



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, July 21, 2021

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

[21-1002](#) Common Council Meeting Minutes of July 7, 2021

Attachments: [CC Minutes 7-7-21.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR

[21-1022](#)

Proclamations:

- Parks & Recreation Month
- Children's Week

Attachments: [Parks and Recreation Month Proclamation.pdf](#)

[Childrens Week Proclamation.pdf](#)

[21-1028](#)

Parade Committee Awards & Recognition of Harvey Samson

[21-1031](#)

8th Grade Team 10851B VEX IQ Robotics from Riverview Lutheran School

[21-1029](#)

Human Resources Director Recommendation

Attachments: [HR Director Recommendation to Council.pdf](#)

[Jay Ratchman Resume.pdf](#)

[21-1030](#) Library Board Appointments

Attachments: [Library Board Appointment Memo 7'21'21.pdf](#)

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

[21-0827](#) Public Hearing for Comprehensive Plan Map Amendment #1-21 - Commercial Horizons Inc. from Public/Institutional Land Use to Commercial Land Use

Attachments: [Public Hearing Notice CC Comp Plan Amend #1-21.pdf](#)

[21-0828](#) Public Hearing for Rezoning #5-21 for Commercial Horizons - N. Alvin Street from P-I Public Institutional District to C-2 General Commercial District.

Attachments: [RZ #5-21 Notice of Public Hearing.pdf](#)

[21-0923](#) Public Hearing for Rezoning #6-21, Family Video, from PD/C-2 Family Video Planned Development District #23-99 to C-2 General Commercial District

Attachments: [RZ #6-21 Notice of Public Hearing.pdf](#)

[21-0924](#) Public Hearing for Rezoning #8-21 Coolidge Court from PD/C-2 Planned Development General Commercial District #34-84 to R-3 Multi-Family District

Attachments: [RZ #8-21 Notice of Public Hearing.pdf](#)

J. SPECIAL RESOLUTIONS

[21-1019](#) Resolution Authorizing and Providing for the Sale and Issuance of \$14,500,000 General Obligation Promissory Notes

Attachments: [Appleton 2021 G.O. Promissory Notes - Award Resolution.pdf](#)
[Appleton 2021 G.O. Promissory Notes - FINAL Award Resolution.pdf](#)

[21-1020](#) Resolution Authorizing and Providing for the Sale and Issuance of \$8,360,000 Water System Revenue Refunding Bonds

Attachments: [Appleton 2021 Water Revenue Refunding Bonds - Award Resolution.pdf](#)
[Appleton 2021 Water Revenue Refunding Bonds - FINAL Award Resolution.pdf](#)

[21-1021](#) Resolution Authorizing and Providing for the Sale and Issuance of \$9,040,000 Sewerage System Revenue Refunding Bonds

Attachments: [Appleton 2021 Sewer Revenue Refunding Bonds - Award Resolution.pdf](#)
[Appleton 2021 Sewer Revenue Refunding Bonds - FINAL Award Resolution.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[21-0863](#) **Alvin Street**, from Wisconsin Avenue to Marquette Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31' from back of curb to back of curb, which is 2' narrower than the existing street. Existing parking provisions within the project limits will remain unchanged.

Legislative History

6/21/21	Municipal Services Committee	recommended for approval
7/7/21	Common Council	referred to the Municipal Services Committee
7/12/21	Municipal Services Committee	recommended for approval

[21-0971](#) Request from Appleton Downtown Inc. for a street occupancy permit to host a Sidewalk Sale on Saturday, August 7, 2021 from 10:00 am to 6:00 pm (during Mile of Music) on the College Avenue beautification strip from 600 W. College Avenue to 300 E. College Avenue.

Attachments: [ADI Sidewalk Sale during M.O.M.pdf](#)

Legislative History

7/12/21	Municipal Services Committee	recommended for approval
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[21-0972](#) Approve Department of Public Works Modified Operations Plan effective April 1, 2022.

Attachments: [Proposed Modified Operations Plan for DPW.pdf](#)

Legislative History

7/12/21	Municipal Services Committee	recommended for approval
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[21-0978](#) Approve parking restriction changes on N. Jarchow Street and E. Lindbergh Street near Franklin Elementary School. Follow-up to six month trial period.

Attachments: [Parking Restriction changes near Franklin Elementary School.pdf](#)

Legislative History

7/12/21 Municipal Services recommended for approval
Committee

[21-0979](#) Approve proposed traffic control for Phase 2 of the North Edgewood Estates Subdivision.

Attachments: [Proposed traffic control for Phase 2 of the North Edgewood Estates Subdivision](#)

Legislative History

7/12/21 Municipal Services recommended for approval
Committee

[21-0980](#) Approve Six Month Trial Period to convert existing commercial truck loading zone to standard 15-minute loading zone for the first three parking stalls on the southside of College Avenue east of Appleton Street.

Attachments: [Six Month Trial Period to Convert Loading Zones.pdf](#)

Legislative History

7/12/21 Municipal Services recommended for approval
Committee

[21-0981](#) Request from Postmaster Ryan Schultz for a street occupancy permit to relocate the USPS collection box during the Zuelke Building construction project in the Oneida Street right-of-way at 103 W. College Avenue.

Attachments: [Request to Relocate USPS Collection Box.pdf](#)

Legislative History

7/12/21 Municipal Services recommended for approval
Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[21-0919](#) Class "B" Beer and "Class B" Liquor License application for Los Amigos LLC d/b/a Mr. Taco, Julia Nino Gomez, Agent, located at 106 S State St, contingent upon approval from Health, DPW and Inspections departments.

Attachments: [Mr. Taco.pdf](#)

[Mr.TacoDenial July 2021 SL.pdf](#)

Legislative History

7/14/21 Safety and Licensing recommended for denial
Committee

[21-0825](#) Class "B" Beer License application for Jackson Investment Group LLC d/b/a Jimmy's Chicken and Fish, James Jackson III, Agent, located at 205 N Richmond St, contingent upon approval from the Community Development department.

Attachments: [Jimmy's Chicken and Fish.pdf](#)

Legislative History

7/14/21	Safety and Licensing Committee	recommended for approval
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[21-0834](#) Class "B" Beer and "Class B" Liquor License application for Calaveras Fine Fusions LLC d/b/a Calaveras Fine Fusions, Rebekka Garcia, Agent, located at 528 W College Ave, contingent upon approval from the Health and Inspections departments.

Attachments: [Calaveras Fine Fusions.pdf](#)

Legislative History

7/14/21	Safety and Licensing Committee	recommended for approval
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[21-0867](#) Temporary Class "B" Beer and "Class B" Wine License application for Sculpture Valley, Dave Willems, Person in Charge, located at Houdini Plaza for Mile of Music, August 5-8, 2021, contingent upon approval from all departments.

Attachments: [MoM-Houdini Plaza S&L.pdf](#)

Legislative History

7/14/21	Safety and Licensing Committee	recommended for approval
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[21-0869](#) Temporary Class "B" Beer and "Class B" Wine License application for Sculpture Valley, Dave Willems, Person in Charge, located at 303 N Oneida St, Outer Edge Stage for Mile of Music, August 5-8, 2021, contingent upon approval from all departments.

Attachments: [MoM-Outer Edge Stage S&L.pdf](#)

Legislative History

7/14/21	Safety and Licensing Committee	recommended for approval
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[21-0916](#) Temporary Premise Amendment application for DDCT, INC d/b/a Jim's Place, Jay Plamann, Agent, located at 223 E College Ave, August 5-8, 2021, contingent upon approval from all departments.

Attachments: [Jim's Place S&L.pdf](#)

[Permission to use 219.pdf](#)

Legislative History

7/7/21	Safety and Licensing Committee	held
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7/14/21 Safety and Licensing recommended for approval
Committee

[21-0917](#)

Temporary Premise Amendment application for Wooden Nickel Restaurant and Lounge Inc d/b/a Wooden Nickel Sports Bar & Grill, Anthony Mueller, Agent, located at 217 E College Ave, August 5-8, 2021, contingent upon approval from all departments.

Attachments: [Wooden Nickel S&L.pdf](#)

Legislative History

7/7/21 Safety and Licensing held
Committee

7/14/21 Safety and Licensing recommended for approval
Committee

[21-0925](#)

Temporary Premise Amendment application for TNE, INC d/b/a Emmett's Bar & Grill, Sharon Reader, agent, located at 139 N Richmond St, on August 5-8, 2021, contingent upon approval from the Health department.

Attachments: [Emmett's Bar & Grill S&L.pdf](#)

Legislative History

7/14/21 Safety and Licensing recommended for approval
Committee

[21-0927](#)

Class "B" Beer and "Class B" Liquor License Change of Agent application for Dong Po Restaurant in Appleton Inc d/b/a Dong Po Restaurant, Jian Chen, New Agent, located at 719 W College Ave.

Attachments: [Jian Chen S&L.pdf](#)

Legislative History

7/14/21 Safety and Licensing recommended for approval
Committee

[21-0940](#)

Class "A" Beer and "Class A" Liquor License Change of Agent application for Wisconsin CVS Pharmacy, LLC d/b/a CVS Pharmacy #8525, Nicholas D Fahrner, New Agent, located at 700 W Wisconsin Ave.

Attachments: [Nicholas D Fahrner S&L.pdf](#)

Legislative History

7/14/21 Safety and Licensing recommended for approval
Committee

[21-0957](#)

Temporary Premise Amendment application for Riverside Bar & Grill, Gregg Van Dinter, Agent, located at 906 S Olde Oneida St, on August 5-8, 2021, contingent upon approval from all departments.

Attachments: [Riverside Bar & Grill S&L.pdf](#)

Legislative History

7/14/21 Safety and Licensing recommended for approval
Committee

[21-0987](#) Temporary Premise Amendment application for Fox Cities Performing Arts Center, Pilar Martinez, Person in Charge, located at 400 W College Ave, on August 17, 2021, contingent upon approval from all departments.

Attachments: [Fox Cities PAC S&L.pdf](#)

Legislative History

7/14/21 Safety and Licensing Committee recommended for approval

[21-0992](#) Pet Store License application for Fish Cave LLC, Ton Vang, applicant, located at 2110 S Memorial Dr, contingent upon approval from all departments.

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

Legislative History

7/14/21 Safety and Licensing Committee recommended for approval

[21-0993](#) Class "A" Beer License application for Oneida Mini Mart LLC d/b/a Oneida BP, Prabhu Dhungana, Agent, located at 1306 S Oneida St, contingent upon approval from all departments.

Attachments: [Oneida Mini Mart LLC.pdf](#)

Legislative History

7/14/21 Safety and Licensing Committee recommended for approval

[21-0996](#) Temporary Premise Amendment application for Rookies Sports Bar & Grill, Steve Carrow, Agent, located at 325 N Appleton St, August 5-8, 2021, contingent upon approval from all departments.

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

Legislative History

7/14/21 Safety and Licensing Committee recommended for approval

3. MINUTES OF THE CITY PLAN COMMISSION

[21-0764](#) Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-21 for the subject parcel generally located along North Alvin Street, south of West Evergreen Drive and north of Interstate 41 (Tax Id #31-6-4500-01), from future Public/Institutional land use designation to Commercial land use designation as shown on the attached map and approve the attached Resolution

Attachments: [StaffReport_CommercialHorizonsNAlvinSt_CompPlan+Rezoning_For06-09-21.](#)

Legislative History

6/9/21 City Plan Commission recommended for approval
Proceeds to Council on July 21, 2021.

[21-0766](#)

Request to approve Rezoning #5-21 for the subject parcel generally located along North Alvin Street, south of West Evergreen Drive and north of Interstate 41 (Tax Id #31-6-4500-01), including the adjacent one-half (1/2) right-of-way of North Alvin Street and Interstate 41, as shown on the attached maps, from P-I Public Institutional District and AG Agricultural District to C-2 General Commercial District

Attachments: [StaffReport CommercialHorizonsNAlvinSt CompPlan+Rezoning For06-09-21.](#)

Legislative History

6/9/21 City Plan Commission recommended for approval
Proceeds to Council on July 21, 2021.

[21-0851](#)

Request to approve Rezoning #6-21 for the subject parcel located at 2700 East Calumet Street (Tax Id #31-4-5880-00), including the adjacent one-half (1/2) right-of-way of East John Street and East Calumet Street, as shown on the attached maps, from PD/C-2 Family Video Planned Development General Commercial District #23-99 to C-2 General Commercial District

Attachments: [StaffReport Family Video Rezoning For06-23-21.pdf](#)

Legislative History

6/23/21 City Plan Commission recommended for approval
Proceeds to Council on July 21, 2021.

[21-0853](#)

Request to approve Rezoning #8-21 for the subject undeveloped parcel located on Coolidge Court (Tax Id #31-9-1117-00), including the adjacent one-half (1/2) right-of-way, as shown on the attached maps, from PD/C-2 Planned Development General Commercial District #34-84 to R-3 Multi-Family District

Attachments: [StaffReport CoolidgeCourt Rezoning For06-23-21.pdf](#)

Legislative History

6/23/21 City Plan Commission recommended for approval
Proceeds to Council on July 21, 2021.

[21-0954](#)

Request to approve Special Use Permit #2-21 for a restaurant with alcohol sales and service located at 205 North Richmond Street (Tax Id #31-5-1184-00), 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 JimmysChickenAndFish SUP For07-14-21.pdf](#)

[EmailFromMegynBera_07-09-21.pdf](#)

Legislative History

7/14/21 City Plan Commission recommended for approval

- [21-0955](#) Request to approve the M&J Weyenberg Properties, LLC Annexation consisting of approximately 1.696 acres generally located at the southeast corner of Ballard Road and Ridge Haven Lane, currently in the Town of Grand Chute, as shown on the attached maps, subject to the stipulation in the attached staff report

Attachments: [StaffReport_M&JWeyenbergProperties_Annexation_For07-14-21.pdf](#)
[DOA Annexation Review Letter_14409_7-14-21.pdf](#)

Legislative History

7/14/21 City Plan Commission recommended for approval

- [21-0956](#) Request to approve Certified Survey Map #10-21, which crosses a plat boundary, to combine two existing parcels, 6600 North Ballard Road (Tax Id #31-1-9203-09) and North Tiburon Lane (Tax Id #31-1-9203-10), into one new parcel as shown on the attached maps

Attachments: [StaffReport_6600_N_Ballard_CSMCrossingPlatBoundary_For07-14-21.pdf](#)

Legislative History

7/14/21 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

- [21-1025](#) Request to approve a resolution authorizing and providing for the sale and issuance of \$14,500,000 General Obligation Promissory Notes, Series 2021 and all related details

Attachments: [Appleton 2021 G.O. Promissory Notes - Award Resolution.pdf](#)

- [21-1026](#) Request to approve a resolution authorizing and providing for the sale and issuance of \$8,360,000 Water System Revenue Refunding Bonds, Series 2021 and all related details.

Attachments: [Appleton 2021 Water Revenue Refunding Bonds - Award Resolution.pdf](#)

- [21-1027](#) Request to approve a resolution authorizing and providing for the sale and issuance of \$9,040,000 Sewerage System Revenue Refunding Bonds, Series 2021 and all related details

Attachments: [Appleton 2021 Sewer Revenue Refunding Bonds - Award Resolution.pdf](#)

[20-0527](#) Resolution #8-R-20 City of Appleton Brand Study

Attachments: [#8-R-20 Branding Resolution-format.pdf](#)
[Brand Study RFP Memo.pdf](#)
[CoA Brand Study RFP_DRAFT 020121.pdf](#)

Legislative History

5/6/20	Common Council	referred
2/22/21	Finance Committee	held
6/21/21	Finance Committee	held
7/12/21	Finance Committee	recommended for approval

[21-0943](#) Request for Finance Director to sell \$14,500,000 of General Obligation Promissory Notes

Legislative History

7/12/21	Finance Committee	recommended for approval
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[21-0944](#) Request for Finance Director to sell \$8,360,000 Water System Revenue Refunding Bonds

Legislative History

7/12/21	Finance Committee	recommended for approval
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[21-0945](#) Request for Finance Director to sell \$9,040,000 Sewerage System Revenue Refunding Bonds

Legislative History

7/12/21	Finance Committee	recommended for approval
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[21-0946](#)

Request to approve the allocation of excess General Fund balance at December 31, 2020 and the following related 2021 Budget amendments:

General Fund

Transfer Out - Debt Service/Capital Projects Fund	+\$3,840,000
Transfer Out - Industrial Park Land Fund	+\$ 250,000
Transfer Out - Facilities Capital Projects Fund	+\$ 210,000
Transfer Out - IT Capital Projects Fund	+\$ 65,000
Mayor's Office	+\$ 75,000
Public Works Department	+\$ 175,000
Finance Department	+\$ 50,000
General Fund Balance - Reserve for Brand Study	+\$ 450,000
General Fund Balance	- \$5,115,000

Debt Service/Capital Projects Fund

Transfer In - General Fund	+\$3,840,000
Debt Service Reduction	+\$3,840,000

Industrial Park Land Fund

Transfer In - General Fund	+\$ 250,000
Industrial Park Land	+\$ 250,000

Facilities Management Capital Projects Fund

Transfer In - General Fund	+\$ 210,000
Parks Improvements	+\$ 200,000
City Hall Improvements	+\$ 10,000

Information Technology Capital Projects Fund

Transfer In - General Fund	+\$ 65,000
Council Chamber AV Project	+\$ 65,000

to allocate excess general fund balance at 12/31/20 per City Fund Balance Policy (2/3 vote of Council required)

Attachments: [Finance Committee - Fund Balance Policy 2021.pdf](#)

Legislative History

7/12/21 Finance Committee recommended for approval

[21-0947](#) Request to approve the following 2021 Budget adjustment:

General Fund

Transfer Out - Risk Management Fund	+\$1,300,000
Wage Reserve	- \$1,300,000

Risk Management Fund

Transfer In - General Fund	+\$1,300,000
Uninsured Claims - Workers Compensation	+\$1,300,000

to transfer funds to Risk Management Fund required reserve and current year claims (2/3 vote of Council required)

Attachments: [Finance Committee - Risk Reserve Fund Transfer 2021.pdf](#)
[Actuarial Report 2020 Final Risk Management.pdf](#)

Legislative History

7/12/21	Finance Committee	recommended for approval
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6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[21-0986](#) Request to amend the Development Agreement for the Zuelke Project located at 103 W. College Avenue in Tax Increment Financing District No. 11 and approve the associated Houdini Plaza Lease Agreement

Attachments: [Memo to CEDC 1st Amendment to Zuelke Project Dev Agrmt 7-8-21.pdf](#)
[Zuelke - Fully Executed Dev Agrm.pdf](#)
[MemotoCouncil_TaxReformBill_12-18-17.pdf](#)
[First Amendment to Dev Agrm - Zuelke-City - FINAL.pdf](#)
[Zuelke - Houdini Plaza Lease Agreement - FINAL_.pdf](#)
[TID No. 11 Project Plan Amendment FINAL.pdf](#)

Legislative History

7/14/21	Community & Economic Development Committee	recommended for approval
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7. MINUTES OF THE UTILITIES COMMITTEE

[21-0936](#) Adopt Authorized Representative Resolution for the Environmental Improvement Fund.

Attachments: [Environmental Grant Fund Resolution for PAV.pdf](#)

Legislative History

7/13/21	Utilities Committee	recommended for approval
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[21-0937](#) Approve Department of Public Works Modified Operations Plan effective April 1, 2022.

Attachments: [Proposed Changes to DPW Operations.pdf](#)

Legislative History

7/13/21 Utilities Committee recommended for denial
Smith moved, seconded by Meltzer to amend the item and change the number of bulky items picked up every other week for free from 2 items to 3 items and to remove the bulk pick up in April. Approved as amended. 3-1, Doran

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[21-0959](#) Request to approve Public Works HVAC position overhire

Attachments: [HVAC Inspector Over Hire.pdf](#)

Legislative History

7/14/21 Human Resources & Information Technology Committee recommended for approval

[21-0960](#) Request to approve Worker's Compensation third party administrator change

Attachments: [WC TPA recommendation.pdf](#)

Legislative History

7/14/21 Human Resources & Information Technology Committee recommended for approval

[21-0961](#) Request to approve change to seasonal pay plan to move election worker positions to a fixed hourly rate.

Attachments: [Seasonal election position change.pdf](#)

Legislative History

7/14/21 Human Resources & Information Technology Committee recommended for approval

[21-0967](#) Request to approve changes to Health Department table of organization

Attachments: [Health Department reorg.pdf](#)

Legislative History

7/14/21 Human Resources & Information Technology Committee recommended for approval

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**10. MINUTES OF THE BOARD OF HEALTH****M. CONSOLIDATED ACTION ITEMS**

[21-1033](#) **Consolidated Action Items: DPW Modified Operations Plan**
Item #21-0972 Municipal Services Committee
Item #21-0937 Utilities Committee

N. ITEMS HELD**O. ORDINANCES**

[21-1001](#) Ordinances #37-21 to #41-21 (M&J Weyenberg Properties, LLC
Annexation)

Attachments: [Ordinances going to Council 7-21-21.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**

[21-1032](#) Mayor's Response to Resolution #9-R-21, Transportation Utility Study

Attachments: [#9-R-21 TU Resolution.pdf](#)
[Transportation Utility Study Resolution Response Memo.pdf](#)

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.