

City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, June 19, 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

13-788 6/5/13 Council Minutes

Attachments: Council Minutes 06-05-2013.pdf

- H. Business presented by the Mayor
 - 13-766 Appleton Redevelopment Authority:

Appointment of Marissa Downs to fill the remainder of a 5-year term,

vacated by Sarah Garb, to expire November 2015;

Appointment of James Van Dyke to fill the remainder of a 5-year term,

vacated by Daniel Ferris, to expire November 2013.

Attachments: Appointments for Council 06-19-2013.pdf

<u>13-768</u> City Plan Commission:

Appointment of Steve Uslabar to fill the remainder of 3-year term,

vacated by Jeanine Knapp, to expire April 2016.

<u>Attachments:</u> Appointments for Council 06-19-2013.pdf

13-769 Reappointment of Terry Bergen to the Libary Board.

Attachments: Appointment of Terry Bergen.pdf

<u>13-770</u> Presentation of Flag Day Parade Awards.

<u>13-771</u>	Presentation of Bronze Level Designation as a Bicycle Friendly Community to the City of Appleton.
<u>13-772</u>	Presentation of President Jill Beck Day Proclamation.
<u>13-780</u>	Recognition of National History Day Competitors Avery Kuphal, Nora Ptacek and Ashley Wong.

- I. Public Hearings
- J. Special Resolutions
- K. Establish Order of the Day
- L. Committee Reports

11. Report of the Board of Public Works

<u>13-758</u>	Award Unit CC-13 Concrete Paving #2 to Vinton Construction Co. in the amount of \$467,456.85 with a 2.75% contingency of \$13,000.00 for a project total not to exceed \$480,456.85. Attachments: BPW Attachment 1 Unit CC-13 - 06-19-13 Meeting.pdf		
<u>13-759</u>	Award Unit E-13 Miscellaneous Concrete and Street Excavation Repair to Fischer-Ulman Construction, Inc. in an amount not to exceed \$250,400.00.		
	Attachments: BPW Attachment 2 Unit E-13 - 06-19-13 Meeting.pdf		
<u>13-760</u>	Board of Public Works Report 5-P-13 for Concrete Paving, Sidewalk Construction and Driveway Aprons.		
	Attachments: BPW Attachment 3 5-P-13- 06-19-13 Meeting.pdf		
<u>13-761</u>	Adopt 2014 City of Appleton Policy for Special Assessments.		
	Attachments: BPW Attachment 4 Policy for SA - 06-19-13 Meeting.pdf		
<u>13-762</u>	Development Agreement for Aspen Meadow Subdivision.		
	Attachments: BPW Attachment 5 Agree Aspen Meadow - 06-19-13 Meeting.pdf		

2. Report of the Municipal Services Committee

13-665 Request from John Gliniecki for a 2-year variance to the Front Yard Parking Ordinance to not pave the gravel portion of his driveway at 821 N. Oneida Street.

Attachments: John Gliniecki 2 year variance.pdf

Legislative History

6/11/13 Municipal Services recommended for denial Committee Approve Residential Recycling Multiple Cart Policy with an effective date 13-669 of July 1, 2013. Attachments: Residential Recycling Multiple Cart Policy.pdf Legislative History 6/11/13 Municipal Services recommended for approval Committee 13-670 Approve Multi-Family Residential Recycling Cart Policy with an effective date of July 1, 2013. Attachments: Multi-Family Residential Recyling Cart policy.pdf Legislative History 6/11/13 Municipal Services recommended for approval Committee 13-703 Approve parking permit rate increase of \$1 per month effective January 1, 2014 per Council approval Parking Utility Rate Changes Option F. Proposed Parking Utility Revenue Changes for 2011-2015.pdf Attachments: Legislative History 6/11/13 Municipal Services recommended for approval Committee 13-704 Preliminary Resolution 5-P-13 for concrete paving, driveway aprons and sidewalk construction to be adopted and refer the matter to the Board of Public Works to determine the assessment rate. Attachments: Prelim Resolution 5-P-13 concrete paving, aprons, sidewalks.pdf Legislative History 6/11/13 Municipal Services recommended for approval Committee 13-705 The request from the Queen Bee Restaurant for a permanent street occupancy permit to place tables and chairs at 214/216 E. College Avenue (between light pole and planter) to be removed at the time business closes or by 2:00 a.m. at the latest. Attachments: Queen Bee request for table and chairs.pdf Legislative History 6/11/13 **Municipal Services** recommended for approval Committee 13-710 Removal of Two-Hour Parking Restrictions on 800 E. Winnebago Street. Attachments: Removal of Two-Hour Parking-800 E Winnebago St.pdf Legislative History 6/11/13 **Municipal Services** recommended for approval Committee

Recommended award of Unit Q-13, Pavement Marking Maintenance

Contract (Paint), to Crowley Construction Corp. in the amount of \$38,800.86 plus a \$3,500 contingency.

Attachments: Unit Q-13 Pavement Marking Maintenance Contract.pdf

Legislative History

6/11/13 Municipal Services recommended for approval

Committee

3. Report of the City Plan Commission

13-660 North Meadow Investment/Evergreen Drive Annexation

Attachments: PC 6-10-13 #660 attachments.pdf

Legislative History

6/10/13 City Plan Commission recommended for approval

6. Report of the Utilities Committee

Approval of an Engineering contract for the AWWTP Evaluation of Phosphorus Treatment Optimization and TMDL Compliance Project to CH2M Hill in the amount of \$218,355 plus a 7% contingency of \$15,285 for a total cost of \$233,640.

Attachments: AWWTP TMDL Project Award Memo.docx

Legislative History

6/11/13 Utilities Committee recommended for approval

Request approval of electronic Compliance Maintenance Annual Report (eCMAR) for 2012 and request the following Resolution be presented to the Common Council for approval:

RESOLVED, that the City of Appleton inform the Department of Natural Resources that the following actions were taken by the Common Council:

- 1. Review and approval of the Compliance Maintenance Annual Report (CMAR), which is attached to this Resolution.
- 2. Set forth the following actions to maintain requirements contained in the WPDES Permit:
- a) Department of Utilities continue to evaluate the compost demostration project and further reduce infiltration and inflow from our collection system.

Attachments: CMAR.pdf

Legislative History

6/11/13 Utilities Committee recommended for approval

1. Report of the Safety and Licensing Committee

<u>13-644</u>	Operator's License application of Nathan M. Hintz, 1412 West Lindbe Street Legislative History			
	6/13/13	Safety and Licensing Committee	recommended for denial	
<u>13-645</u>	Operator's License application of Ashley A. Kunstman, 621 North Rankin Street			
	Legislative His			
	6/13/13	Safety and Licensing Committee	recommended for denial	
<u>13-715</u>	Operator's Menasha.	Operator's License application of David L. Zornow, 326 Ravine Street, Menasha.		
	Legislative History			
	6/13/13	Safety and Licensing Committee	recommended for denial	
<u>13-739</u>	Operator's Licenses			
	Attachments:	Operator's Licenses for 6-13-	13 S & L.doc	
	Legislative His	story		
	6/13/13	Safety and Licensing Committee	recommended for approval	
<u>13-738</u>	2013-2015	Operator's License Renew	al applications.	
	Attachments:	Operator's License Renewals	for 06-13-2013 S&L.doc	
	Legislative History			
	6/13/13	Safety and Licensing Committee	recommended for approval	
<u>13-717</u>	2013-2014 Beer/Liquor License Renewal applications contingent on departmental approvals.			
	Attachments:	2013-2014 Beer-Liquor renew	val list for S&L 06-13-2013.docx	
	Legislative History			
	6/13/13	Safety and Licensing Committee	recommended for approval	
<u>13-646</u>	Class "A" Beer License application of Merina, LLC, Prabho, Dhungana, Agent, 1200 West Wisconsin Avenue contingent upon departmental approvals			
	Legislative His	story_		
	6/13/13	Safety and Licensing Committee	recommended for approval	

<u>13-653</u>	Request to amend licensed premises description for "Class B" Beer/Liquor license of Santino, LLC at 1216 South Oneida Street to read as follows: 3,843 sq. ft. bar and restaurant; 200 sq. ft. walk-in cooler/freezer; and 1,250 sq. ft. outdoor dining area - contingent upon departmental approvals. Legislative History				
	6/13/13	Safety and Licensing Committee	recommended for approval		
<u>13-737</u>	request to	Behnke Enterprises, Inc., d/b/a Bazil's Pub at 109 West College Avenue request to amend the licensed premise description to include the increased area of the outside patio area.			
	Attachments:	Bazil's premises description	- <u>06-13-2013.pdf</u>		
	<u>Legislative Hi</u>	Legislative History			
	6/13/13	Safety and Licensing Committee	recommended for approval		
<u>13-647</u>	Pet Store/Kennel License renewal application of Petco #1656, 3829 East Calumet Street, contingent upon departmental approvals. <u>Legislative History</u>				
	6/13/13	Safety and Licensing Committee	recommended for approval		
13-648	Pet Store/Kennel License renewal application of HSA Corporation Pet Supplies Plus, 702 West Northland Avenue, contingent upor departmental approvals. Legislative History				
	6/13/13	Safety and Licensing Committee	recommended for approval		
<u>13-661</u>	Pet Store/Kennel License renewal application for Just Pets, 200 Richmond Street contingent upon departmental approvals. <u>Legislative History</u>		•		
	6/13/13	Safety and Licensing Committee	recommended for approval		
<u>13-649</u>	Salvage Dealer License renewal application of Appleton Aluminum Recycling, Inc. 300 North Kensington Drive, contingent upon departmental approvals. <u>Legislative History</u>				
	6/13/13	Safety and Licensing Committee	recommended for approval		
<u>13-650</u>	Salvage Dealer License renewal application of Golper Supply Co., Inc., 1810 West Edgewood Drive, contingent upon departmental approvals.				
	<u>Legislative Hi</u>	story			
	6/13/13	Safety and Licensing Committee	recommended for approval		

Salvage Dealer License renewal application of Green Meadow 13-651 Recycling, Inc., 2220 West Everett Street, contingent upon departmental approvals. Legislative History 6/13/13 Safety and Licensing recommended for approval Committee 13-652 Salvage Dealer License renewal application of Mr. C's Motorcycles, LLC, 724 South Outagamie Street, contingent upon departmental approvals. Legislative History 6/13/13 Safety and Licensing recommended for approval Committee 13-743 Appleton Downtown Incorporated request to amend their Farm Market License, due to construction delays in Houdini Plaza, to extend the area west on College Avenue to Superior Street. Attachments: ADI Farm Market June 14th request.pdf Legislative History 6/13/13 Safety and Licensing recommended for approval Committee City Attorney request for approval of the changes to Ordinance 2-1 13-314 pertaining to the destruction of public records Attachments: Doucette memo - 05-23-2013.pdf Legislative History 5/23/13 Safety and Licensing held Committee 6/13/13 Safety and Licensing recommended for approval Committee 13-757 Suspension of "Class B" Beer/Liquor License of Chester's Pub, LLC, Chester D. Krauze, Agent, d/b/a Chester's Pub at 2611 North Richmond Street for a period of 10 days. Attachments: Chesters Pub Suspension.pdf

7. Report of the Fox Cities Transit Commission

13-692 Approval of Valley Transit Title VI Plan

<u>Attachments:</u> <u>Title VI Program_FINAL.pdf</u>

Valley Transit Title VI Annual Report.pdf

Legislative History

6/12/13 Fox Cities Transit recommended for approval

Commission

8. Report of the Board of Health

5. Report of the Community and Economic Development Committee

<u>13-632</u> 2012 Consolidated Annual Performance and Evaluation Report

(CAPER) for Community Development Block Grant (CDBG).

Attachments: Hyperlink

Legislative History

6/10/13 Community & Economic recommended for approval

Development Committee

13-695 Accept Certified Local Government Grant Award - Hearthstone home

located at 625 W. Prospect Avenue.

Attachments: Hearthstone Grant Award.pdf

Legislative History

6/10/13 Community & Economic recommended for approval

Development Committee

4. Report of the Parks and Recreation Committee

13-334 Request for Refund of Annual Golf Pass Fee for Hugo "Ed" Lindberg BE

APPROVED (Attachment A).

Attachments: P & R Committee Pass Refund Request - Attachment A (6-12-13).pdf

Legislative History

5/22/13 Parks and Recreation held

Committee

6/12/13 Parks and Recreation recommended for approval

Committee

9. Report of the Human Resources Committee

13-698 Request approval of control points for pay grade order listing as

approved by Council on 5/15/13.

Attachments: Control Points 6-10-13.pdf

Legislative History

6/10/13 Human Resources recommended for approval

Committee

10. Report of the Finance Committee

13-706 CRITICAL TIMING ISSUE

Request to replace stump grinder one year in advance.

<u>Attachments:</u> CEA REVIEW COMMITTEE Report 05-07-2013.docx

Legislative History

6/12/13 Finance Committee recommended for approval

#15-R-13/Spears - "Whereas, the city of Appleton has breached its promise to the citizens who own property on Mason Street that was reconstructed in 2004. Therefore, be it resolved that assessment that was paid be returned to the current owner of said property." Finance Committee on 6/12/13 recommended denial.

Attachments: Resolution #15-R-13.pdf

Legislative History

6/12/13 Finance Committee recommended for denial

M. Consolidated Action Items

 - Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers Under Section 66.0703(7)(a), WI Statutes of 2011-2012.

- Municipal Services Committee: File ID #13-704.

Attachments: Preliminary Resolution 5-P-13.pdf

- O. Items Held
- P. Ordinances

13-774 Ordinance #38-13.

Attachments: Ordinance going to 06-19-2013 Council.pdf

- Q. License Applications and Communications referred to Committees of Jurisdiction
- R. Resolutions submitted by Alderpersons referred to Committees of Jurisdiction
- S. Other Business

<u>13-778</u> Filling Aldermanic District 1 position.

<u>Attachments:</u> Council Vacancy memo.pdf

T. Adjourn

CHARLENE M. PETERSON, CMC/WCMC

City Clerk

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