Park Pavilion HVAC Upgrades.pdf](#)

Legislative History

3/9/20 Finance Committee recommended for approval

[20-0351](#)

Request to award the City of Appleton 2020 Fire Station #5 HVAC Upgrades contract to Sure-Fire, Inc in the amount of \$37,525 with a contingency of \$5,000 for a project total not to exceed \$42,525

Attachments: [2020 Fire Station #5 HVAC Upgrades.pdf](#)

Legislative History

3/9/20 Finance Committee recommended for approval

[20-0361](#)

Request to approve the 2019-2020 Budget carryover appropriations:
1. Items not under contract \$9,143,149
2. Items requesting Special Consideration \$323,353

Attachments: [2019-20 Not Under Contract Carryover List.pdf](#)

[2019-20 Special Consideration Carryover List.pdf](#)

Legislative History

3/9/20 Finance Committee recommended for approval

[20-0362](#)

Request to approve the following 2019 Budget adjustments:

Community Development Block Grant Fund

Grant Payments	+\$45,000
Federal Grants	+\$45,000

to record additional grant proceeds and related expenditures (2/3 vote of Council required)

Emergency Housing and Homeless Grant Fund

Grant Payments	+\$38,253
State Grants	+\$24,012
Fund Balance	- \$14,241

to record additional grant proceeds and related expenditures (2/3 vote of Council required)

Police Grants Fund

Federal Grants	+\$ 447
State Grants	+\$38,825
Salaries	+\$38,059
Supplies	+\$ 684
Equipment	+\$ 529

to record additional grant proceeds and related expenditures (2/3 vote of Council required)

TIF 8 Capital Projects Fund

Other Contracts/Obligations	+\$77,100
Fund Balance	- \$77,100

to provide funding for developer payments in excess of budget (2/3 vote of Council required)

Information Technology Capital Projects Fund

Transfer Out - Facilities Capital Projects Fund	+\$115,216
Fund Balance	+\$115,216

Facilities Capital Projects Fund

Transfer In - Information Technology Capital Projects Fund	+\$115,216
Fund Balance	+\$115,216

to transfer remaining proceeds from the 2017 G.O. Note borrowing from the IT Capital Projects fund to the Facilities Capital Projects Fund in order to meet spend down requirements (2/3 vote of Council required)

Attachments: [2019 Final Budget adjustments .pdf](#)

Legislative History

3/9/20 Finance Committee recommended for approval

[20-0371](#)

Request to approve the following 2020 Budget adjustment:

Stormwater Utility

Stormwater Utility Fund Balance	- \$10,000
Stormwater Capital Projects Fund	+\$10,000

to allocate in-lieu of funds set aside for stormwater management

Attachments: [Stormwater Budget Adj.pdf](#)

Legislative History

3/9/20 Finance Committee recommended for approval

[20-0374](#)

Resolution #4-R-20 Hmong Deportation

Attachments: [#4-R-20 Hmong Deportation .pdf](#)

Legislative History

3/9/20 Finance Committee recommended for approval

[20-0375](#)

Resolution #6-R-20 Purple Heart City

Attachments: [#6-R-20 Purple Heart City.pdf](#)

Legislative History

3/9/20 Finance Committee recommended for approval

[20-0382](#)

Request to approve Finance Committee Report 1-P-20 for Sanitary Laterals, Storm Laterals and Storm Main

Attachments: [Report 1-P-20.pdf](#)

Legislative History

3/9/20 Finance Committee recommended for approval

[20-0383](#)

Request to approve Finance Committee Report 2-P-20 for Concrete Pavement, Sidewalk Construction and Driveway Aprons

Attachments: [Report 2-P-20.pdf](#)

Legislative History

3/9/20 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[20-0331](#)

Request to approve the REVISED 2020-2021PY Community Development Block Grant (CDBG) funding as specified in the attached community partner allocation recommendations

Attachments: [Alloc Recs Memo to CEDC Final Award 03-11-2020.pdf](#)

[Alloc Recs Memo to CEDC 11-5-19.pdf](#)

[REVISED 2020 CDBG Community Partner & Simple Summary Recommendation](#)

[REVISED 2020 CDBG Simple Summary Recommendations.pdf](#)

[2020 CDBG Affordable Housing Project Recommendations.pdf](#)

Legislative History

3/11/20	Community & Economic Development Committee	recommended for approval
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7. MINUTES OF THE UTILITIES COMMITTEE

[20-0336](#)

Award Contract for Asbestos and Hazardous Materials Abatement to Asbestos Removal Inc. for an amount not to exceed \$39,986.

Attachments: [Lake Station Hazardous Materials Contract 03-03-20.pdf](#)

Legislative History

3/10/20	Utilities Committee	recommended for approval
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[20-0380](#)

Preliminary Resolution 1-P-20 for Sanitary Laterals, Storm Laterals and Storm Main be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [Resolution 1-P-20.pdf](#)

Legislative History

3/10/20	Utilities Committee	recommended for approval
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[20-0386](#)

Award America's Water Infrastructure Act Project to AECOM in the amount of \$43,500 with a 15% contingency of \$6,525 and total cost not to exceed \$50,025.

Attachments: [utilities memo - AWIA RRA Memo 03-06-20.pdf](#)

Legislative History

3/10/20	Utilities Committee	recommended for approval
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8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[20-0354](#) Request to award Heartland Business Solutions the contract to purchase and implement a new Audio Visual (AV) system for Fire and Police. The amount requested is \$89,628.50 with a 10.4% contingency for a total of \$100,000.

Attachments: [AFD - APD AV Memo.pdf](#)

Legislative History

3/11/20 Human Resources & Information Technology Committee recommended for approval

[20-0355](#) Request to award Heartland Business Solutions the contract to purchase and implement a new Audio Visual (AV) system for Council Chambers. The amount requested is \$89,937.81 with a 10% contingency for a total of \$100,000.

Attachments: [Council Chambers AV Memo.pdf](#)

Legislative History

3/11/20 Human Resources & Information Technology Committee recommended for approval

[20-0358](#) Request approval to over hire a Master Electrician in the Department of Public Works for approximately 30 days with an estimated fiscal impact of \$8,400.

Attachments: [DPW Overhire Master Electrician 3-11-20.pdf](#)

Legislative History

3/11/20 Human Resources & Information Technology Committee recommended for approval

[20-0384](#) Request approval to over hire a Health Officer in the Health Department for approximately 30 days with an estimated fiscal impact of \$12,000.

Attachments: [Health Officer over hire.pdf](#)

Legislative History

3/11/20 Human Resources & Information Technology Committee recommended for approval

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

19-1184 Resolution #10-R-19 Beekeeping Permit Process Change

Attachments: [#10-R-19 Beekeeping Permit Process Changes.pdf](#)
[Current - Residential Bee Keeping Permit Requirements.pdf](#)
[Proposed - Residential Apiary Permit Requirements .pdf](#)
[Current - Residential Apiary Permit Application .pdf](#)
[Proposed - Residential Apiary Permit Application .pdf](#)

Legislative History

8/14/19	Board of Health	presented
11/13/19	Board of Health	held
1/8/20	Board of Health	held
2/12/20	Board of Health	held
3/11/20	Board of Health	amended
		<i>Motion made to amend #2 of the Resolution's list of changes so that the notifications are made, but the objection process for property owners is removed from section 2.(b)2. of the beekeeping permit requirements.</i>
3/11/20	Board of Health	recommended for approval

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

20-0109 Request to approve proposed changes to the Art in Public Places Policy as identified in the attached revised policy

Attachments: [Memo to CEDC Revised APAC Policy February 2020.pdf](#)
[StaffReport Revised Art in Public Places Policy For2-4-20.pdf](#)

Legislative History

1/29/20	Community & Economic Development Committee	recommended for approval
2/5/20	Common Council	held

O. ORDINANCES

20-0406 Ordinances 18-20 to 57-20 Regarding Zoning
Ordinances 58-20 and 59-20
Ordinance 60-20 Ratification of Declaration of Emergency

Attachments: [Ordinances 18-20 to 57-20 for 3-18-2020 CC.pdf](#)
[Ordinances 58-20 and 59-20 for 3-18-2020 CC.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

[20-0412](#) Recognition of Service of Alderperson Christopher Croatt

S. ADJOURN

Kami Lynch, City Clerk

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