



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, August 21, 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
[13-1157](#) Approve August 7, 2013 Council Meeting Minutes.
Attachments: [CC Minutes 08-07-2013.pdf](#)
- H. BUSINESS PRESENTED BY THE MAYOR
- I. PUBLIC HEARINGS
[13-1158](#) Public Hearing for Text Amendment Ch. 23 Section 23-206(b)
(File ID #13-994 July 29, 2013 City Plan Commission meeting.)
Attachments: [Public Hearing Council 8-21-2013 Ch 23 Sec. 23-206 docx.doc](#)
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

[13-1032](#) Class "B" Beer and Class "C" Wine license application of Java Warung, LLC, David W. Pickett, Agent, 1915 N Richmond Street, contingent upon departmental approvals.

Legislative History

8/15/13 Safety and Licensing Committee recommended for approval

[13-1034](#) Secondhand Article License application for Button & Bowties, LLC, 405 West Wisconsin Avenue, contingent upon departmental approvals.

Legislative History

8/15/13 Safety and Licensing Committee recommended for approval

[13-1036](#) The Taxicab Driver's License application of Jeffrey D. Meidam, 8 Newberry Court, #5.

Legislative History

8/15/13 Safety and Licensing Committee recommended for approval
Jeffrey Meidam addressed the Committee.

[13-1039](#) Operator's License application of Jessica L. Ahrens, 218 South Outagamie Street.

Legislative History

8/15/13 Safety and Licensing Committee approved
Motion on felony possession with intent to deliver is not substantially related.

8/15/13 Safety and Licensing Committee approved
Motion on second felony is not substantially related.

8/15/13 Safety and Licensing Committee recommended for denial

[13-1041](#) Operator's License application of Holy Waters Brecheen, 911 Winchester Road, Neenah.

Legislative History

8/15/13 Safety and Licensing Committee recommended for denial

[13-1042](#) An update and request for an extension on the Liquor Licenses inactivity for 318 West College Avenue, Michael W. Rohr.

Attachments: [Inactivity Update - W. College.pdf](#)
[Inactivity Letter.pdf](#)

Legislative History

8/15/13 Safety and Licensing Committee recommended for approval
Atty Michael Rohr appeared to speak on request for extension.

[13-1047](#) Special Class "B" Beer License applications filed after the agenda was published.

Legislative History

8/15/13 Safety and Licensing Committee recommended for approval
The Special Class B License application of Virgen De la Esperanza, Claudia Fernandez, Person In Charge, 2626 North Oneida Street, August 31, 2013.

[13-1055](#)

Operator's Licenses

Attachments: [Operator's Licenses for 8-1-13 S & L.doc](#)
[Operator's Licenses for 08-15-13 S & L.pdf](#)

Legislative History

8/15/13 Safety and Licensing Committee recommended for approval

[13-1059](#)

Request to amend licensed premises description for "Class B" Beer/Liquor license of Sangrias Mexican Grill & Bar, LLC at 215 S Memorial Drive to read as follows: current description with the addition of sidewalk patio and porch - contingent upon departmental approvals.

Legislative History

8/15/13 Safety and Licensing Committee recommended for approval

[13-1125](#)

Request to Approve the Contract for Wisconsin Hazardous Materials Response System Services.

Attachments: [Fire Memo 08-08-2013.pdf](#)

Legislative History

8/15/13 Safety and Licensing Committee recommended for approval

[13-1126](#)

"Class B" Beer/Liquor License application of Mojitos Mexican Grill & Bar, LLC, Shirley B. Gregory, Agent, 2639 South Oneida Street, contingent upon departmental approvals.

Legislative History

8/15/13 Safety and Licensing Committee recommended for approval

[13-1127](#)

Change of Agent for Formosa Restaurants, LLC, d/b/a Confucius Restaurant, 2230 East Northland Avenue, Appleton, to Yu Ming Tung, contingent upon department approval.

Legislative History

8/15/13 Safety and Licensing Committee recommended for approval

[13-1131](#)

Non-Renewal Hearing for the Operator's License of Andrew L. Carr, 2205 Cloudview Court.

Attachments: [Andrew L. Carr.pdf](#)
[Andrew L Carr - Findings of Fact and Conclusions of Law.pdf](#)
[ANDREW L CARR.pdf](#)

Legislative History

8/15/13 Safety and Licensing Committee recommended for denial

[13-1135](#) Non-Renewal Hearing for the Operator's License of Kyle D. Willenkamp, 2923 North Peach Tree Lane.

Attachments: [Kyle D. Willenkamp.pdf](#)
[Kyle D Willenkamp - Findings of Fact and Conclusions of Law.pdf](#)
[KYLE D. WILLENKAMP.pdf](#)

Legislative History

8/15/13 Safety and Licensing Committee recommended for denial

[13-1136](#) Non-Renewal Hearing for the Operator's License of David A. Glaser, 2424 East Main Street, Kaukauna.

Attachments: [David A. Glaser.pdf](#)
[David A Glaser - Findings of Fact and Conclusions of Law.pdf](#)
[DAVID A. GLASER.pdf](#)

Legislative History

8/15/13 Safety and Licensing Committee recommended for denial

2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[13-1117](#) Badger Avenue from Mason Street to Wisconsin Avenue be reconstructed with concrete pavement and curb and gutter to a width of 47' from back of curb to back of curb, which is 2' narrower than the existing street width. The newly reconstructed Badger Avenue would include an 8' parking lane along the north/east side of the street, a 2' buffer area between the parking lane and bike lane, a 5' wide bike lane along the north/east side of the street, two 12.5' travel lanes, and a 6' wide bike lane along the south/west side of the street. Parking would be removed from the south/west side of Badger Avenue within the proposed project limits. New concrete sidewalk would be constructed to the right-of-way line along the property at 1219 Badger Avenue.

Legislative History

8/13/13 Municipal Services Committee recommended for approval
Amended to include the closure of Douglas Street on the north and south side of Badger Avenue.

Meeting went into Recess

Meeting Reconvened

- [13-1120](#) Meade Street from 1st Avenue to Florida Avenue be reconstructed with concrete pavement and curb and gutter to a width of 54' from back of curb to back of curb, which is 11 feet wider than the existing street width. The newly reconstructed Meade Street would be reconstructed to accommodate two 5-foot bike lanes along each side of the street and would include two 11' outside travel lanes and two 10.5' inside travel lanes. Existing sidewalk would be reconstructed to 6' wide directly adjacent to the curb and gutter. Parking would be removed from both sides of Meade Street within the proposed project limits.

Legislative History

8/13/13 Municipal Services recommended for approval
Committee

Aldersperson Coenen left the meeting at 7:18.

- [13-1121](#) Request from Graphic House, Inc. on behalf of the YMCA of Appleton for a permanent street occupancy permit to install three (3) banners in the Durkee Street right-of-way.

Attachments: [YMCA Permanent Street Occupancy.pdf](#)

Legislative History

8/13/13 Municipal Services recommended for approval
Committee

- [13-1122](#) Recommended parking changes on Catherine Street and Washington Street.

Attachments: [Catherine St and Washington St parking changes.pdf](#)

Legislative History

8/13/13 Municipal Services recommended for approval
Committee

3. MINUTES OF THE CITY PLAN COMMISSION

- [13-994](#) Text Amendments - Article X of Chapter 23 of the Municipal Code, Floodplain Zoning relating to Sec. 23-206(b) Official Maps and Revisions

Attachments: [Text Amendment Attachment.pdf](#)

Legislative History

7/29/13 City Plan Commission recommended for approval
Proceeds to Council 8/21/13

- [13-1089](#) Special Use Permit #10-13 - David Pickett, 1915 N. Richmond Street for restaurant with alcohol sales and consumption.

Attachments: [Special Use #10-13 Attachment.pdf](#)

Legislative History

8/12/13 City Plan Commission recommended for approval
Proceeds to Council on 8/21/13

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[13-997](#) 2013 Annual Action Plan Substantial Amendment allocation recommendations. (Referred back from Common Council as amended)

Attachments: [AdditionalAwardRecommendations.docx](#)

[CDBG info.pptx](#)

Legislative History

7/29/13	Community & Economic Development Committee	recommended for approval
8/7/13	Common Council	referred <i>Referred, as amended, to Community & Economic Development by Alderperson Jirschele.</i>
8/7/13	Common Council	amended <i>Amend to strike the proposed \$37,133 in funding for Parks and Recreation.</i>
8/12/13	Community & Economic Development Committee	recommended for approval

[13-1029](#) Resolution #21-R-13/Jirschele - "Be it resolved that the City of Appleton allocate \$25,000 to engage an industry-accomplished professional to serve as consultant and project manager/driver to determine the willingness of LNR to give the community the protection it needs to assure the continued viability of the proposed exhibition center and a) Review the current state of the project and negotiations among the various parties to evaluate and profile the strengths, weaknesses and potential of the current situation by September 15, 2013, and b) Identify a prudent, practical plan to move negotiations/planning forward on behalf of the people of Appleton and its neighbors throughout the Fox Cities by November 2, 2013, and c) Negotiate that plan through to final resolution, or terminate the initiative, by January 1, 2014." (Referred back from Common Council)

Attachments: [Budget Adj memo EC.docx](#)

[Exhibition Center Resolution.pdf](#)

Legislative History

7/29/13	Community & Economic Development Committee	recommended for approval
	<i>Amended to: That the City of Appleton allocate \$25,000 to engage an industry-accomplished professional to serve as consultant and project manager/driver to determine the willingness of LNR to give the community the protection it needs to assure the continued viability of the proposed exhibition center and,</i>	
	<i>a) Review the current state of the project and negotiations among the various parties to evaluate and profile the strengths, weaknesses and potential of the current situation by September 15, 2013, and;</i>	
	<i>b) Identify a prudent, practical plan to move negotiations/planning forward on behalf of the people of Appleton and its neighbors throughout the Fox Cities by November 1, 2013, and;</i>	
	<i>c) Negotiate that plan through to final resolution or terminate the initiative by January 1, 2014.</i>	
8/7/13	Common Council	referred to the Community & Economic Development Committee
	<i>Referred to Community & Economic Development by Alderperson Coenen.</i>	
8/12/13	Community & Economic Development Committee	recommended for approval

[13-1061](#)

Fair Housing Ordinance

Attachments: [CEDC Memo Fair Housing July 25 2013.doc](#)
[Fair Housing Ordinance\(3\).pdf](#)

Legislative History

7/29/13	Community & Economic Development Committee	held
8/12/13	Community & Economic Development Committee	recommended for approval

[13-1130](#)

Budget Adjustment for Neighborhood Academy

Attachments: [Neighborhood Academy Attachment.pdf](#)

Legislative History

8/12/13	Community & Economic Development Committee	recommended for approval
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6. MINUTES OF THE UTILITIES COMMITTEE[13-1107](#)

Amend (Amendment #4) 2011G Stormwater Consulting Services contract with GRAEF for the Appleton East Stormwater Storage project by an amount not to exceed \$33,744.

Attachments: [GRAEF 2011G Amendment #4.docx](#)

Legislative History

8/13/13	Utilities Committee	recommended for approval
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[13-1143](#) Approval of the Appleton / Grand Chute inter-governmental agreement for the Sensus Water Meter System.

Attachments: [Appleton Grand Chute Intergovernmental Agreement.pdf](#)

Legislative History

8/13/13 Utilities Committee recommended for approval

7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

8. MINUTES OF THE BOARD OF HEALTH

9. MINUTES OF THE HUMAN RESOURCES COMMITTEE

10. MINUTES OF THE FINANCE COMMITTEE

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

[13-1159](#) Ordinance #74-13.

Attachments: [Ordinance going to 08-21-2013 Council.pdf](#)

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

T. ADJOURN

CHARLENE M. PETERSON, CMC/WCMC
City Clerk

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