



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, June 21, 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

[23-0686](#) Common Council Meeting Minutes of June 7, 2023

Attachments: [CC Minutes 6-7-23.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR

[23-0728](#) Proclamations:
- Pollinator Week
- Make Music Day

Attachments: [Pollinator Week Proclamation.pdf](#)

[Make Music Day Appleton.pdf](#)

- H. PUBLIC PARTICIPATION

- I. PUBLIC HEARINGS

[23-0621](#) Public Hearing for Rezoning #2-23 Future Providence Ave & Baldeagle Drive Annexation

Attachments: [RZ #2-23 Notice of Public Hearing.pdf](#)

- J. SPECIAL RESOLUTIONS

- K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[23-0659](#) Anticipated award of Unit P-23 Pavement Marking Contract (Epoxy). Quotes to be opened Thursday, June 8, 2023. **Memo distributed at meeting.**

Attachments: [Unit P-23 Contract Award.pdf](#)

Legislative History

6/12/23 Municipal Services recommended for approval
Committee

[23-0660](#) Anticipated award of Unit Q-23 Pavement Marking Contract (Paint). Quotes to be opened Thursday, June 8, 2023. **Memo distributed at meeting.**

Attachments: [Unit Q-23 Contract Award.pdf](#)

Legislative History

6/12/23 Municipal Services recommended for approval
Committee

[23-0661](#) Approve new parking restriction on the 2500-2700 block of N Roemer Road (adjacent The Boldt Company). Follow-Up to Six-Month Trial Period.

Attachments: [2500-2700 N Roemer Road Parking Change \(Boldt\)\(post 6-month trial\).pdf](#)

Legislative History

6/12/23 Municipal Services recommended for approval
Committee

[23-0663](#) Approve parking and traffic-related ordinance changes related to the A-23 Bluff Street Reconstruction Project.

Attachments: [Bluff Site A-23 Ordinance Changes.pdf](#)

Legislative History

6/12/23 Municipal Services recommended for approval
Committee

[23-0665](#) Approve parking ordinance change related to the College Avenue 4-to-3 Lane Conversion Project.

Attachments: [College Av 4-to-3 Lane Conversion \(CC-23\) Parking Change \(002\).pdf](#)

Legislative History

6/12/23	Municipal Services Committee	recommended for approval
---------	------------------------------	--------------------------

[23-0666](#) Approve change to intersection traffic control at the Homestead Drive/Linwood Avenue intersection.

Attachments: [Homestead Dr - Linwood Av \(2-way stop control reversal\).pdf](#)

Legislative History

6/12/23	Municipal Services Committee	recommended for approval
---------	------------------------------	--------------------------

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[23-0473](#) Temporary Class "B" Beer and Reserve "Class B" Liquor License Premise Amendment application for Trout Museum of Art, Christina Turner, Agent, to include Houdini Plaza, on August 25, 2023, contingent upon approval from the Community Development, Fire, Health and Inspections departments.

Attachments: [Trout Museum.pdf](#)

Legislative History

6/14/23	Safety and Licensing Committee	recommended for approval
---------	--------------------------------	--------------------------

[23-0610](#) Cigarette and Tobacco Products Retail License application for Appleton Liquor LLC, Heidi Guta, Applicant, located at 2727 N Meade St.

Attachments: [Appleton Liquor S&L.pdf](#)

Legislative History

6/14/23	Safety and Licensing Committee	recommended for approval
---------	--------------------------------	--------------------------

[23-0611](#) Pet Store License Renewal application for Petco Animal Supplies Stores, Inc. d/b/a Petco #1656, located at 3829 E Calumet St, contingent upon approval from the Inspections department.

Attachments: [Petco #1656 S&L.pdf](#)

Legislative History

6/14/23	Safety and Licensing Committee	recommended for approval
---------	--------------------------------	--------------------------

[23-0612](#) Salvage Dealer's License Renewal application for Golper Supply Co, David Golper, Applicant, located at 1810 W Edgewood Dr, Grand Chute WI 54913, contingent upon approval from the Inspections department.

Attachments: [Golper Supply Co S&L.pdf](#)

Legislative History

6/14/23 Safety and Licensing recommended for approval
Committee

[23-0616](#) Class "B" Beer License application for United Sports Association for Youth d/b/a USA Sports Complex, Eric Gebhard, Agent, located at 3300 E Evergreen Dr, contingent upon approval from the Community Development and Inspections departments.

Attachments: [USA Sports Complex.pdf](#)

Legislative History

6/14/23 Safety and Licensing recommended for approval
Committee

[23-0617](#) Salvage Dealer License renewal application for Mach IV Motors LLC, Kara Tullberg, Applicant, located at 600 E Hancock St.

Attachments: [Mach IV Motors S&L.pdf](#)

Legislative History

6/14/23 Safety and Licensing recommended for approval
Committee

[23-0620](#) 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-3rd set.pdf](#)

Legislative History

6/14/23 Safety and Licensing recommended for approval
Committee

[23-0637](#) 2023-2024 Cigarette and Tobacco Products Renewal application for Andrew Thornell d/b/a Marleys Smoke Shop, located at 530 W College Avenue.

Attachments: [Marleys Smoke Shop S&L.pdf](#)

Legislative History

6/14/23 Safety and Licensing recommended for approval
Committee

[23-0650](#) Class "B" Beer and "Class C" Wine application for Wild River Cafe LLC d/b/a Wild River Cafe, Randall Stadtmueller, Agent, located at 425 W Water St Suite 100, contingent upon approval from the Community Development, Finance, Health and Inspections departments.

Attachments: [Wild River Cafe.pdf](#)

Legislative History

6/14/23 Safety and Licensing Committee recommended for approval

[23-0651](#) Shared Equipment Agreement

Attachments: [Equipment Sharing Agreement.pdf](#)

Legislative History

6/14/23 Safety and Licensing Committee recommended for approval

[23-0652](#) Request Approval of the Agreement Between the City of Appleton and Wisconsin Emergency Management for Hazardous Materials Response for Northeast Wisconsin

Attachments: [North East Wisconsin Hazmat Response System Services Agreement 23-25.pdf](#)

Legislative History

6/14/23 Safety and Licensing Committee recommended for approval

3. MINUTES OF THE CITY PLAN COMMISSION

[23-0556](#) Request to approve Rezoning #2-23 to rezone the Future Providence Avenue and Baldeagle Drive (Right-of-Way) Annexation, formerly in the Town of Grand Chute, consisting of approximately 1.63 acres north of East Edgewood Drive, as shown on the attached maps, from Temporary AG Agricultural District to P-I Public Institutional District

Attachments: [StaffReport_FutureProvidenceandBaldeagleAnnex_Rezoning_For5-24-23.pdf](#)

Legislative History

5/24/23 City Plan Commission recommended for approval
Proceeds to Council on June 21, 2023.

[23-0629](#) Request to approve Special Use Permit #6-23 to expand the existing microbrewery/brewpub operations by occupying the 3rd floor of the building for event space with alcohol sales and consumption located at 1004 S. Olde Oneida Street (Tax Id #31-4-0323-01), as shown on the attached maps and per attached operational plans, 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_1004SOldeOneidaSt_SUP_For6-14-23.pdf](#)

Legislative History

6/14/23 City Plan Commission recommended for approval

[23-0631](#) Request to approve Special Use Permit #7-23 to expand the existing tavern with a proposed outdoor patio with alcohol sales and consumption located at 336 W. Wisconsin Avenue (Tax Id #31-6-0599-00) and 1312 N. Division Street (Tax Id #31-6-0598-00), 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_336WWisconsinAv_SUP_For6-14-23.pdf](#)

Legislative History

6/14/23 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[23-0662](#) Resolution #5-R-23, Joining the Wisconsin Local Government Climate Coalition

Attachments: [#5-R-23 WLGCC Resolution.pdf](#)

[#5-R-23 WLGCC Resolution - AMENDED.pdf](#)

Legislative History

6/12/23	Parks and Recreation Committee	amended
	<i>Amend to strike all Whereas clauses after the third Whereas clause. Amendment failed 2/2</i>	
6/12/23	Parks and Recreation Committee	recommended for approval
6/12/23	Parks and Recreation Committee	amended
	<i>Amended to strike all Whereas clauses except the third clause, and to strike "in their efforts" from the Now Therefore clause.</i>	

5. MINUTES OF THE FINANCE COMMITTEE

[23-0726](#) Request to approve Bid Packages and project related expenses into the Guaranteed Maximum Price Amendment to the Boldt Company for the Library Construction Project for a contract not to exceed \$30,928,427.

Attachments: [2023 Library Bid Guaranteed Maximum Price Approval 6.16.23.pdf](#)

[Capital Campaign Spotlight - June 2023.pdf](#)

[Library Q A 6-19-2023 \(1\).pdf](#)

Legislative History

6/19/23 Finance Committee recommended for approval

[23-0727](#) Request to approve increase of contract to Skidmore, Owings & Merrill (SOM) from \$2,892,633 to \$4,272,451.

Attachments: [2023 Architectural Contract 6.16.23.pdf](#)

Legislative History

6/19/23 Finance Committee recommended for approval

[23-0679](#)

Request to approve Change Order #2 to the 2022 Telulah Pavilion Repairs Project to RJM Construction LLC. in the amount of \$14,147, increasing the contract from \$61,050 to \$75,197, along with the following budget amendment:

2023 Parks Hardscape Repairs Project	- \$15,000
2022 Telulah Pavilion Repairs Project	+ \$15,000

To adjust for the increased cost of the project (2/3 vote of Council required)

Attachments: [Telulah Pavilion Renovation project Change Order and budget adjustment.pdf](#)

Legislative History

6/12/23 Finance Committee recommended for approval

[23-0680](#)

Request to award AWWTF Compressed Air System Improvements Project Base Bid to Rhode Brothers, Inc. in the amount of \$177,700 with a 10% contingency of \$17,770 for a project total not to exceed \$195,470, along with the following budget amendment:

Lake Station Intake Consulting Project	- \$50,000
AWWF Compressed Air System Improvements Project	+ \$50,000

To adjust for the increased cost of the project (2/3 vote of Council required)

Attachments: [230608_Finance Memo_Compressed Air Improvements Bi Award_Rhode_1.pdf](#)

Legislative History

6/12/23 Finance Committee recommended for approval

[23-0681](#)

Request to approve Change Order #3 to Miron Construction contract as part of the AWWTP Sludge Storage Building Addition Construction Project totaling \$50,910 resulting in a decrease in contingency from \$741,241 to \$690,331.

Attachments: [SSB Addition Miron Change Orders No3.pdf](#)

Legislative History

6/12/23 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[23-0626](#)

Request to approve the 2022 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program

Attachments: [CAPER memo to CEDC 6-14-23.pdf](#)

[2022 CDBG CAPER Draft for Public Comment.pdf](#)

Legislative History

6/14/23	Community & Economic Development Committee	recommended for approval
---------	--	--------------------------

7. MINUTES OF THE UTILITIES COMMITTEE

[23-0654](#)

Anticipated award for Unit N-23, Spot Repairs, Protruding Tap and Mineral Deposit Removal (bids to be opened Monday, June 12, 2023).

Attachments: [Unit N-23 Anticipated Award memo.pdf](#)

[N-23 Contract Award Form.pdf](#)

Legislative History

6/13/23	Utilities Committee	recommended for approval
---------	---------------------	--------------------------

[23-0655](#)

Request Approval of the Electronic Compliance Maintenance Annual Report (eCMAR) for 2022 and Request the following Resolution be presented to the Common Council for approval:

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

Whereas, the 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 the score of 4.00 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 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: [2022 eCMAR Validated.pdf](#)

Legislative History

6/13/23

Utilities Committee

recommended for approval

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**
- N. **ITEMS HELD**
- O. **ORDINANCES**

[23-0685](#) Ordinance #19-23

Attachments: [Ordinances to Council 6-21-23.pdf](#)

- 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.*