



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, October 2, 2013

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. PUBLIC PARTICIPATION
- G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES
 - [13-1415](#) Approve September 18, 2013 Council meeting minutes.
Attachments: [CC Minutes 09-18-2013.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR
 - [13-1416](#) Presentation of Fire Prevention Week Proclamation.
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. **MINUTES OF THE SAFETY AND LICENSING COMMITTEE**
 - [13-1303](#) Operator's License application of Rhonda S. Abitz, 119 E. Mitchell Avenue.
Legislative History
9/26/13 Safety and Licensing Committee recommended for approval

[13-1304](#) Operator's License application of Marsha L. Anthony, 532 N. Meade Street.

Legislative History

9/26/13 Safety and Licensing Committee recommended for approval
Felony #1 - Manufacture/Deliver Controlled Substance - not substantially related - vote 3-0.
Felony #2 - Criminal Slander of Title - not substantially related - vote 3-0.

[13-1305](#) Commercial Solicitation license of Robert J. Schulfer, 1402 N. Graceland Avenue.

Legislative History

9/26/13 Safety and Licensing Committee recommended for approval

[13-1353](#) Operator's License application of Matthew J. Vanden Bloomer, 5535 W. Sandra Drive.

Legislative History

9/26/13 Safety and Licensing Committee recommended for denial
Felony #1 - Manufacture/Deliver - substantially related - vote 2-1 (Nay - Oswald).
Felony #2 - Possession with Intent to Deliver - substantially related - vote 2-1 (Nay - Oswald).

[13-1354](#) Operator's Licenses

Attachments: [Operator's Licenses for 09-26-13 S & L.pdf](#)

Legislative History

9/26/13 Safety and Licensing Committee recommended for approval

[13-1355](#) Class "A" Beer License application of Appleton Citgo, Dharani Paudel, 1717 W. College Avenue, contingent upon departmental approvals.

Legislative History

9/26/13 Safety and Licensing Committee recommended for approval

2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[13-1278](#) R/B-Dannecker-Request from Janeine Cardin to appeal her \$50 Weed Administration Fee for 821 S. Memorial Drive.

Attachments: [Janeine Cardin.pdf](#)

Legislative History

9/10/13 Municipal Services Committee recommended for denial
 9/18/13 Common Council referred to the Municipal Services Committee
Referred by Alderperson Dannecker

9/24/13 Municipal Services recommended for denial
 Committee

[13-1369](#)

Request from Edwin Shelling to appeal his \$160 Weed Administration Fee for 312 S. Pierce Avenue.

Attachments: [Edwin Shelling weed pictures.pdf](#)

Legislative History

9/24/13 Municipal Services recommended for denial
 Committee

[13-1370](#)

Request from Henry Grishaber for a permanent street occupancy for portion of existing building that lies within street right-of-way at 1937 E. John Street.

Attachments: [Henry Grishaber-Street Occupancy+.pdf](#)

Legislative History

9/24/13 Municipal Services recommended for approval
 Committee

[13-1371](#)

Request from Mark Busnelli for an exception to the Side Yard Parking ordinance to allow an RV to be parked on the side yard with grass and not pavement at 1300 E. Glendale Avenue.

Attachments: [Mark Busnelli exception to side yard parking.pdf](#)

Legislative History

9/24/13 Municipal Services recommended for denial
 Committee

[13-1372](#)

Request from Ryan Burington to have the property at 4841 N. Applebend Drive officially precluded from access to Ashbury Drive.

Attachments: [Ryan Burington.pdf](#)

Legislative History

9/24/13 Municipal Services recommended for denial
 Committee

[13-1373](#)

Proposed traffic ordinance changes related to the 2013 Washington Street Reconstruction Project.

Attachments: [Traffic ordinance-2013 Washington St.pdf](#)

Legislative History

9/24/13 Municipal Services recommended for approval
 Committee

3. MINUTES OF THE CITY PLAN COMMISSION

[13-1387](#)

Dedication of Public Right-of-Way - 1937 E. John Street.

Attachments: [1937 John Street Attachment.pdf](#)

Legislative History

9/23/13 City Plan Commission recommended for approval

[13-1388](#) Dedication of Public Right-of-Way along Oneida Street and Rocky Bleier Run.

Attachments: [Oneida-Rocky Bleier Attachment.pdf](#)

Legislative History

9/23/13 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[13-1375](#) Reid Golf Course 2014 Fees

Attachments: [Memo - 2014 Golf Rates \(9-25-13 Meeting\).doc](#)
[2014 Golf Rates Policy-Draft \(9-25-13 Meeting\).doc](#)

Legislative History

9/25/13 Parks and Recreation Committee recommended for approval
Oswald/Spears amended twilight prices to be \$9 for weekday and weekend passes and adding a definition for Associate 4-0.

5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[13-1392](#) Elimination of the Rental Rehabilitation Loan Program

Attachments: [CEDC Memo - Rental Rehab Program.docx](#)

Legislative History

9/23/13 Community & Economic Development Committee recommended for approval

[13-1393](#) 2013 CDBG Annual Action Plan Substantial Amendment allocation recommendations.

Attachments: [Kole-Arbutus.pdf](#)
[CDBG 2013 Funding Allocations.pdf](#)
[CompassionateHome.pdf](#)
[ESFV.pdf](#)
[HarborHouse.pdf](#)
[ParksandRec.pdf](#)
[SFV.pdf](#)

Legislative History

9/23/13 Community & Economic Development Committee recommended for approval
Chairman Stueck read a letter submitted by Alderman Oswald who supported funding a capital project proposed for Arbutus Park.

6. MINUTES OF THE UTILITIES COMMITTEE

[13-1413](#) Award High Pressure Aeration Piping Project to August Winter & Sons, Inc. in an amount of \$132,650 plus a 12% contingency of \$15,900 for a total not to exceed project cost of \$148,550.

Attachments: [Aeration Tank #2 Pipe Repair.doc](#)

[13-1359](#) Amend 2013A/C contract with AECOM for Stormwater Plan reviews to decrease the contract by \$10,000 and amend 2013B Stormwater Consulting Services Contract to Endpoint Solutions for the Bellaire Ravine Drainage Area Study Update to increase the contract in an amount not to exceed \$10,000.

Attachments: [2013B Bellaire Drainage Study Amendment Memo.docx](#)

Legislative History

9/24/13 Utilities Committee recommended for approval

[13-1368](#) Approve Alternative 10C in the West Wisconsin Drainage Study.

Attachments: [West Wisc Study Approval Request Alt.docx](#)

[Phase 3 - Results Comparison Combined-100yr.pdf](#)

Legislative History

9/24/13 Utilities Committee recommended for approval

[13-1396](#) Award Spectralink Phone System Wireless Access Points and configuration to Advanced Wireless in the amount of \$229,915.27 and a 10% contingency of \$22,992 for a project total not to exceed \$252,906.

Attachments: [Spectralink Access Points.doc](#)

Legislative History

9/24/13 Utilities Committee recommended for approval

7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

8. MINUTES OF THE BOARD OF HEALTH

9. MINUTES OF THE HUMAN RESOURCES COMMITTEE

[13-1367](#) Request to approve United Health Care as the third party administrator for the City's medical plan for 2014.

Attachments: [UHC renewal for 2014.pdf](#)

Legislative History

9/23/13 Human Resources Committee recommended for approval

[13-1408](#) Request to approve Delta Dental as the third party administrator for the City's dental plan for 2014.

Legislative History

9/23/13 Human Resources Committee recommended for approval

10. MINUTES OF THE FINANCE COMMITTEE

[13-1414](#) Approve Settlement of 2011-2012 assessed values - Target Corp. v. City of Appleton

Attachments: [Brosman, DeAnn - Memo to Finance Committee 09-30-13.pdf](#)

[13-1342](#) The following 2013 Budget Adjustment be approved -

Capital Projects - Public Safety	
Transfer out to TIF 8 - Riverheath	+\$350,000

Capital Projects - TIF 8	
Transfer in from Public Safety	+\$350,000

To reverse \$350,000 of the original 2012 General Obligation Proceeds reallocation for the \$1.6 million Riverheath Infrastructure Loan to account for the clarification that the lift station and force main are included as eligible costs. After this adjustment, the amount allocated to Riverheath from the 2012 General Obligation issue is \$1,100,000 leaving \$500,000 to be included in the 2014 General Obligation Issue for completion of the concrete. When the project was originally broken into two phases in December of 2012, \$850,000 of the 2012 proceeds was re-allocated to Public Safety Capital Fund for the radio project and included in the 2012-2013 carryover. This adjustment is required to complete the funding of the transaction for 2013 (2/3 vote required).

Attachments: [TIF 8.pdf](#)

Legislative History

9/25/13 Finance Committee recommended for approval

[13-1351](#) Request to approve recommendation to contract with CDW-G for replacement of network core and edge switches in the amount of \$216,337.68 plus a contingency of \$21,633.77 for a total not to exceed \$237,971.45.

Attachments: [Network Infrastructure Finance Memo.pdf](#)

Legislative History

9/25/13 Finance Committee recommended for approval

[13-1381](#) Request from Mr. Ryan Burington for waiver of his \$1,874.89 Concrete Paving Special Assessment bill for property located at 4841 N. Applebend Drive.

Attachments: [Request for Waiver of Paving Assessment - 4841 N Applebend.pdf](#)

Legislative History

9/25/13 Finance Committee recommended for denial

[13-1382](#) Request to award Unit U-13 Cherryvale Avenue Sewer, Water, Grading & Graveling to Carl Bowers & Sons Construction Company, Inc. in the amount of \$344,970.00 with a 10% contingency of \$35,000.00 for a project total not to exceed \$379,970.00.

Attachments: [Award of contract for Unit U-13 Cherryvale Ave Sewer Water Grade and Gravel](#)

Legislative History

9/25/13 Finance Committee recommended for approval

[13-1424](#) Request to approve the following 2013 Budget Adjustment:

Unclassifieds	
Reserve for Contingencies	- \$47,498
Tax Refund	+\$47,498

to fund the settlement reached with Target on property assessment for 2011 and 2012 (2/3 vote required)

[13-1425](#) Approve 74.37 excessive assessment claim submitted by Target for 2013 assessed value

Attachments: [2013 Claim for Excessive Assessment \(2\).pdf](#)

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

[13-1419](#) Ordinance #83-13.

Attachments: [Ordinance going to 10-02-2013 Council.docx](#)

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

[13-1417](#) The Council will meet in closed session to discuss status of labor negotiations, pursuant to the exemptions contained in State Statutes 19.85 (1) (c) and (e).

[13-1418](#) The Council will reconvene into an open session and conduct further business.

T. ADJOURN

CHARLENE M. PETERSON, CMC/WCMC
City Clerk

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