



# City of Appleton

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

## Meeting Agenda - Final Common Council

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Wednesday, June 19, 2024

7:00 PM

Council Chambers

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- 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

[24-0785](#) Common Council Meeting Minutes of June 5, 2024

**Attachments:** [CC Minutes 6-5-24.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR

[24-0816](#) Refugee Day Proclamation

**Attachments:** [Refugee Day 2024.pdf](#)

[24-0817](#) AZCO Recognition - Yellow Ramp Skywalk Improvements

[24-0818](#) Victim Services Officer - Facility K9 Overview

[24-0819](#) Confirmation of Appointments

**Attachments:** [June 19 2024 Council Appointments Memo.pdf](#)

- H. PUBLIC PARTICIPATION

- I. PUBLIC HEARINGS

[24-0673](#) Public Hearing for Rezoning 4-24 841 W. Lawrence Street from C-2 General Commercial District to R-2 Two-Family District

**Attachments:** [RZ #4-24 Notice of Public Hearing.pdf](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

**1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[24-0750](#) Approve the updated roadway design parameters for planned 2025 street reconstruction: Morrison Street, from Glendale Avenue to Pershing Street (1,480 ft), be reconstructed with asphalt pavement and concrete curb and gutter. The details of the proposed Morrison Street reconstruction project are as follows:

- ELIMINATE previously approved curb extensions (narrowing of the pavement) at Marquette St to serve as traffic calming.
- New asphalt pavement and concrete curb and gutter constructed to a width of 27' from back of curb to back of curb, which is 6' narrower than the existing street (33') within this portion of the project. UNCHANGED from previous design approval.
- Traffic calming circle constructed at the intersection with Lindbergh Street. UNCHANGED from previous design approval.
- Existing on-street parking would be restricted along the west side of Morrison Street, within the project limits. UNCHANGED from previous design approval.

DPW staff recommend the above change based on the new Complete Streets Design Guide standards, which were adopted after the referenced design recommendation was made at November 20, 2023 Municipal Services Committee.

**Attachments:** [1 Morrison St Informational Letter \(Modified Design Proposal\) 05-29-24.pdf](#)

**Legislative History**

6/10/24	Municipal Services Committee	recommended for approval
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[24-0752](#) Approve the request from J.H. Findorff & Son Inc for a street occupancy permit for the Fox Commons City Center Plaza construction material loading, partial closure of College Avenue on Mondays and Wednesdays starting July 1, 2024 through November 15, 2024.

**Attachments:** [2 J.H Findorff & Son Inc 7-1-24 to 11-15-24.pdf](#)

**Legislative History**

6/10/24          Municipal Services          recommended for approval  
Committee

[24-0753](#) Approve the request from Appleton Downtown Inc. for a street occupancy permit to host a Sidewalk Sale on Friday August 2, Saturday August 3 and Sunday August 4, 2024 from 10:00am to 6:00 pm (during Mile of Music) on the College Avenue beautification strip from 900 W. College Avenue to 300 E. College Avenue.

**Attachments:** [3 Appleton Downton Inc and Mile of Music - 8-2 to 8-4-24.pdf](#)

**Legislative History**

6/10/24          Municipal Services          recommended for approval  
Committee

[24-0755](#) Approve the permanent street occupancy permit for brick veneer extending no more than 4-inches into the right-of-way at Jack's Apple Pub located at 535 W. College Avenue.

**Attachments:** [5 Jacks ApplePub - Brick Veneer.pdf](#)

**Legislative History**

6/10/24          Municipal Services          recommended for approval  
Committee

[24-0756](#) Approve the permanent street occupancy permit for building awning projecting 4-feet maximum into the right-of-way with a minimum clearance of 10-feet at Jack's Apple Pub located at 535 W. College Avenue.

**Attachments:** [6 Jacks ApplePub - Awning.pdf](#)

**Legislative History**

6/10/24          Municipal Services          recommended for approval  
Committee

[24-0757](#) Approve the temporary street occupancy permit for a sidewalk closure related to building façade improvement at Jack's Apple Pub located at 535 W. College Avenue.

**Attachments:** [7 Jacks ApplePub-Mason Doctor Sidewalk Closure.pdf](#)

**Legislative History**

6/10/24          Municipal Services          recommended for approval  
Committee

[24-0758](#) Approve the award of Service Contract for Traffic Signal Control and Management Software.

**Attachments:** [8 SISP Contract Award.pdf](#)

**Legislative History**

6/10/24 Municipal Services recommended for approval  
Committee

[24-0759](#) Approve the award of the Unit Q-24 Pavement Marking Maintenance Contract (Paint).

**Attachments:** [9 Q-24 Pavement Marking Contract Award.pdf](#)

**Legislative History**

6/10/24 Municipal Services recommended for approval  
Committee

[24-0760](#) Continue negotiations with Bird Rides for a 2024 Memorandum of Understanding.

**Attachments:** [10 2024 Bird MOU Recommendation.pdf](#)

**Legislative History**

6/10/24 Municipal Services recommended for approval  
Committee  
*Meltzer moved, seconded by Firkus a motion to direct staff to discontinue negotiations with Bird Scooter (or any other commercial short term scooter rental company) for 2024.*

[24-0761](#) Create an ordinance prohibiting short-term rental of electric scooters to the general public.

**Legislative History**

6/10/24 Municipal Services recommended for approval  
Committee

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[24-0743](#) Fire Department Automatic Aid Agreement with the Village of Fox Crossing Fire Department.

**Attachments:** [AFD Auto Aid Fox Crossing 2024.pdf](#)

**Legislative History**

6/12/24 Safety and Licensing recommended for approval  
Committee

[24-0748](#) 2024-2025 Late Alcohol License Renewal applications, contingent upon approval from all departments by 12:00 p.m. on June 28, 2024

**Attachments:** [Late 2024-25 Alcohol License Renewals.pdf](#)

**Legislative History**

6/12/24 Safety and Licensing recommended for approval  
Committee

- [24-0749](#) 2024-2025 Late Cigarette, Tobacco, and Vapor Product License Renewals  
**Attachments:** [2024-2025 Late C.T.V Renewals.pdf](#)  
**Legislative History**  
6/12/24 Safety and Licensing Committee recommended for approval
- [24-0663](#) Taxicab Company License Renewal Application for Dynasty Limousine Service LLC, Owner, Diana Wolters, 1900 Vandenberg Ln, Kaukauna, WI 54130.  
**Attachments:** [Dynasty Limousine Service LLC - Taxicab Co Renewal.pdf](#)  
**Legislative History**  
6/12/24 Safety and Licensing Committee recommended for approval
- [24-0683](#) Class "B" Beer and "Class B" Liquor License application for Mauthe Ventures LLC d/b/a No Idea Bar, Jennifer Mauthe, Agent, located at 109 W College Ave, contingent upon approval from the Health department.  
**Attachments:** [Mauthe Ventures LLC No Idea Bar App Redacted.pdf](#)  
**Legislative History**  
6/12/24 Safety and Licensing Committee recommended for approval
- [24-0684](#) Class "B" Beer and "Class B" Liquor License application for Mauthe Ventures LLC d/b/a Basil's Pub & Provisions, Jennifer Mauthe, Agent, located at 109 W College Ave, contingent upon approval from the Health department.  
**Attachments:** [Mauthe Ventures LLC Basil's Pub App Redacted.pdf](#)  
**Legislative History**  
6/12/24 Safety and Licensing Committee recommended for approval
- [24-0685](#) Class "B" Beer and Reserve "Class B" Liquor License application for Mauthe Ventures LLC d/b/a Olde Town Tavern, Jennifer Mauthe, Agent, located at 107 W College Ave, contingent upon approval from the Health department.  
**Attachments:** [Mauthe Ventures LLC Olde Town Tavern App Redacted.pdf](#)  
**Legislative History**  
6/12/24 Safety and Licensing Committee recommended for approval
- [24-0699](#) Salvage Dealer Renewal application for Mr C's Motorcycles LLC, Janet Ristau, Applicant, located at 724 S. Outagamie St, contingent upon approval from the Inspections department.  
**Attachments:** [Mr. Cs Motorcycles LLC 2024 Renewal Redacted.pdf](#)  
**Legislative History**

6/12/24 Safety and Licensing Committee recommended for approval

[24-0702](#)

Pet Store renewal application for Just Pets, Craig Weborg, Applicant, located at 2009 N. Richmond St, contingent upon approval from the Inspection and Community Development departments.

**Attachments:** [Just Pets 2024 Renewal Redacted.pdf](#)

**Legislative History**

6/12/24 Safety and Licensing Committee recommended for approval

[24-0704](#)

Class "B" Beer and "Class B" Liquor Temporary Premises Amendment application for S C Carrow Corp d/b/a Rookies Sports Bar & Grill, Steven C. Carrow, Agent, located at 325 N. Appleton St, from 11 a.m. to 2 a.m., August 1-4, 2024 for Mile of Music Event, contingent upon approval from the Health Department.

**Attachments:** [Rookies Sports Bar Temp Premise Amend. for 8.2024.pdf](#)

**Legislative History**

6/12/24 Safety and Licensing Committee recommended for approval

[24-0708](#)

Taxicab Company License Application for Z's Overflow LLC d/b/a Phoenix Transportation, Owner, Zonea Mims, 1280 S. Van Dyke Rd. #3, Appleton, WI 54914, contingent upon approval from the Inspections department.

**Attachments:** [Z's Overflow LLC - Taxicab Co Application.pdf](#)

**Legislative History**

6/12/24 Safety and Licensing Committee recommended for approval

[24-0751](#)

Pet Store renewal application for Fish Cave LLC, Ton Vang, Applicant, located at 2110 S Memorial Dr, contingent upon approval from the Inspection and Community Development departments.

**Attachments:** [Fish Cave LLC Renewal 2024 Redacted.pdf](#)

**Legislative History**

6/12/24 Safety and Licensing Committee recommended for approval

### 3. MINUTES OF THE CITY PLAN COMMISSION

[24-0632](#) Request to approve Rezoning #4-24 for the subject parcel located at 841 West Lawrence Street (Tax Id #31-3-0899-01), including to the centerline of the adjacent railroad line and the adjacent one-half (1/2) right-of-way of West Lawrence Street, South Badger Avenue and South Pierce Avenue, as shown on the attached maps, from C-2 General Commercial District to R-2 Two-Family District

**Attachments:** [StaffReport\\_841WLawrenceSt\\_Rezoning\\_For05-22-24.pdf](#)

**Legislative History**

5/22/24 City Plan Commission recommended for approval  
*Proceeds to Council on June 19, 2024.*

[24-0739](#) Request to approve the wetland restriction modification for Lots 90 - 97 of North Edgewood Estates 3 (Tax Id #31-1-7612-20, #31-1-7612-21, #31-1-7612-22, #31-1-7612-23, #31-1-7612-24, #31-1-7612-25, #31-1-7612-26, and #31-1-7612-27) as requested and shown on the attached documents and subject to the condition in the attached memo

**Attachments:** [StaffMemo\\_NorthEdgewoodEstates3\\_RestrictionModification\\_For06-12-24.pdf](#)

[AffidavitOfCorrection\\_NorthEdgewoodEstates3\\_RestrictionModification.pdf](#)

[WetlandDelineationMap\\_NorthEdgewoodEstates3\\_RestrictionModification.pdf](#)

[RecordedPlat2021\\_NorthEdgewoodEstates3\\_RestrictionModification.pdf](#)

**Legislative History**

6/12/24 City Plan Commission recommended for approval

[24-0740](#) Resolution #2024-03 - Supporting and Approving of the New Appleton (Fox Cities) Metropolitan Planning Organization (MPO) Policy Board Structure and Re-designation Agreement

**Attachments:** [MPOPolicyBoardStructure+RedesignationAgreement\\_Memo\\_6-5-24.pdf](#)

[Resolution\\_NewAppleton\(FoxCities\)MPOPolicyBoardStructure+RedesignationA](#)

**Legislative History**

6/12/24 City Plan Commission recommended for approval

#### 4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[24-0341](#) Resolution #4-R-24 Sustainable Use of Pesticides

**Attachments:** [#4-R-23 Sustainable Use of Pesticides.pdf](#)

[Memo RE 4.R.24 Sustainable Use of Pesticides Response.pdf](#)

**Legislative History**

6/10/24 Parks and Recreation Committee recommended for approval

6/10/24 Municipal Services Committee held

*Hold to next scheduled meeting.*

6/10/24 Parks and Recreation amended  
Committee  
*Amend #4-R-24 by Substitution as follows: Parks & Recreation Department will gather information regarding the types of turf management chemical pesticides purchased moving forward, how they were used, and report back to committee at the end of the summer.*

[24-0701](#) Request to Approve an amendment to the Houdini Plaza Lease Agreement

**Attachments:** [Houdini Plaza Lease Agreement Memo.pdf](#)

**Legislative History**

6/10/24 Parks and Recreation recommended for approval  
Committee

[24-0767](#) Adopt the Proposed Revised Agreements for Stormwater Ponds at Memorial Park and Reid Golf Course

**Attachments:** [Reid and Memorial Park Stormwater Pond Agreements Memo.pdf](#)  
[Memorial Park Stormwater Agreement - Amended - CLEAN - 05-30-2024.pdf](#)  
[Memorial Park Stormwater Agreement - Amended - REDLINE - 05-30-2024.pdf](#)  
[Reid Stormwater Pond Agreement - Amended - CLEAN - 05-30-2024.pdf](#)  
[Reid Stormwater Pond Agreement - Amended - REDLINED - 05-30-2024.pdf](#)  
[2024 Stormwater Pond Market Value Analysis.pdf](#)

**Legislative History**

6/10/24 Parks and Recreation recommended for approval  
Committee

[24-0768](#) Adopt Resolution #2024-02 for the Wisconsin DNR IRA Urban Forestry Grant

**Attachments:** [WI DNR IRA Urban Forestry Grant Memo.pdf](#)

**Legislative History**

6/10/24 Parks and Recreation recommended for approval  
Committee

[24-0776](#) Approve updated Park Pavilions and Special Areas Policy

**Attachments:** [Park Pavilions and Special Areas Memo.pdf](#)  
[2024 Pavilion Special Areas Policy - Redline - 6-5-2024 1.pdf](#)

**Legislative History**

6/10/24 Parks and Recreation recommended for approval  
Committee

## 5. MINUTES OF THE FINANCE COMMITTEE



[24-0779](#) Request from the Appleton Police Department to paint a mural to be located on the east-facing concrete wall, between the lower garage and the upper parking deck, located at 222 S. Walnut Street as described in the attached documents and subject to the conditions in the attached staff memo.

**Attachments:** [PDMural\\_PublicArtsCommitteeRecommendation.pdf](#)

**Legislative History**

6/10/24 Finance Committee recommended for approval

[24-0780](#) Request to apply for a Safe Drinking Water Loan and to approve a Resolution declaring official intent to reimburse expenditures for loan disbursement payments.

**Attachments:** [Memo Resolution Intent to Reimburse.pdf](#)

[Resolution 2024-04 - Intent to Reimburse.pdf](#)

**Legislative History**

6/10/24 Finance Committee recommended for approval

[24-0781](#) Request to award AWWTP Mix Liquor Channel Blower Replacement Project Base Bid Plus Alternative to Sabel Mechanical, in the amount of \$392,100 with 15% contingency of \$58,815 for a project total not to exceed \$450,915.

**Attachments:** [BidAward\\_ML\\_Channel\\_Blower\\_Sabel\\_Contract.pdf](#)

[AWWTP ML Blower Replacement Recommendation Bid Tab.pdf](#)

**Legislative History**

6/10/24 Finance Committee recommended for approval

[24-0782](#) Request to award the 2024 Lutz Park Trail and Shoreline Development Project contract to Vinton Construction Company in the amount of \$496,345.35 with a 20% contingency of \$99,269 for a project not to exceed \$595,614.35.

**Attachments:** [Lutz Park Trail and Shoreline Project Finance Memo.pdf](#)

**Legislative History**

6/10/24 Finance Committee recommended for approval

## 6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[24-0688](#) Request to approve the 2023 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program

**Attachments:** [CAPER Memo to CDC 6-12-24.pdf](#)

[Appleton\\_2023PY\\_CDBG\\_CAPER\\_Draft\\_For\\_Public\\_Comment\\_05-17-24.pdf](#)

**Legislative History**

6/12/24 Community Development Committee recommended for approval

[24-0689](#)

Request to approve the REVISED 2024-2025PY (Program Year) Community Development Block Grant (CDBG) allocations as specified in the attached documents

**Attachments:** [CDBG 2024PY Final Allocation Memo to CDC\\_6-12-24.pdf](#)

[Exhibit1\\_CDBG\\_Final\\_Allocations\\_Project\\_Descriptions\\_6-12-24.pdf](#)

**Legislative History**

6/12/24 Community Development Committee recommended for approval

*A typo was noticed by staff in the attachment titled, "Exhibit 1\_CDBG\_Final Allocations\_Project Descriptions". The corrected document is now attached with the date 6-12-24.*

[24-0770](#)

Request to approve a waiver to the Declaration of Covenants and Restrictions, Item 4.B for Southpoint Commerce Park allowing maximum lot coverage over 70% located at 3351 S. Eisenhower Drive (Tax Id #31-9-5714-01) subject to the conditions in the attached memo

**Attachments:** [Waiver Request Encapsys Memo to CDC\\_6-12-24.pdf](#)

[Waiver Request Email From Boldt Encapsys\\_5-28-24.pdf](#)

[Subject Area Map Encapsys Southpoint Commerce Park.pdf](#)

[SPCP Covenants.pdf](#)

**Legislative History**

6/12/24 Community Development Committee recommended for approval

## 7. MINUTES OF THE UTILITIES COMMITTEE

[24-0745](#)

Request Approval of the Electronic Compliance Maintenance Annual Report (eCMAR) for 2023 and Request the following Resolution be presented to Common Council for approval:

Whereas, the City of Appleton manages, operates, and maintains a sewer collection system and wastewater treatment plant; and

Whereas, treatment efforts produce a liquid effluent and a biosolids that are returned to the environment; and

Whereas, the State of Wisconsin evaluates wastewater utilities throughout the State of Wisconsin through an electronic Compliance Maintenance Annual Report (eCMAR); and

Whereas, Appleton received a score of 4.0 GPA; and

Whereas, the State of Wisconsin requests the Common Council pass a resolution accepting the eCMAR report;

Now, therefore, be it resolved by the City Council that the City of Appleton:

Article 1. Continue supporting the treatment and maintenance programs at the utility

Article 2. Continue planning efforts that will address and promote long term performance results at the facility.

**Attachments:** [2023 eCMAR Validated.pdf](#)

**Legislative History**

6/11/24            Utilities Committee            recommended for approval

[24-0746](#)

Adopt the Proposed Revised Agreements for Stormwater Ponds at Memorial Park and Reid Golf Course

**Attachments:** [Reid and Memorial Park Stormwater Pond Agreements.pdf](#)

[0821 - Memorial Park Stormwater Agrm - Amended - REDLINE - 05-30-2024.pc](#)

[0821 - Memorial Park Stormwater Agrm - Amended - CLEAN - 05-30-2024.pdf](#)

[0820 - Reid Stormwater Pond Agrm - Amended - REDLINED - 05-30-2024.pdf](#)

[0820 - Reid Stormwater Pond Agrm - Amended - CLEAN - 05-30-2024.pdf](#)

**Legislative History**

6/11/24            Utilities Committee            recommended for approval

[24-0765](#) Amend 2024A Stormwater Management Plan Review contract with Brown and Caldwell by an increase of \$25,000 for a total contract amount not to exceed \$75,000.

**Attachments:** [2024A Stormwater Plan Review amendment #1 UC Memo.pdf](#)

**Legislative History**

6/11/24 Utilities Committee recommended for approval

**8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

[24-0729](#) Request to add 1.0 FTE Environmental Health Technician Position.

**Attachments:** [Health Re-org 2024 Memo.pdf](#)

[Health Re-org 2024 JD.pdf](#)

[Health TO Update TO.pdf](#)

[OperationsSupervisorHealth.pdf](#)

**Legislative History**

6/12/24 Human Resources & Information Technology Committee recommended for approval

[24-0730](#) Request to Increase Public Health Nursing FTE from 4.0 to 4.1.

**Attachments:** [Nursing TO Change 2024.pdf](#)

**Legislative History**

6/12/24 Human Resources & Information Technology Committee recommended for approval

[24-0731](#) Request to Approve Metafile Conversion for \$43,571.

**Attachments:** [2024 Request to Approve \\$43,571 for Metafile Conversion.pdf](#)

**Legislative History**

6/12/24 Human Resources & Information Technology Committee recommended for approval

[24-0742](#) Police Department Table of Organization Modification Request and Addition of Police Officer Position.

**Attachments:** [APD Reorg Memo 2024.pdf](#)

[APD reorg TO 2024.pdf](#)

[APD Reorg Traffic Report.pdf](#)

**Legislative History**

6/12/24 Human Resources & Information Technology Committee recommended for approval

## 9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[24-0773](#) Approve Resolution No. 2024-03 Supporting and Approving of the New Appleton (Fox Cities) MPO Policy Board Structure and Redesignation Agreement

**Attachments:** [Resolution Memo.pdf](#)  
[COA Resolution No 2024-03.pdf](#)

### Legislative History

6/11/24 Fox Cities Transit Commission recommended for approval  
*Melissa Kraemer Badtke, Executive Director/MPO Director of East Central Wisconsin Regional Planning Commission presented.*

## 10. MINUTES OF THE BOARD OF HEALTH

[24-0722](#) Policy Review: N204 Tuberculosis Screening

**Attachments:** [POL\\_N204\\_TuberculosisScreening\\_06.05.2024.pdf](#)

### Legislative History

6/12/24 Board of Health recommended for approval  
*Presented by Deputy Director, Sonja Jensen.*

*Werth moved, seconded by Alderperson Jones, that Policy N204 Tuberculosis Screening be recommended for approval. Motion carried by the following vote:*

## M. CONSOLIDATED ACTION ITEMS

[24-0815](#) Consolidated Action Items:

**24-0740 City Plan Commission** (Resolution 2024-03) *recommended for approval*

**24-0773 Fox Cities Transit Commission** (Resolution 2024-03) *recommended for approval*

## N. ITEMS HELD

[24-0585](#) Resolution #5-R-24 Increasing the Wheel Tax

**Attachments:** [#5-R-24 Resolution to Increase the Wheel Tax.pdf](#)  
[DPW Wheel Tax Res Memo.pdf](#)

### Legislative History

5/6/24 Finance Committee held  
*Move to hold until next finance committee meeting 5/20/24.*

5/20/24 Finance Committee recommended for denial

6/5/24 Common Council held

## O. ORDINANCES

[24-0807](#) Ordinances #92-24 to #95-24 (Responsible Bidder Policy)

**Attachments:** [Ordinances to Council 6-19-24.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.*

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