



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Agenda - Final-revised Common Council

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Wednesday, June 7, 2017

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. PUBLIC PARTICIPATION
- G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES  
[17-809](#) Common Council Meeting Minutes of May 17, 2017  
**Attachments:** [CC Minutes 5-17-17.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR  
[17-808](#) Presentation of the Karla Huston Day Proclamation
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[17-684](#)

Request from Mark Morgan to not have terrace trees planted per the City of Appleton's Tree Planting Policy at 2311 E. Highpond Crossing and instead to:

1. Property owner and City Forester to mutually agree on tree species and locations.
2. Property owner to purchase two trees, City to own and install.
3. City to plant standard trees per Policy in Spring 2018 if no agreement reached by that date.

**Attachments:** [Mark Morgan-2311 E. Highpond Crossing.pdf](#)

**Legislative History**

5/9/17	Municipal Services Committee	recommended for denial
5/17/17	Common Council	referred to the Municipal Services Committee
	<i>Although this item was moved and seconded, after the amendment this item was referred back by Alderperson Konetzke. No vote was taken on the item as amended.</i>	
5/17/17	Common Council	amended
5/22/17	Municipal Services Committee	approved as amended

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[17-795](#)

Appeal of Chicken Permit Denial from Mary Williams, 2100 N Douglas St.

**Attachments:** [Chicken Permit Documents- 2100 N Douglas St.pdf](#)  
[Dennis & Barbara Adams- Chicken Appeal Documents Presented.pdf](#)  
[Mary Williams- Chicken Appeal Documents Presented.pdf](#)

**Legislative History**

5/24/17	Safety and Licensing Committee	recommended for approval
	<i>Mr. &amp; Mrs. Adams shared their concerns with Ms. Williams having chickens.</i>	
	<i>Ms. Williams addressed the concerns of Mr. &amp; Mrs. Adams and requested that the Committee approve the permit.</i>	
	<i>Meltzer moved, seconded by Lobner, that the Chicken Permit be recommended for approval, and the appeal be upheld. Roll Call. Motion failed by the following</i>	
	<i>vote:</i>	
	<i>Aye: 2 - Lobner and Meltzer</i>	
	<i>Nay: 3 - Konetzke, Williams and Croatt</i>	

[17-712](#) Taxi Cab Company Renewal License application of People Movers Inc. Appleton Yellow Taxi Co., Paul O. Davies, 705 W. Wisconsin Avenue, contingent upon approvals from all departments.

**Legislative History**

5/24/17 Safety and Licensing Committee recommended for approval

[17-713](#) Farm Market Renewal application for Festival Foods, Kyle Nelson, 1200 W. Northland Avenue, contingent upon approvals from all departments.

**Legislative History**

5/24/17 Safety and Licensing Committee recommended for approval

[17-715](#) Taxi Cab Company Renewal License application of A2B Taxi, 1528 N. Ballard Road, #9, Bradley Pingel, contingent upon approvals from all departments.

**Legislative History**

5/24/17 Safety and Licensing Committee recommended for approval

[17-722](#) "Class B" Beer/Liquor License Change of Agent of Uncle Jims LLC, Hollyann Strunc, Agent, 317 N. Appleton St., contingent upon approval from the Police Department.

**Legislative History**

5/24/17 Safety and Licensing Committee recommended for approval

[17-723](#) "Class B" Beer/Liquor License Change of Agent of Apple Hospitality Group LLC, d/b/a Applebee's Neighborhood Grill & Bar, Samantha M. Boda, Agent, 3040 E. College Ave., contingent upon approval from the Police Department.

**Legislative History**

5/24/17 Safety and Licensing Committee recommended for approval

[17-735](#) Class "A" Beer License - Change of Agent of Kwik Trip #678, Jacqueline D. Dahlke, Agent, 3232 S. Oneida St., contingent upon approval from the Police Department.

**Legislative History**

5/24/17 Safety and Licensing Committee recommended for approval

[17-743](#) Operator's License application of Michael A. VanPembrook Malott, 3404 N. Whitney Drive.

**Attachments:** [Michael A. VanPembrook Malott.pdf](#)  
[Vanpembrook-Malot Denial.pdf](#)

**Legislative History**

5/24/17	Safety and Licensing Committee	recommended for denial
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[17-778](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 5-24-17 S & L.docx](#)

**Legislative History**

5/24/17	Safety and Licensing Committee	recommended for approval
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[17-779](#) Renewal Operator's Licenses

**Attachments:** [Renewal Operator's Licenses for 5-24-17 S & L.docx](#)

**Legislative History**

5/24/17	Safety and Licensing Committee	recommended for approval
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### 3. MINUTES OF THE CITY PLAN COMMISSION

[17-643](#) Request to approve Special Use Permit #3-17 to conform an existing bar and restaurant and add a new outdoor patio with alcohol sales and consumption located at 2906 East Newberry Street (Tax Id #31-4-4317-00), 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 required)

**Attachments:** [StaffReport\\_SpecialUsePermit #3-17 MT Pockets For 5-23-17.pdf](#)  
[PublicCommentLetter#1\\_MTPockets\\_SUP.pdf](#)  
[PublicCommentLetter#2\\_MTPockets\\_SUP.pdf](#)

**Legislative History**

5/8/17	City Plan Commission	held
5/23/17	City Plan Commission	recommended for approval

[17-751](#) Request to approve Special Use Permit #4-17 to allow alcohol sales and service in conjunction with a woodworking studio located at 109 North Durkee Street (Tax Id #31-2-0325-00), 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 required)

**Attachments:** [StaffReport\\_SpecialUsePermit #4-17\\_Board&Brush.pdf](#)

**Legislative History**

5/23/17 City Plan Commission recommended for approval

[17-753](#) Request to approve Special Use Permit #5-17 to allow alcohol sales and service in conjunction with an existing restaurant and outdoor patio located at 181 South Riverheath Way (Tax Id #31-4-0828-06), 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 required)

**Attachments:** [StaffReport\\_TempestCoffeeCollective\\_SUP\\_For05-23-17.pdf](#)

**Legislative History**

5/23/17 City Plan Commission recommended for approval

[17-756](#) Request to approve the dedication of land for public right-of-way for N. Wayne Street as shown on the attached maps

**Attachments:** [StaffReport\\_WayneSt\\_StreetDedication\\_For05-23-17.pdf](#)

**Legislative History**

5/23/17 City Plan Commission recommended for approval

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

**5. MINUTES OF THE FINANCE COMMITTEE**

[17-768](#) Request to award Unit E-17 Miscellaneous Concrete & Street Excavation Repair to Fischer-Ulman Construction, Inc. in the amount of \$505,406 with a 5% contingency of \$25,270 for a project total not to exceed \$530,676.

**Attachments:** [Award of Contract Unit E-17.pdf](#)

**Legislative History**

5/22/17 Finance Committee recommended for approval

[17-769](#) Request to award Unit J-17 Mini Storm Sewer Construction to Vanco Construction, Inc. in an amount not to exceed \$200,000.

**Attachments:** [J-17 memo.pdf](#)

[J-17.pdf](#)

**Legislative History**

5/22/17 Finance Committee recommended for approval

[17-782](#)

Request to award the 2017 Municipal Services Building lighting upgrades project to Northern Electric, Inc. in the amount of \$55,061 with a contingency of \$10,000 for a project total not to exceed \$65,061.

**Attachments:** [2017 MSB Lighting Replacement.pdf](#)

**Legislative History**

5/22/17 Finance Committee recommended for approval

[17-790](#)

Approval of Gold Cross Agreement to use TRIP to collect unpaid bills.

**Legislative History**

5/22/17 Finance Committee recommended for approval

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

[17-807](#)

Request to approve the attached Internal Grant Management Policies and Procedures manual for all City of Appleton federal programs

**Attachments:** [Memo to CEDC- Grant Management Policy.pdf](#)

[Grant Administration Procedures- May 2017 proposed.pdf](#)

**Legislative History**

6/6/17 Community & Economic Development Committee recommended for approval

[17-810](#)

Request to approve a Temporary Variance to the Deed Restrictions and Covenants, Section 4.E, for Alco Tech (Custom Offsets), Lot 8 in the Southpoint Commerce Park Plat 1, allowing for two (2) expandable building sides (west facing and south facing walls), which shall expire twenty-four (24) months after issuance of a Certificate of Occupancy or the date the property is first occupied, whichever comes first; and, this temporary variance is not transferable, survivable, or assignable

**Attachments:** [Custom Offsets Variance Memo 5-30-17.pdf](#)

[Custom Offsets Variance Request.pdf](#)

[Southpoint Deed Restrictions.pdf](#)

[Alco Tech Map.pdf](#)

[Elevations from Keller Custom Offsets.pdf](#)

**Legislative History**

6/6/17 Community & Economic Development Committee recommended for approval

- [17-811](#) Request to approve the Neighborhood Grant Program request submitted by the St. Bernadette Parish/Thompson Center on Lourdes Neighborhood

**Attachments:** [Memo\\_RequestForTNGP\\_StB5-31-17.pdf](#)

[TNGPApplication\\_StBernadetteParish-ThompsonCenteronLourdes\\_5-25-17.pdf](#)

[StBernadettes TNGP Map.pdf](#)

**Legislative History**

6/6/17 Community & Economic Development Committee recommended for approval

**7. MINUTES OF THE UTILITIES COMMITTEE**

- [17-812](#) Approve agreement with Sensus regarding water meters.

**Attachments:** [Sensus Letter to Appleton WI 6-2-17.pdf](#)

- [17-785](#) Anticipated award for Unit R-17 Chemical Root Foaming of sanitary sewers (bids to be opened on Monday, May 22, 2017).

**Attachments:** [Unit R-17.pdf](#)

**Legislative History**

5/23/17 Utilities Committee recommended for approval  
*Award for Unit R-17 Chemical Root Foaming of Sanitary Sewers was approved as amended "to be awarded to Duke's Root Control, Inc. in an amount not to exceed \$25,000". Amendment approved 4-1, Dvorachek*

**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**

- [17-770](#) Request to approve Intergovernmental Agreement with Outagamie County for the purchase of election equipment in 2018.

**Attachments:** [C. Appleton Letter.pdf](#)

[IGA\\_C Appleton.pdf](#)

**Legislative History**

5/22/17 Finance Committee recommended for approval

[17-776](#) Intergovernmental Agreement with Outagamie County for the purchase of election equipment in 2018.

**Attachments:** [C. Appleton Letter.pdf](#)

[IGA\\_C Appleton.pdf](#)

**Legislative History**

5/24/17	Safety and Licensing Committee	recommended for approval
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N. ITEMS HELD

O. ORDINANCES

[17-804](#) Ordinances 32-17 to 40-17

**Attachments:** [Ordinances going to Council 6-7-17.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. CLOSED SESSION

T. ADJOURN

Kami Lynch, City Clerk

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