



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, June 15, 2016

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
 - [16-964](#) Common Council Meeting Minutes of June 1, 2016
 - Attachments:** [CC Minutes 6-1-16.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR
- I. PUBLIC HEARINGS
 - [16-966](#) Public Hearing - Comprehensive Plan Amendment #2-16
 - Attachments:** [Public Hearing Notice CPA .pdf](#)
 - [16-967](#) Public Hearing - Rezoning #4-16
 - Attachments:** [Public Hearing RZ .pdf](#)
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. **MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[16-952](#) Award Unit Q-16 Pavement Marking Maintenance Contract (Paint) to Crowley Construction Corp. in the amount of \$44,712.04 plus a \$5,000 contingency.

Attachments: [Unit Q-16 .pdf](#)

[16-851](#) Approve South Oneida Street Streetscape Elements Plan to include standard City-owned LED street lights from Roeland Avenue to Calumet Street the Skyline Bridge (except for the block from Calumet Street to Foster Street which will remain WE Energies lights).

Attachments: [S. Oneida Street Streetscape Elements.pdf](#)
[Oneida Street lighting alternatives.pdf](#)

Legislative History

5/24/16	Municipal Services Committee <i>Item 16-581 held until June 7th meeting</i>	held
6/7/16	Municipal Services Committee <i>Amendment #1 Semi-decorative City-owned LED street lights from Roeland Avenue to the Bridge (except for the block from Calumet Street to Foster Street which will remain WE Energies lights) for an additional \$80,000. 3-1/Martin</i> <i>Amendment #2 Semi-decorative City-owned LED street lights on the Skyline Bridge from end of project to Prospect Avenue for an additional \$40,000. 3-1/Konetzke</i> <i>Amendment #3 Black fiberglass WE Energies poles from Wilson Street to the Bridge for an additional \$159,000. 3-1/Konetzke</i>	recommended for approval

[16-893](#) Request from Dan Rosenberg, 1026 W. Calumet Street for a permanent street occupancy permit to construct a landscape berm within the Garden Court street right-of-way. This request is in violation of the City's Street Terrace Policy.

Attachments: [1026 W. Calumet St.pdf](#)
[1026 W Calumet St-photos.pdf](#)

Legislative History

6/7/16	Municipal Services Committee <i>Item 16-893 amended to remove berm from the within 8 feet from the outside edge of each City tree and edge of berm not to be closer than 5 feet to the back side of the curb. Property owner also needs to sign a hold harmless agreement with the City.</i>	recommended for approval
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[16-894](#) Award 2016-2020 Movable Bridge Inspections Contract to Collins Engineers, Inc. in an amount not to exceed \$80,000.

Attachments: [Movable Bridge Inspections Contract.pdf](#)

Legislative History

6/7/16 Municipal Services recommended for approval
Committee

[16-913](#) Approve Intergovernmental Agreement with Outagamie County for the CTH "JJ" (Edgewood Drive) Street Reconstruction Project between Ballard Road and Lightning Drive.

Attachments: [CTH JJ-CTH E to Lightning Drive.pdf](#)

Legislative History

6/7/16 Municipal Services recommended for approval
Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[16-861](#) Operator's License application of Dominic R. Kendl, 1109 N. Lawe Street.

Legislative History

6/8/16 Safety and Licensing recommended for denial
Committee
Although Mr. Kendl requested to appear before the Committee and was sent a meeting agenda, he did not appear before the Committee.

[16-864](#) Salvage Dealer's License Renewal application of Green Meadow Recycling, Inc., Neil D. Novak, Applicant, 2220 W. Everett St., contingent upon approval from all departments.

Legislative History

6/8/16 Safety and Licensing recommended for approval
Committee

[16-865](#) Salvage Dealer's License Renewal application of Golper Supply Co., Inc., David B. Golper, Applicant, 1810 N. Edgewood Dr., contingent upon approval from all departments.

Legislative History

6/8/16 Safety and Licensing recommended for approval
Committee

[16-868](#) "Class A" Beer/Liquor License - Change of Agent of Walgreens #12693, Melissa M. Drawenek, Agent, 729 W. Northland Ave., contingent upon approval from the Police Department.

Legislative History

6/8/16 Safety and Licensing Committee recommended for approval

[16-872](#) Pet Store License Renewal application of Just Pets, Craig L. Weborg, Applicant, 2009 N. Richmond St., contingent upon approval from all departments.

Legislative History

6/8/16 Safety and Licensing Committee recommended for approval

[16-873](#) Salvage Dealer's License Renewal application of Appleton Aluminum Recycling Inc., Charles O. Desten, Applicant, 300 N. Kensington Dr., contingent upon approval from all departments.

Legislative History

6/8/16 Safety and Licensing Committee recommended for approval

[16-890](#) Pet Store License renewal application of Petco#1656, Ferdinand H. Gorzelitz, Applicant, 3829 E. Calumet St., contingent upon approval from all departments.

Legislative History

6/8/16 Safety and Licensing Committee recommended for approval

[16-903](#) "Class B" Beer/Liquor License - Change of Agent of Dieters Place LLC, Jonathon E. Kuehn, Agent, 830 E. Northland Ave., contingent upon approval from the Police Department.

Legislative History

6/8/16 Safety and Licensing Committee recommended for approval

[16-907](#) Operator's Licenses

Attachments: [Operator's Licenses for 6-8-16 S & L.pdf](#)

Legislative History

6/8/16 Safety and Licensing Committee recommended for approval

[16-908](#) Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 6-8-16 S & L.pdf](#)

Legislative History

6/8/16 Safety and Licensing Committee recommended for approval

[16-912](#) "Class B" Beer/Liquor License - Change of Agent of Harvey Pierre Post No. 2778 d/b/a VFW Post 2778, Trista K. Nickerson, Agent, 501 N. Richmond St., contingent upon approval from the Police Department.

Legislative History

6/8/16 Safety and Licensing Committee recommended for approval

[16-924](#) 2016-2017 Beer/Liquor License Renewal applications, contingent upon approval from all departments.

Attachments: [2016-2017 Beer Liquor License Renewals2.pdf](#)

Legislative History

6/8/16 Safety and Licensing Committee recommended for approval

3. MINUTES OF THE CITY PLAN COMMISSION

[16-706](#) Request to approve Special Use Permit #2-16 for an 85-foot monopole wireless telecommunication tower with associated antennas and ground equipment located in the 2700 block of N. Kesting Court (Tax Id 31-1-4025-00), as shown on the attached maps and per attached plan of operation, subject to the conditions in the attached staff report

Attachments: [StaffReportReferBack_KestingCtTower_SpecialUsePermit#2-16.pdf](#)
[Kesting Ct Cell Tower Petition.pdf](#)
[Photos submitted to Plan Commission on 5-9-16 re Kesting Ct Tower.pdf](#)

Legislative History

5/9/16 City Plan Commission recommended for approval
 5/18/16 Common Council referred to the City Plan Commission
Aldersperson Croatt Referred this Item back to the City Plan Commission. The Item will be on the June 6th City Plan Commission Agenda.
 6/6/16 City Plan Commission recommended for approval

[16-708](#) Request to approve Special Use Permit #3-16 for a community living arrangement (CLA) serving 24 persons located at 5715 North Meade Street, north of the intersection of Edgewood Drive (JJ) and Meade Street (Tax Id #31-6-6100-50) to run with the land, subject to the conditions in the attached staff report and as shown on the attached maps

Attachments: [StaffReport_Primrose_SpecialUsePermit#3-16.pdf](#)

Legislative History

5/9/16 City Plan Commission recommended for approval
Proceeds to Council on June 15, 2016.

- [16-710](#) Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #2-16 for 5715 North Meade Street, north of the intersection of Edgewood Drive (JJ) and Meade Street (Tax Id #31-6-6100-50) from One and Two-Family Residential designation to Multi-Family Residential designation as shown on the attached map and approve the attached resolution

Attachments: [StaffReport_Primrose_CompPlanAmend#2-16&Rz#4-16.pdf](#)

Legislative History

5/9/16 City Plan Commission recommended for approval
Proceeds to Council on June 15, 2016.

- [16-712](#) Request to approve Rezoning #4-16 for 5715 North Meade Street, north of the intersection of Edgewood Drive (JJ) and Meade Street (Tax Id #31-6-6100-50), including to the centerline of the adjacent right-of-way, as shown on the attached map, from R-1A Single-Family District to R-3 Multi-Family District

Attachments: [StaffReport_Primrose_CompPlanAmend#2-16&Rz#4-16.pdf](#)

Legislative History

5/9/16 City Plan Commission recommended for approval
Proceeds to Council on June 15, 2016.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

- [16-919](#) Request to approve Finance Committee Report 3-P-16 for Sanitary Sewer, Storm Sewer and Laterals.

Attachments: [Report 3-P-16.pdf](#)

Legislative History

6/7/16 Finance Committee recommended for approval

- [16-922](#) Request to award the City of Appleton Municipal Services Building 2016 HVAC Replacement Project contract to B&P Mechanical, Inc. in the amount of \$338,800 with a contingency of \$8,400 for a contract total not to exceed \$347,200.

Attachments: [2016 MSB HVAC replacement award and budget adjustemnt.pdf](#)

Legislative History

6/7/16 Finance Committee recommended for approval

[16-925](#)

Request to approve the following 2016 budget adjustment:

Facilities Capital Projects Fund

MSB Roof Replacement Project	- \$35,000
Fire Stations #3 & #5 Exterior Lighting Project	- \$30,000
MSB HVAC Replacement Project	+\$65,000

to reallocate positive budget variance from MSB roof replacement project and Fire Stations exterior lighting project to MSB HVAC replacement project.

Attachments: [2016 MSB HVAC replacement award and budget adjustemnt.pdf](#)

Legislative History

6/7/16 Finance Committee recommended for approval

[16-926](#)

Request to approve entering an intergovernmental agreement with the Appleton Area School District for the purpose of the joint establishment, operation and cost sharing of an employee health clinic.

Attachments: [Memo Intergovernmental agreement.pdf](#)

[Intergovernmental Agreement.pdf](#)

Legislative History

6/7/16 Finance Committee recommended for approval

[16-927](#)

Request to approve payment to ThedaCare for the City's share of facility location expenses during the three year term that ThedaCare also provides the employee health clinic services.

Attachments: [Lease Memo.pdf](#)

[Lease Proposal.pdf](#)

Legislative History

6/7/16 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[16-888](#)

Request to approve the 2015 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program

Attachments: [CAPER memo to CEDC 6-8-16.pdf](#)

[PY 2015 Report FINAL.pdf](#)

Legislative History

6/8/16 Community & Economic Development Committee recommended for approval

7. MINUTES OF THE UTILITIES COMMITTEE[16-822](#)

Approve May 2016 Revisions to Stormwater Utility Credit Policy.

Attachments: [Memo Credit Policy Approval 05-24-2016.pdf](#)[2016 Revised Stormwater Utility Credit Policy Combined.pdf](#)[2016 Revised Stormwater Utility Credit Policy 06-08-2016 COMBINED FINAL.p](#)**Legislative History**

5/24/16	Utilities Committee	recommended for approval
6/1/16	Common Council	referred to the Utilities Committee <i>Aldersperson Baranowski referred this item back to the Utilities Committee.</i>
6/7/16	Utilities Committee	recommended for approval <i>Motion by Baranowski, seconded by Meltzer to amend the rain barrel minimum size for single family residences to 40 gallons. Motion carried. 5-0</i>

Motion by Baranowski, seconded by Reed to amend the property owner certification language on the pledge form. Motion carried. 5-0

The updated policy, including the amendments, is attached.

[16-902](#)

Request approval of electronic Compliance Maintenance Annual Report (eCMAR) for 2015 and request the following Resolution be presented to the Common Council for approval:

Whereas, the City of Appleton has successfully been operating a biosolids compost program in cooperation with the Outagamie Department of Solid Waste; and

Whereas, Outagamie County has committed to continue allowing biosolids composting during the next five years on over five acres of County property; and

Whereas, the City of Appleton has applied for re-issuance of the Wisconsin Pollution Discharge Elimination System (WPDES) permit; and

Whereas, the WPDES permit application requests for biosolids compost program and outfall; and

Whereas, the City of Appleton will meet requirements of NR 204 for biosolids storage when WDNR reissues the WPDES permit allowing storage on the County property; and,

Whereas, the WDNR continues supporting and providing guidance for the City of Appleton's biosolids compost program.

Now, therefore, be it resolved by the City Council that the City of Appleton:

Article 1. Continues supporting an active biosolids program.

Article 2. Within the next five years provide for long term biosolids storage planning.

Attachments: [eCMAR memo 2015.pdf](#)

[eCMAR 2015.pdf](#)

Legislative History

6/7/16 Utilities Committee recommended for approval

[16-909](#)

Approve Amendment #1 to Robert E. Lee and Associates for the Water Clarifier Coating Contract to increase field inspections services resulting in an increase of \$16,000.

Attachments: [Clarifier Coating Contract Amendment 1.pdf](#)

Legislative History

6/7/16 Utilities Committee recommended for approval

[16-910](#) Preliminary Resolution 3-P-16 for Sanitary Sewer, Storm Sewer, Sanitary Laterals & Storm Laterals be adopted and refer the matter to Finance Committee to determine the assessment rate.

Attachments: [Resolution 3-P-16.pdf](#)

Legislative History

6/7/16 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

[16-547](#) Resolution #5-R-16/Alderperson Plank

Attachments: [Resolution #5-R-16 - Safe Leashing.pdf](#)

[3-1 Proposed Changes 2016 05 24.pdf](#)

Legislative History

4/13/16 Board of Health presented

6/8/16 Board of Health recommended for approval

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[16-965](#) Ordinances 47-16 through 49-16

Attachments: [Ordinances going to Council 6-15-16.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.