



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Agenda - Final Common Council

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Wednesday, October 15, 2014

7:00 PM

Council Chambers

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- 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

[14-1731](#) Approve Common Council Meeting Minutes from October 1, 2014.

*Attachments:* [CC Minutes 10-01-2014.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR

[14-1750](#) Presentation of Ambassador of Appleton Award to Cory Chisel and Dave Willems.

- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

[14-1701](#)

Reconsideration (Jirschele) - Operator's License application of Jenny Sue Farry, 135 S. Buchanan Street.

**Legislative History**

10/9/14      Safety and Licensing      recommended for denial  
Committee

*This item was recommended for approval by Alderperson Lobner, Seconded by Alderperson Trauger. Vote: 2-2 - motion failed. Therefore, the item will proceed to Council as a recommendation for denial. The votes shown reflect those of the original motion.*

[14-1674](#)

Operator's License application of Mike A. May, 1501 N. Bennett Street.

**Legislative History**

10/9/14      Safety and Licensing      recommended for denial  
Committee

*This item was recommended for denial by Alderperson Williams, Seconded by Alderperson Lobner. 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.*

[14-1632](#)

Resolution introduced by Alderpersons Dalton/Meltzer at the 09-17-2014 Common Council meeting.

#26-R-14 - Dalton/Meltzer

~~“Whereas crime rates have decreased in the City of Appleton over the last 6 years,~~

~~Whereas the city budget requires allocation for costs of maintaining infrequently used equipment,~~

~~Whereas training for use of infrequently used equipment demands staff time and resources,~~

~~Whereas effective civilian law enforcement does not require the use of military equipment,~~

~~Whereas military equipment is not designed for civilian law enforcement,~~

~~Whereas equipment discontinued for ineffectiveness in urban environments is not conducive to Appleton’s infrastructure~~

~~And whereas civilian law enforcement have used military equipment inappropriately in the United States and in other countries;~~

Be it resolved,

1. Staff return with a budgetary review for the costs of maintenance, insurance, and training resources related to the Mine Resistant Ambush Protected (MRAP Vehicle) within 45 days, and

2. ~~Staff return with options for returning or disposing of the Mine Resistant Ambush Protected vehicle in most expeditious and low cost manner within 60 days~~

3. ~~A review of donated or surplus material acquisition noticing guidelines be presented to council to assure any major donated or surplus material acquisitions by any department are reviewed by the Common Council."~~

4. ~~A public update be presented on public safety issues related to active shooter situations and warrants, and alternatives be considered that do not require the re-purposing of a military vehicle.”~~

**Legislative History**

9/25/14 Safety and Licensing Committee recommended for approval  
*Amend (Jirschele) the Resolution to read the following: "Whereas the city budget requires allocation for costs of maintaining infrequently used equipment; Be it resolved, 1. Staff return with a budgetary review for the costs of maintenance, insurance, and training resources related to the Mine Resistant Ambush Protected (MRAP) Vehicle within 45 days, and 2. A review of donated or surplus material acquisition noticing guidelines be presented to council to assure any major donated or surplus material acquisitions by any department are reviewed by the Common Council." Moved by Alderperson Jirschele, seconded by Alderperson Lobner to approve the amendment. Roll call. Ayes - 4. Noes - 1 (Garb). Motion carried.*

10/9/14 Safety and Licensing Committee recommended for approval

[14-1644](#)

"Class B" Beer/Liquor License application of 2 x 6 Holdings LLC, d/b/a Maritime Bar, Dan M. Burton, Agent, 336 W. Wisconsin Avenue, contingent upon approvals from all departments.

**Legislative History**

10/9/14 Safety and Licensing Committee recommended for approval

[14-1645](#)

Secondhand Article License application of Tina Marie's Unique Boutique, Tina Marie Ahrens, Applicant, 206 E. College Avenue, contingent upon approvals from all departments.

**Legislative History**

10/9/14 Safety and Licensing Committee recommended for approval

[14-1669](#)

Taxi Cab Driver's License application of Frederick A. Petit, 313 E. Juniper Lane.

**Legislative History**

10/9/14 Safety and Licensing Committee recommended for denial

[14-1675](#)

Operator's License application of Zachary R. Robertson, 1720 N. Superior Street.

**Legislative History**

10/9/14 Safety and Licensing Committee recommended for denial

[14-1677](#) Operator's License application contingent upon completion of the Responsible Beverage Service Course - Marc A. Sieber, 3220 E. Aquamarine Avenue.

**Legislative History**

10/9/14 Safety and Licensing Committee recommended for approval

[14-1683](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 10-09-2014 S&L.pdf](#)

**Legislative History**

10/9/14 Safety and Licensing Committee recommended for approval

[14-1709](#) Reserve "Class B" Beer/Liquor License application of Rye, Inc., Ronald C. Schoenfeld, Agent, 300 W. College Avenue, contingent upon approvals from all departments.

**Legislative History**

10/9/14 Safety and Licensing Committee recommended for approval

## 2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[14-1610](#) R/B-Spears-Request from Thao Vue for a variance to Municipal Code, Section 19-91 Front Yard Parking, for the property at 1335 W. Glendale Avenue **up to the original expansion. New expansion to be removed.**

**Attachments:** [Thao Vue variance.pdf](#)  
[1335 W. Glendale Ave.pdf](#)

**Legislative History**

9/23/14 Municipal Services Committee recommended for approval

*Aldersperson Dannecker moved, seconded by Aldersperson Coenen, that the Report Action item be approved as amended. Roll Call. Motion carried by the following vote:*

*Aye: 4-Aldersperson Dannecker, Aldersperson Garb and Aldersperson Martin*

*Nay: 1-Aldersperson Dalton*

10/7/14 Municipal Services Committee recommended for approval

[14-1657](#) Approve modified Street Occupancy Permit Policy.

**Attachments:** [Modified Street Occupancy Permit Policy.pdf](#)

**Legislative History**

10/7/14 Municipal Services recommended for approval  
Committee

[14-1660](#) Approve modified Driveway Opening Policy.

**Attachments:** [Driveway opening policy.pdf](#)

**Legislative History**

10/7/14 Municipal Services recommended for approval  
Committee

[14-1661](#) Request from Mr. Gregg Kuhlow to waive his \$75 non-compliance yard waste collection fee.

**Attachments:** [Mr. Gregg Kuhlow fee waived.pdf](#)

**Legislative History**

10/7/14 Municipal Services recommended for denial  
Committee

[14-1662](#) Approve FREE parking for Small Business Saturday (November 29, 2014).

**Attachments:** [FREE parking for Small Business Saturday.pdf](#)

**Legislative History**

10/7/14 Municipal Services recommended for denial  
Committee

### 3. MINUTES OF THE CITY PLAN COMMISSION

[14-1688](#) Request to approve Special Use Permit Application #13-14 - to allow a new medical office building that exceeds thirty-five (35) feet in height, not to exceed forty-two (42) feet in height, in a C-2 General Commercial District.

**Attachments:** [Special Use Permit 13-14 for 10-6-14.pdf](#)

**Legislative History**

10/6/14 City Plan Commission recommended for approval

[14-1708](#) Request to approve Preliminary Plat - Pierce Plat

**Attachments:** [StaffReport PreliminaryPlat PiercePlat 10-06-14 Revised.pdf](#)

**Legislative History**

10/6/14 City Plan Commission recommended for approval

#### 4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

#### 5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[14-1698](#) Request to approve variance to building height restriction requirements for Lot 2, CSM 5726 Northeast Business Park

**Attachments:** [FVHO Variance 10-6-14.pdf](#)

**Legislative History**

10/6/14	Community & Economic Development Committee	recommended for approval
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#### 6. MINUTES OF THE UTILITIES COMMITTEE

[14-1672](#) Award Replacement and Repair of doors at Wastewater Plant to Tri-City Glass and Door in the amount of \$28,692 with a contingency of \$1,308 for a project total not to exceed \$30,000.

**Attachments:** [Door Replacement-Repairs 2014.docx](#)

**Legislative History**

10/7/14	Utilities Committee	recommended for approval
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[14-1689](#) Approve Contract Amendment #1 for the AWWTP Evaluation of Phosphorous Treatment Optimization and TMDL Compliance Project to CH2M Hill for additional consulting services in the amount of \$15,285 resulting in a decrease in contingency from \$15,285 to \$0.

**Attachments:** [TMDL Compliance Project Contract Amendment #1.doc](#)

**Legislative History**

10/7/14	Utilities Committee	recommended for approval
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#### 7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[14-1703](#) Approve the Award of the Valley Transit Tire and Tire Related Services Contract to Pomp's Tire Service

**Attachments:** [Approve the Award of the Valley Transit Tire and Tire Related Services Contract](#)

**Legislative History**

10/8/14	Fox Cities Transit Commission	recommended for approval
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#### 8. MINUTES OF THE BOARD OF HEALTH

**9. MINUTES OF THE HUMAN RESOURCES COMMITTEE**

[14-1719](#) Request to approve 2015 medical and dental plan designs and pricing for benefited non union employees.

**Attachments:** [2015 medical insurance.pdf](#)  
[Insurance planning presentation 7-7-14.pdf](#)

**Legislative History**

10/6/14 Human Resources recommended for approval  
 Committee

**10. MINUTES OF THE FINANCE COMMITTEE**

[14-1666](#) Request to approve the following 2014 Budget adjustments:

**Facilities Management Fund**

Charges for Services	\$(15,900)
Janitorial Services	\$(15,900)

To decrease janitorial service expense and the charges to the Parks Department for pavilion cleaning now being performed by Parks Department staff

**General Fund - Parks Dept**

Part-time Wages	\$15,900
Facilities Charges	\$(15,900)

To increase part-time wages and reduce facilities charges for pavilion cleaning now being done by part-time staff rather than contracted through the Facilities Management Dept.

**Attachments:** [Pavilion Housekeeping 2014 Budget Adjustment.doc](#)

**Legislative History**

10/8/14 Finance Committee recommended for approval

[14-1695](#) Request to award Unit S-14 Sewer & Water Reconstruction No. 3 to Dorner, Inc. in the amount of \$313,546.50 with a 4.7% contingency of \$15,100.00 for a project total not to exceed \$328,646.50.

**Attachments:** [Award of Contract S-14.pdf](#)

**Legislative History**

10/8/14 Finance Committee recommended for approval



[14-1696](#) Request to award Green Parking Ramp Stair Replacement to Hietpas Welding, Inc. in the amount of \$59,266.00 with a 5.0% contingency of \$2,963.30 for a project total not to exceed \$62,229.30.

**Attachments:** [Award of Contract - Green Ramp Stair Replacement.pdf](#)

**Legislative History**

10/8/14 Finance Committee recommended for approval

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

[14-1730](#) Ordinance #73-14

**Attachments:** [Ordinances going to 10-16-2013 Council.pdf](#)

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER COUNCIL BUSINESS

T. ADJOURN

Dawn A. Collins, City Clerk

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