



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, November 5, 2014

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

[14-1875](#) Approve Common Council Meeting Minutes from October 15, 2014.

Attachments: [CC Minutes 10-15-2014.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR

[14-1880](#) Reappointment of Val Drier to the Appleton Housing Authority Board of Commissioners.

Attachments: [CC 11-05-2014 - Committee Reappointments.pdf](#)

[14-1881](#) Reappointment of Brad Schwabs, Pam Ulness and Steve Winter to the Business Improvement District Board of Directors.

Attachments: [CC 11-05-2014 - Committee Reappointments.pdf](#)

[14-1882](#) Reappointment of Greg Otis to the Parade Committee.

Attachments: [CC 11-05-2014 - Committee Reappointments.pdf](#)

- I. PUBLIC HEARINGS

[14-1874](#) Public Hearing - Rezoning #8-14 located at 1420 East Longview Drive.

Attachments: [CC 11-05-2014 - Public Hearing - RZ #8-14.pdf](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[14-1673](#) Operator's License application of Sandra M. Cornwell, 420 W. Northland Avenue.

Legislative History

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|----------|--------------------------------|------------------------|
| 10/9/14 | Safety and Licensing Committee | held |
| 10/23/14 | Safety and Licensing Committee | recommended for denial |

[14-1762](#) Taxicab Driver's License application of David A. Hammond, 3114 N. Bluemound Drive.

Legislative History

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|----------|--------------------------------|--------------------------|
| 10/23/14 | Safety and Licensing Committee | recommended for approval |
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[14-1760](#) Taxicab Driver's License application of Jeffrey M. Keen, 1928 W. College Avenue.

Legislative History

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|----------|--------------------------------|------------------------|
| 10/23/14 | Safety and Licensing Committee | recommended for denial |
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This item was recommended for approval by Alderperson Lobner, seconded by Alderperson Trauger. Vote: 2-2 - motion failed. The item will proceed to Council as a recommendation for denial. The votes shown reflect those of the original motion.

[14-1764](#) Operator's License application of Allan J. VanderVelden, 1025 W. Hawes Avenue.

Legislative History

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| 10/23/14 | Safety and Licensing Committee | recommended for denial |
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[14-1676](#) Operator's License application of Dantonio F. Wells, II, 548 N. Clark Street.

Legislative History

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|----------|--------------------------------|--------------------------|
| 10/9/14 | Safety and Licensing Committee | held |
| 10/23/14 | Safety and Licensing Committee | recommended for approval |

[14-1843](#) Operator's Licenses

Attachments: [Operator's Licenses for 10-23-2014 S&L.pdf](#)

Legislative History

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| 10/23/14 | Safety and Licensing Committee | recommended for approval |
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[14-1749](#) Class "B" Beer and Class "C" Wine application of Green Gecko Inc., d/b/a Green Gecko Grocer & Deli, 400 N. Richmond St, Unit G, Robert C. Wall, Agent, contingent upon approvals from all departments.

Legislative History

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|----------|--------------------------------|--------------------------|
| 10/23/14 | Safety and Licensing Committee | recommended for approval |
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[14-1865](#) "Class B" Beer/Liquor License application of Angela C. Gaines Samuel A. Gaines, Fat Sammy's Inc. 2500 S. Oneida Street, contingent upon approvals from all departments.

Legislative History

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| 10/23/14 | Safety and Licensing Committee | recommended for approval |
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2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[14-1845](#) Request from Mr. Brosman to waive his \$75 non-compliant electronics collection fee for 323 N. Bennett Street.

Attachments: [Dave Brosman waive collection fee.pdf](#)

[Attachments for 323 N Bennett Street.pdf](#)

Legislative History

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|----------|------------------------------|------------------------|
| 10/21/14 | Municipal Services Committee | recommended for denial |
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[14-1846](#)

Approve the three-party design services contract between the City of Appleton, Wisconsin DOT and RA Smith National for the design of Oneida Street from Valley Road to the Skyline Bridge. Compensation for authorized services for this contract shall not exceed \$744,729.42 with the WisDOT responsible for \$531,552 and the City responsible for \$213,177.42.

Attachments: [Three Party Design Engineering Services Contract.pdf](#)

Legislative History

10/21/14 Municipal Services recommended for approval
 Committee

[14-1847](#)

Approve Amendment No. 2 to the Bloom Companies, LLC contract for the Jackman Street Shared Use Path Project to design decorative steel rails to protect and prevent impact against the new bridge abutments in an amount not to exceed \$3,206. (Revised contract amount of \$87,576)

Attachments: [Amendment No. 2 to Bloom Companies LLC contract.pdf](#)

Legislative History

10/21/14 Municipal Services recommended for approval
 Committee

[14-1848](#)

Approve Amendment No. 4 to the State/Municipal Agreement for the Prospect Avenue Bridge over Jackman Street Project to design decorative steel rails for the steep slope areas near the new bridge in an amount not to exceed \$8,163.88. (City Share \$1,632.78)

Attachments: [Amendment No. 4 State-Municipal Agreement bridge project.pdf](#)

Legislative History

10/21/14 Municipal Services recommended for approval
 Committee

3. MINUTES OF THE CITY PLAN COMMISSION

[14-1686](#)

Request to approve Rezoning Application #8-14 - Rezone Parcel # 31-1-6551-07 from R-1B Single Family District and M-2 General Industrial District to C-2 General Commercial District and Parcel #'s 31-1-6551-08, 31-1-6551-09 and 31-1-6551-14 from M-2 General Industrial District to C-2 General Commercial District - We Energies.

Attachments: [Staff report Rezoning #8-14 October 6 2014.pdf](#)

Legislative History

10/6/14 City Plan Commission recommended for approval

[14-1687](#) Request to approve Special Use Permit Application #12-14 - Special Use Permit for the construction of a new 12kV electric utility substation - We Energies

Attachments: [Staff report SUP #12-14 October 6 2014.pdf](#)

Legislative History

10/6/14 City Plan Commission recommended for approval

[14-1858](#) Request to approve the Extraterritorial Final Plat - Edgewood Acres 1st Addition Town of Grand Chute

Attachments: [Staff Report Edgewood Acres 1st addition final.pdf](#)

Legislative History

10/20/14 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[14-1822](#) Action: Award pavilion painting at Pierce Park to "Klinger Painting" for a contract total not to exceed \$27,900

Attachments: [Memo-Pierce Park Pavilion Painting 10-22-14 .docx](#)

Legislative History

10/22/14 Parks and Recreation Committee recommended for approval

[14-1823](#) Action: Approval of Houdini Plaza - Rental and Fee Schedule Policy Effective January 1, 2015

Attachments: [Memo-Houdini Plaza Policy 10-22-14.docx](#)

[Houdini Plaza Policy 10-22-14.doc](#)

Legislative History

10/22/14 Parks and Recreation Committee recommended for approval

[14-1824](#) Action: Approval of Park Pavilions and Special Areas - Rental and Fee Schedule Policy Effective January 1, 2016

Attachments: [Memo-Park Pavilions and Special Areas Policy 10-22-14.docx](#)

[Pavilion & Special Areas Policy 10-22-14.doc](#)

Legislative History

10/22/14 Parks and Recreation Committee recommended for approval

[14-1825](#) Action: Approval of Miracle League Field - Rental and Fee Schedule Policy Effective January 1, 2015

Attachments: [Memo-Miracle League Field Policy 10-22-14.docx](#)
[Strike and Bold Miracle League Field Policy 10-22-14.pdf](#)

Legislative History

10/22/14 Parks and Recreation recommended for approval
Committee

[14-1826](#) Action: Approval of Athletic Facilities - Rental and Fee Schedule Policy Effective January 1, 2016

Attachments: [Memo-Athletic Facilities Policy 10-22-14.docx](#)
[Athletic Facilities Policy for P & R Meeting 10-22-14.docx](#)

Legislative History

10/22/14 Parks and Recreation recommended for approval
Committee

5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

6. MINUTES OF THE UTILITIES COMMITTEE

[14-1815](#) Approve 2014 City-wide Stormwater Management Plan Update Prepared by AECOM and dated October 2014.

Attachments: [2014 Citywide Stormwater Management Plan.docx](#)

Legislative History

10/21/14 Utilities Committee recommended for approval

7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[14-1870](#) Approve 2015 Fare Increase

Attachments: [2015 Proposed Fare Increase.pdf](#)

Legislative History

10/29/14 Fox Cities Transit recommended for approval
Commission

8. MINUTES OF THE BOARD OF HEALTH

[14-1873](#) Noise Variance Request for WIS 441/Appleton Rd Interchange Project for night construction from March 1st, 2015 to October 1st, 2015.

Attachments: [Noise Variance Request 11-5-14.pdf](#)

9. MINUTES OF THE HUMAN RESOURCES COMMITTEE**10. MINUTES OF THE FINANCE COMMITTEE**[14-1806](#)

Request to approve contract with Lappen Security and Reliable Cabling in the amount of \$13,315 with a 10% contingency of \$1,332 for a total of \$14,647 in CIP funding to run new Cat 6 cabling in the Municipal Services building and install new security cameras at that location.

Attachments: [MSB Camera System.docx](#)

Legislative History

10/29/14 Finance Committee recommended for approval

[14-1860](#)

Resolution introduced by Alderperson Konetzke and Alderperson Jirschele at the October 15, 2014 Common Council meeting relating to a referendum for the April 2015 ballot regarding the new library:

#30-R-14 - Konetzke/Jirschele

“Whereas the cost of the proposed re-siting of the municipal library to a completely new building on one of Appleton’s most commercially desirable downtown locations is a major expenditure by the city, and;

Whereas the currently budgeted city contribution is \$30 million dollars, a cost figure that likely does not include collateral and related costs for developments connected to serving the new construction and site, and, thus, is likely to increase as a total project cost, and;

Whereas the citizens of Appleton deserve an opportunity to directly influence an expenditure of this magnitude for a nontaxable municipal building;

Be it resolved that the following be placed as a *an advisory* referendum question on a ballot no later than the April 2015 elections:

Should at least \$30 million be spent by the taxpayers of the City of Appleton to construct a new municipal library?”

Legislative History

10/29/14 Finance Committee recommended for denial

Alderperson Coenen moved, seconded by Alderperson Lobner, to amend the resolution to note "an advisory referendum". Roll Call. Motion carried by the following vote:

Aye: 5 - Alderperson Plank, Alderperson Stueck, Alderperson Coenen, Alderperson Konetzke and Alderperson Lobner

[14-1724](#)

Resolution introduced by Alderperson Garb, Alderperson Lobner and Alderperson Jirschele at the October 1, 2014 Common Council meeting relating to open records requests:

#29-R-14 - Garb/Lobner/Jirschele

“WHEREAS compliance with open records requests can be time-consuming for the City Attorney’s Office;

AND WHEREAS it is advantageous to both Council and the City Attorney’s Office that we obtain the maximum yield from the time invested in that compliance;

AND WHEREAS it is a laudable goal that Alderpersons know as much about issues as those individuals or organizations who make the open records requests;

THEREFORE BE IT RESOLVED that:

- 1) Within two business days of receiving an open records request, the City Attorney’s Office shall notify all Alderpersons, via city email, as to the content of such request; and
- 2) Any Alderperson may, via city email, request and obtain a copy of those documents released in compliance with the request.”

Attachments: [Amend to Open Records Resolution.pdf](#)

Legislative History

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| 10/8/14 | Finance Committee | held |
| 10/29/14 | Finance Committee | recommended for approval |

Alderperson Lobner moved, seconded by Alderperson Coenen, to amend the resolution by substitution as per the attached. Roll Call. Motion carried by the following vote:

Aye: 4 - Alderperson Plank, Alderperson Coenen, Alderperson Konetzke and Alderperson Lobner

Nay: 1 - Alderperson Stueck

[14-1861](#)

Request to award Everett Street Lift Station Improvements Project to Kruczek Construction in the amount of \$319,000 with a 15% contingency of \$47,850 for a project total not to exceed \$366,850 (also appears as an informational item on the Utilities Committee agenda).

Attachments: [Everett St Lift Station Contract Kruczek.doc](#)

Legislative History

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| 10/29/14 | Finance Committee | recommended for approval |
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M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

- P. ORDINANCES
- Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION
- R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION
- S. OTHER COUNCIL BUSINESS
- T. ADJOURN

Dawn A. Collins, City Clerk

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