



City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, October 5, 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
[16-1533](#) Common Council meeting minutes of September 21, 2016
Attachments: [CC Minutes 9-21-16.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR
[16-1534](#) 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 MUNICIPAL SERVICES COMMITTEE**

[16-1418](#)

Mary Street, from North Street to Pacific Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 26', which is 1' narrower than the existing street. The curb and gutter along the east west side of Mary Street will be narrowed by 1', which will save 5 4 existing street trees along the east west side of the street. Parking would be prohibited along the east side of Mary Street within the project limits.

Attachments: [Attachment regarding trees.pdf](#)

Legislative History

9/13/16	Municipal Services Committee	recommended for approval
9/21/16	Common Council	referred to the Municipal Services Committee
	<i>Aldersperson Konezke referred this item back to the Municipal Services Committee.</i>	
9/21/16	Common Council	amended
9/27/16	Municipal Services Committee	recommended for approval
	<i>Item 16-1418 amended. Changed the narrowed side to the west side, saving 4 trees on the west side of the street. No parking still on the east side.</i>	

[16-1513](#)

Request from Valley New School to create a secured bike parking area for their students in the old smoking indented area of City Center Street.

Attachments: [Valley New School bike parking.pdf](#)

Legislative History

9/27/16	Municipal Services Committee	recommended for approval
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[16-1514](#)

Approve Amendment No. 3 to a R.A. Smith National, Inc. for additional services related to the S. Oneida Street Design in the amount of \$13,571.19 for a revised not to exceed contract amount of \$814,159.28.

Attachments: [Amendment #3-Oneida Street Design.pdf](#)

Legislative History

9/27/16	Municipal Services Committee	recommended for approval
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2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[16-1457](#) Operator's License application of Donald R. Hayden, W4082 Rock Road.

Attachments: [Donald R. Hayden.pdf](#)
[SL Denials- D. Hayden.pdf](#)

Legislative History

9/28/16 Safety and Licensing Committee recommended for approval

The Motion to recommend approval failed 2/3.

Mr. Hayden was in attendance and addressed the Committee stating that he is working to get his life back on track and needs the license in order to advance at his current employer. Mr. Hayden brought three individuals with him that spoke in favor of him receiving the license:

Patricia Stirn, 3320 E Paris Way #9, Appleton- Current Supervisor

Jolene Birlton, 930 Rosevelt St, Kaukauna -Current Manager

Holly Tank, W4082 Rock Rd, Appleton -friend and Former Supervisor

[16-1522](#) Operator's License application of Kyle J. Marx, 2206 E. John St.

Attachments: [Kyle J Marx.pdf](#)
[SL Denials- K. Marx.pdf](#)

Legislative History

9/28/16 Safety and Licensing Committee recommended for denial

Mr. Marx was in attendance and addressed the Committee stating that he didn't know he had to disclose his convictions on the application.

[16-1436](#) Operator's License application of Michelle L. Tegen, 1556 E. Moon Beam Trail.

Attachments: [Michelle Tegen.pdf](#)
[Tegan denial.pdf](#)

Legislative History

9/14/16 Safety and Licensing Committee recommended for denial

Ms. Tegen addressed the Committee regarding her conviction record stating reasons why she felt her Operator License should be approved.

9/21/16 Common Council referred to the Safety and Licensing Committee

This item was referred back to Committee by Alderperson Jirschele.

9/28/16 Safety and Licensing Committee recommended for denial

Ms. Tegen was in attendance and addressed the Committee regarding her record and why she feels she is eligible for an operator's license.

[16-1464](#) Operator's Licenses

Attachments: [Operator's Licenses for 9-28-16 S & L.pdf](#)

Legislative History

9/28/16 Safety and Licensing Committee recommended for approval

[16-1469](#) Class "A" Beer License - Change of Agent of Kwik Trip, Matthew A. Oetzel, Agent, 2120 E. Edgewood Dr., contingent upon approval from the Police Department.

Legislative History

9/28/16 Safety and Licensing Committee recommended for approval

[16-1470](#) "Class B" Beer/Liquor License application of Taste of Thai Appleton LLC, d/b/a Taste of Thai, Natcha Jitmaiwong, Agent, 321 E. College Ave., contingent upon approval from all departments.

Legislative History

9/28/16 Safety and Licensing Committee recommended for approval

[16-1488](#) "Class A" Beer/Liquor License - Change of Agent of Walgreens, Jason J. Jarmuskiewicz, Agent, 729 W. Northland Ave, contingent upon approval from the Police Department.

Legislative History

9/28/16 Safety and Licensing Committee recommended for approval

[16-1489](#) "Class B" Beer/Liquor License - Change of Agent of Applebee's, John L. Chastain, Agent, 3040 E. College Ave., contingent upon approval from the Police Department.

Legislative History

9/28/16 Safety and Licensing Committee recommended for approval

[16-1497](#) Secondhand Article License application of Kay Jewelers, 3845 E. Calumet St., Megan L. Stepniewski, Applicant, contingent upon approval from all departments.

Legislative History

9/28/16 Safety and Licensing Committee recommended for approval

[16-1519](#) Kennel License application of Woof Lodge & Rescue, Khrysta M. Plamann, Applicant, 2705 S. Lake Park Rd., contingent upon approval from all departments.

Legislative History

9/28/16	Safety and Licensing Committee	recommended for approval
9/30/16	Safety and Licensing Committee	recommended for approval

[16-1520](#) Revised Special Event Policy

Attachments: [Special Event Policy 9-23-16.pdf](#)
[Special Event Policy - Jan. 2010.pdf](#)
[Special Events Expense 2015.pdf](#)
[Special Event Policy Update Memo to S&L.pdf](#)
[Special Event Policy 9-23-16 Redlined.pdf](#)

Legislative History

9/28/16	Safety and Licensing Committee	recommended for approval
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3. MINUTES OF THE CITY PLAN COMMISSION

[16-1492](#) Request to approve Special Use Permit #5-16 for a restaurant with alcohol sales and service at 106 S. State Street, as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report (2/3 vote required)

Attachments: [StaffReport_Mr. Taco_SpecialUsePermit#5-16.pdf](#)

Legislative History

9/26/16	City Plan Commission	recommended for approval
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4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[16-1498](#) Action: Request Approval of Updated Recreation Program Fee Waiver Policy

Attachments: [Fee Waiver Policy Memo \(9-26-16\).doc](#)
[Fee Waiver Policy, Clean & Redlined \(9-26-16\).pdf](#)

Legislative History

9/26/16 Parks and Recreation Committee recommended for approval
Motion to amend as written:

"Family - Youth and up to two adults who live together, where the youth lives with the adult(s) full-time or part-time, and where the adult(s) are the legal guardian of the youth.

Resident - a person currently residing within the corporate city limits of the City of Appleton.

Youth - a person aged 17 or under."

[16-1499](#)

Action Item: Request to Adopt the Proposed Revised Chapter 13 Park Ordinances and Park Rules

Attachments: [Chapter 13 Park Ordinance Memo \(9-26-16\).docx](#)

[Chapter 13, Parks Rules & Regs Redlined & Clean Format \(9-26-16\).pdf](#)

Legislative History

9/26/16 Parks and Recreation Committee recommended for approval

5. MINUTES OF THE FINANCE COMMITTEE

[16-1523](#)

Request to award Unit CC-16 Milis Drive and Eisenhower Drive Sewer and Water to Kruczek Construction, Inc in the amount of \$255,555.55 with a 5% contingency of \$12,800 for a project total not to exceed \$268,355.55.

Attachments: [Award of Contract CC-16.pdf](#)

[16-1524](#)

Request to approve Bid Package #1 into the Guaranteed Maximum Price Amendment for the Fox Cities Exhibition Center construction project for a contract not to exceed \$3,595,039, and approve the related 2016 Budget adjustment:

Exhibition Center Construction Project

Building Construction	\$3,595,039
Room Tax Revenue/Proceeds of Debt	\$3,595,039

To award bid package #1 to Calnin & Goss for earthwork and earth retention (2/3 vote required).

Attachments: [Finance Committee FCEC Bid #1 Award.pdf](#)

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[16-1377](#)

City Program Funding Approval and City Proposals for 2017 CDBG Funding

Here is a link to all of the Project RUSH reports and the Housing Survey from Wilder:

<http://www.fchc.net/annual-report-documents/>

Attachments: [City Proposals Memo to CEDC Amended 9-28-16.pdf](#)

[CDBG Policy.pdf](#)

[CEDD CDBG Application.pdf](#)

[Dept Proposals CEDC Memo ORIGINAL 9-14-16.pdf](#)

[CDBG PowerPoint Presentation 2016.pdf](#)

[Aldersperson Lobner's Questions re Small House Community.pdf](#)

Legislative History

9/14/16	Community & Economic Development Committee	recommended for approval
9/21/16	Common Council	referred to the Community & Economic Development Committee
	<i>This item was referred back to Committee by Aldersperson Lobner.</i>	
9/28/16	Community & Economic Development Committee	recommended for approval

[16-1528](#)

****CRITICAL TIMING**** Request to approve the Offer to Purchase from Onstage Audio, LLC to purchase Lot 4, Northeast Industrial Park Plat 4 for a price of \$50,000.00 (\$34,722.22 per acre), comprised of approximately 1.44 acres, be countered to reflect a purchase price of \$52,992.00 (\$36,800.00 per acre) and amend Lines 287 and 293 as referenced in the attached memo

Attachments: [Onstage Audio OTP Memo 9-30-16.pdf](#)

[Onstage Audio Offer to Purchase - Parcel 1-5362.pdf](#)

[Bldg rendering.pdf](#)

[Goodland Drive Utilities.pdf](#)

[Northeast Industrial Park Plat 4.pdf](#)

[AvailableSites 9-30-16.pdf](#)

7. MINUTES OF THE UTILITIES COMMITTEE[16-1501](#)

Award Motor Control Center Electrical Maintenance Contract to Midwest Electrical Testing in the amount of \$17,725 with a 10% contingency of \$1,773 for a project total not to exceed \$19,498.

Attachments: [MCC Electrical Contract for AWWTP.pdf](#)

Legislative History

9/27/16	Utilities Committee	recommended for approval
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- 8. **MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**
- 9. **MINUTES OF THE FOX CITIES TRANSIT COMMISSION**
- 10. **MINUTES OF THE BOARD OF HEALTH**
- M. CONSOLIDATED ACTION ITEMS
- N. ITEMS HELD
- O. ORDINANCES
 - [16-1535](#) Ordinance 57-16 through 75-16
 - Attachments:* [Ordinances going to Council 10-5-16.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.