



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, June 7, 2023

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

[23-0605](#) Common Council Meeting Minutes of May 17, 2023

Attachments: [CC Minutes 5-17-23.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR

[23-0622](#) Introduction of Andy Anaam, Communications & Public Engagement Manager

[23-0636](#) Library Bid Opening Process

[23-0623](#) Proclamations:
- Pride Month
- CPR AED Awareness
- Juneteenth Celebrations
- Gun Violence Awareness Day
- Refugee Day

Attachments: [Pride Month Proclamation.pdf](#)

[CPR AED Awareness Week Proclamation.pdf](#)

[Juneteenth Celebration Day Proclamation.pdf](#)

[Gun Violence Awareness Day Proclamation.pdf](#)

[Refugee Day Proclamation.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**

[23-0586](#) Approve the three-party engineering design services contract between the City of Appleton, Wisconsin DOT and Ayres Associates Inc. for the design of Lawe Street (College Avenue to Wisconsin Ave). Compensation for authorized services for this contract shall not exceed \$439,934.38 with the WisDOT responsible for \$339,441 and the City responsible for \$100,493.38. Funding cap determined by the previously approved State/Municipal Agreement for a State-LET Urbanized Area STP-Urban Program Project.

Attachments: [Three Party Design Engineering Services Contract COA WisDOT Ayres 4984](#)

Legislative History

5/22/23	Municipal Services Committee	recommended for approval
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[23-0587](#) Approve the Local Highway Bridge Inspection Agreement between Outagamie County and City of Appleton to delineate local bridges that are the responsibility of the City to inspection in order to comply with the National Bridge Inspection Standards, Code of Federal Regulations Title 23, Part 650, Subpart C.

Attachments: [Local Bridge Inspection Agreement - City of Appleton.pdf](#)

Legislative History

5/22/23	Municipal Services Committee	recommended for approval
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[23-0588](#) Request from JoAnn Fidika at 1619 E. Pauline Street for a Terrace Occupancy Permit to keep an existing 3' fence in the street terrace along N. Wilmer Avenue.

Attachments: [2023.05.16_1619 Pauline Terrace Occupancy Permit.pdf](#)

Legislative History

5/22/23	Municipal Services Committee	recommended for approval
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[23-0596](#)

Special Event Application Denial Appeals - Smoshfest

Attachments: [Smosh Fest Denial Recommendation Letter 05.18.23.pdf](#)
[Smosh Fest Application.pdf](#)

Legislative History

5/24/23 Safety and Licensing Committee recommended for denial
William Shalom Dorman, 620 W. Prospect Ave addressed the Committee.

[23-0519](#)

Class "B" Beer and "Class B" Liquor License Change of Agent application for RH Events LLC d/b/a Poplar Hall, Nicole Burleson, New Agent, located at 141 S Riverheath Way.

Attachments: [Nicole Burleson S&L.pdf](#)

Legislative History

5/24/23 Safety and Licensing Committee recommended for approval

[23-0522](#)

Pet Store License Renewal application for Fish Cave LLC, Ton Vang, Applicant, located at 2110 S Memorial Dr, contingent upon approval from the Inspections department.

Attachments: [Fish Cave S&L.pdf](#)

Legislative History

5/24/23 Safety and Licensing Committee recommended for approval

[23-0541](#)

Pet Store License Renewal application for HSA Corporation d/b/a Pet Supplies Plus, Angela DeHaan, Applicant, located at 702 W Northland Ave, contingent upon approval from the Inspections department.

Attachments: [Pet Supplies Plus S&L.pdf](#)

Legislative History

5/24/23 Safety and Licensing Committee recommended for approval

[23-0548](#)

Pet Store License Renewal application for Just Pets, Craig Weborg, Applicant, located at 2009 N Richmond St, contingent upon approval from the Fire and Inspections departments.

Attachments: [Just Pets S&L.pdf](#)

Legislative History

5/24/23 Safety and Licensing Committee recommended for approval

[23-0549](#) Class "B" Beer and "Class B" Liquor Temporary Premise Amendment application for S C Carrow Corp d/b/a Rookies Sports Bar & Grill, Steven Carrow, Agent, located at 325 N. Appleton St, on August 3-5, 2023, for Mile of Music, contingent upon approval from the Community Development, Health and Inspections departments.

Attachments: [Rookies Sports Bar S&L.pdf](#)

Legislative History

5/24/23 Safety and Licensing Committee recommended for approval

[23-0565](#) Additional 2023-2024 Alcohol License Renewal applications, contingent upon approval from all departments by 12:00 p.m. on June 30, 2023.

Attachments: [2023-24 Alcohol License Renewals-2nd set.pdf](#)

Legislative History

5/24/23 Safety and Licensing Committee recommended for approval

[23-0598](#) Additional 2023-2024 Cigarette and Tobacco Products License Renewals

Attachments: [2023-2024 Additional Cigarette Renewals.pdf](#)

Legislative History

5/24/23 Safety and Licensing Committee recommended for approval

[23-0606](#) 2023-2024 Mechanical Amusement Device License renewals, contingent upon approval from all departments by 12:00 p.m. on June 30, 2023.

Attachments: [Amusement Device renewals 2023-24.pdf](#)

Legislative History

5/24/23 Safety and Licensing Committee recommended for approval

3. MINUTES OF THE CITY PLAN COMMISSION

[23-0552](#) Request to approve Special Use Permit #4-23 for an indoor commercial entertainment use (axe throwing) with alcohol sales and consumption located at 2701 North Oneida Street (Tax Id #31-6-7651-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_2701NOneidaSt_SUP_For5-24-23.pdf](#)

Legislative History

5/24/23 City Plan Commission recommended for approval

[23-0554](#) Request to approve Special Use Permit #5-23 for a bar and grill with alcohol sales and consumption use located at 2811 East Newberry Street (Tax Id #31-4-5747-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport 2811ENewberrySt SUP For5-24-23.pdf](#)

Legislative History

5/24/23 City Plan Commission recommended for approval

[23-0557](#) Request to approve The Villas at Meade Pond Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport VillasatMeadePond FinalPlat For5-24-23.pdf](#)

Legislative History

5/24/23 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[23-0563](#) Request to approve the following 2023 Budget Amendment:

Hazardous Materials Fund

Vehicles	+ \$22,040
Fund Balance Applied	+ \$22,040

Central Equipment Agency Fund

Sale of City Property	+ \$22,040
Trans Out - Capital Projects	+ \$22,040

to record Hazardous Materials Fund purchase of vehicle from CEA (2/3 vote of Council required)

Attachments: [2023 HazMat Vehicle.pdf](#)

Legislative History

5/22/23 Finance Committee recommended for approval

[23-0567](#) Request to award the City of Appleton's 2023 Masonry Repairs Project contract to Masonry Restoration, Inc. in the amount of \$162,675 with a contingency of \$15,000 for a project total not to exceed \$177,675.

Attachments: [2023 AWWTP Masonry Repairs Project.pdf](#)

Legislative History

5/22/23 Finance Committee recommended for approval

[23-0603](#) Request to approve cash advance from Stormwater Utility Fund to Wastewater Utility Fund in an amount not to exceed \$3,000,000 to replace issuance of long term revenue bonds in 2023.

Attachments: [2023 Short Term Funding.pdf](#)

Legislative History

5/22/23 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[23-0638](#) Request to release the historic Development Agreement dated June 1, 1985 contingent on approval of the proposed new Development Agreement with Fox Commons Properties, LLC for the property located at 10 E. College Avenue (Tax Id #31-2-0290-01) in Tax Increment Financing District No. 11 (Associated with Action Item #23-0561)

Attachments: [FoxCommons_RequestReleaseofHistoricDevelopAgreement_MemotoCEDC6-5 Release of Development Agreement \(MBF 6.5.23\) - 35110934.1.pdf](#)
[Exception 10a - Development Agreement \(003\).pdf](#)

[23-0561](#) Request to approve the Development Agreement with Fox Commons Properties, LLC for improvements and redevelopment of the property located at 10 E. College Avenue (Tax Id #31-2-0290-01) in Tax Increment Financing District No. 11

Attachments: [FoxCommons MemoToCEDC 05242023 Final.pdf](#)
[0747 - FOX COMMONS DEVELOPMENT AGREEMENT - 05-23-2023 - edit sh](#)
[Fox Commons Press Release \(06.05.2023\) FINAL-dist.pdf](#)

Legislative History

5/24/23 Community & Economic Development Committee recommended for approval

7. MINUTES OF THE UTILITIES COMMITTEE

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[23-0569](#) Request to Approve changes to address wage compression for Police Lieutenant and Captains using their hourly base rate vs. top Senior Sergeant rate and to add compensation for transports, time in court, and criminal guard duty.

Attachments: [Salary Administration Policy 2023 SB.pdf](#)

Legislative History

5/24/23 Human Resources & Information Technology Committee recommended for approval

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION[23-0581](#)

Authorization to enter into a second option year with Lamers Bus Lines Inc. to provide the Downtown Appleton Trolley Services

Attachments: [Recommendation memo for Downtown Trolley Service.pdf](#)

Legislative History

5/23/23	Fox Cities Transit Commission	recommended for approval
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10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

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.

Remote meeting attendance may be permitted pursuant to Section 2-29 of the Appleton Municipal Code and Rules of Council.

**We are currently experiencing intermittent issues/outages with our audio/video equipment. Meeting live streams and recordings are operational but unreliable at times. This is due to delays in receiving necessary system hardware components. We continue to look for solutions in the interim and we hope to have these issues resolved soon.*