



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, November 18, 2015

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

[15-1896](#) Common Council Meeting Minutes of November 4, 2015 Public Hearing on the 2016 Executive Budget

Attachments: [CC Minutes 11-04-2015 - Budget Public Hearing.pdf](#)

[15-1897](#) Common Council Meeting Minutes of November 4, 2015

Attachments: [CC Minutes 11-04-2015.pdf](#)

[15-1926](#) Common Council Meeting Minutes of November 11, 2015 - Budget Adoption

Attachments: [CC Minutes 11-11-2015 - Budget Adoption.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR

[15-1645](#) Presentation of National Geographic Information System Day

[15-1941](#) Appointment of Suzanne Brault Pagel to the Library Board

Attachments: [CC 11-18-2015 - Library Board Appointment.pdf](#)

- I. PUBLIC HEARINGS

[15-1935](#) Public Hearing - Comp Plan Amendment #1-15

Attachments: [CC 11-18-2015 - PH - Comp Plan #1-15.pdf](#)

[15-1936](#) Public Hearing - Rezoning #4-15 (Glenhurst Lane)

Attachments: [CC 11-18-2015 - PH - Rezoning #4-15.pdf](#)

[15-1937](#) Public Hearing - Text Amendment - Floodplain Zoning

Attachments: [CC 11-18-2015 - PH - Floodplain Text Amendment.pdf](#)

[15-1938](#) Public Hearing - PD Rezoning #5-15 - French Road

Attachments: [CC 11-18-2015 - PH - PD Rezoning #5-15.pdf](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[15-1859](#) Request from Mr. Jherd Hamby, 922 W. Lorain Street, to have his sidewalk snow removal bill of \$75 waived.

Attachments: [922 W. Lorain St.pdf](#)

Legislative History

11/10/15	Municipal Services Committee	recommended for denial
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15-1843

Approve design for the 2018 S. Oneida Street (Skyline Bridge to Valley Road) Concrete Reconstruction Project as follows:

- From **Valley Road to Murray Street**: reconstruct roadway with concrete pavement to a width of 68' from back of curb to back of curb which would accommodate 2 thru lanes in each direction, a center two way left turn lane, and bike lanes in each direction. In addition, a 6' wide sidewalk would be constructed tight to the back of curb. This cross section would require approximately 2' of right of way acquisition from each side.
- From **Murray Street to Calumet Street**: continue the same proposed cross section as stated above including bike lanes, except the two way left turn lane would be a raised concrete median with a left turn lane on to Calumet Street and a left turn lane on to Murray Street. This is similar to the existing cross section. Right of way acquisition in this section would vary from 0 to 2' on the east side and 3' to 6' on the west side.
- From **Calumet Street to Ramlen Court**: continue similar cross section as previous section including bike lanes, with a raised concrete median and allowing a left turn lane on to Calumet Street. Right of way acquisition in this section would vary from 4' to 7' on the east side and 2' to 12' on the west side.
- From **Ramlen Court to Foster Street**: construct two lanes in each direction with bike lanes in each direction. Construct a left turn lane on to Ramlen Court.
- From **Foster Street to McKinley Street**: construct the same cross section as stated in the Valley Road to Murray Street section including bike lanes. The proposed two way left turn lane would transition into a left turn lane at Fremont Street and at Seymour Street. Construct a raised concrete median approximately 300' north of Seymour Street to prevent left turns out of the hospital parking lot. Right of way acquisition in this section would vary from 0' to 11' on the east side and 2' to 16' on the west side.
- From **McKinley Street to Skyline Bridge**: continue the two thru lanes in each direction and bike lanes in each direction. Construct a raised concrete median with a left turn lane on to Olde Oneida Street and a left turn lane into the Riverview Gardens driveway. Right of way acquisition in this section would vary from 1' to 13' on the west side only.
- **Olde Oneida Street from Oneida Street to E. South River Street**: reconstruct the roadway with concrete pavement to accommodate one thru lane in each direction, bike lanes in each direction and a right turn

lane on to Oneida Street. Construct a 6' wide sidewalk tight to the back of curb on both sides. A cul-de-sac would be constructed on Orange Street to eliminate the intersection of Orange Street with Olde Oneida Street. Construct indented parking along the south side of Olde Oneida Street between Orange Street and Lincoln Street. All other on-street parking would be removed from Olde Oneida Street.

- **Calumet Street from 650' west of Oneida Street to Jefferson Street:** reconstruct the roadway with concrete pavement to accommodate two thru lanes in each direction, bike lanes in each direction, left turn lanes on to Oneida Street and a right turn lane from eastbound Calumet Street on to southbound Oneida Street. Construct a 6' wide sidewalk tight to the back of curb on both sides. Right of way acquisition in this section would vary from 0' to 12' on the north side and 0' to 5' on the south side.
- **Marigold Mile:** The proposed plan includes a 1' strip between the back of curb and the sidewalk for planting the marigolds along Oneida Street from Calumet Street to McKinley Street.

Legislative History

11/10/15 Municipal Services recommended for approval
Committee
Hold the Olde Oneida street section of action item 15-1843. Motion by Coenen, 2nd by Dalton. Approved 4-0.

[15-1846](#)

Approve proposed parking restriction changes on Lincoln Street in conjunction with the **S. Oneida Street Reconstruction Project**.

Attachments: [Parking restrictions on Lincoln St.pdf](#)

Legislative History

11/10/15 Municipal Services recommended for approval
Committee
Amend item 15-1846 amended to add language that states in conjunction with the S. Oneida Street Reconstruction Project.

2. **MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

[15-1886](#)

Operator's Licenses

Attachments: [Operator's Licenses for 11-18-2015 S&L.pdf](#)

[15-1905](#) "Class B" Beer/Liquor License application of Dairyland Brewing Co LLC, d/b/a Dairyland Brew Pub, Dorri M. Schmidt, Agent, 1216 E. Wisconsin Ave., contingent upon approval from all departments.

Attachments: [Memo Dairyland Brewing SUP Needed.pdf](#)

[15-1862](#) "Class B" Beer/Liquor License - Change of Agent, Elephant & Castle Inc., d/b/a Union Jack, Angela K. Franz, Agent, 812 S. Olde Oneida Street, contingent upon approval from the Police Department.

[15-1927](#) Secondhand Article License Renewal application of Richmond Resale LLC, Dean M. Vandenhoy, Applicant, 204 N. Richmond Street, contingent upon approval from all departments.

[15-1928](#) Secondhand Article License Renewal application of Play It Again Sports, Shane A. Herron, Applicant, 611 W. Northland Avenue, contingent upon approval from all departments.

[15-1929](#) Secondhand Article License Renewal application of Warehouse Office Products, Jeff S. Lemery, Applicant, 1825 N. Richmond Street, contingent upon approval from all departments.

[15-1933](#) Secondhand Article License Renewal application of Side Quest Gaming LLC, John J. Steudel, Applicant, 502 W. College Avenue, contingent upon approval from all departments.

[15-1930](#) Secondhand Jewelry License Renewal application of Tennes Jewelry, Brian D. Frisch, Applicant, 208 E. College Avenue, contingent upon approval from all departments.

[15-1931](#) Secondhand Jewelry License Renewal application of Avenue Jewelers, Jason A. Druxman, Applicant, 303 E. College Avenue, contingent upon approval from all departments.

[15-1932](#) Secondhand Jewelry License Renewal application of Expert Jewelry Repair, Randy L. Kester, Applicant, 636 W. College Avenue, contingent upon approval from all departments.

3. MINUTES OF THE CITY PLAN COMMISSION

- [15-1603](#) Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-15 for two (2) undeveloped parcels (Lots 1 & 2 of the Apple Creek Center Plat) located along the north side of E. Glenhurst Lane (Tax Id #31-1-6501-00 & 31-1-6501-02) from Commercial designation to Multi-Family Residential designation and approve the attached resolution

Attachments: [Comp Plan Amend #1-15 Staff Review.pdf](#)

Legislative History

10/12/15 City Plan Commission recommended for approval
Proceeds to Council on November 18, 2015.

- [15-1605](#) Request to approve Rezoning #4-15 for two (2) undeveloped parcels (Lots 1 & 2 of the Apple Creek Center Plat) located along the north side of E. Glenhurst Lane (Tax Id #31-1-6501-00 & 31-1-6501-02), including to the centerline of the adjacent right-of-way, as shown on the attached map, from C-O Commercial Office District to R-3 Multi-Family Residential District

Attachments: [Rezoning #4-15 Staff Review.pdf](#)

Legislative History

10/12/15 City Plan Commission recommended for approval
Proceeds to Council on November 18, 2015.

- [15-1607](#) Request to approve Special Use Permit #13-15 for a community living arrangement (CLA) serving 50 persons located along the north side of E. Glenhurst Lane (Tax Id #31-1-6501-00 & 31-1-6501-02) to run with the land, with an exception to the Aldermanic District 13 CLA capacity limitation per Section 23-52(b)(2)(a) of the Zoning Ordinance, subject to the conditions in the attached staff report and as shown on the attached maps

Attachments: [StaffReport_CenturyOaksII_SUP_For10-12-15.pdf](#)

Legislative History

10/12/15 City Plan Commission recommended for approval
Proceeds to Council on November 18, 2015.

[15-1717](#)

Request to approve PD Rezoning #5-15 for undeveloped parcels generally located at the corner of CTY JJ and French Road (Property Tax #'s 31-1-7301-02, 31-1-7301-03, 31-1-7301-04, 31-1-7301-05, 31-1-7301-06 and 31-1-7301-07) from PD/C-2 Planned Development General Commercial District #6-00 to PD/C-2 Planned Development General Commercial District #5-15, with the attached Development Plan and Implementation Plan Document, including the adjacent right-of-way as shown on the attached map and subject to the conditions in the attached staff report

Attachments: [PD Rezoning #5-15 Staff Review.pdf](#)

Legislative History

10/26/15 City Plan Commission recommended for approval
Proceeds to Council on November 18, 2015.

[15-1721](#)

Request to approve the proposed Zoning Ordinance Text and Map Amendments to Article X Floodplain Zoning of Chapter 23 of the Municipal Code, Section 23-206(b) Official Maps and Revisions as identified in the attached staff report

Attachments: [Staff Report ZO Floodplain Text Map Amendment Quarry.pdf](#)

Legislative History

10/26/15 City Plan Commission recommended for approval
Proceeds to Council on November 18, 2015.

[15-1856](#)

Request to approve Special Use Permit #15-15 for a restaurant/bar with an outdoor patio area with alcohol sales and service, at 325 North Appleton 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

Attachments: [SUP #15-15 Staff Review.pdf](#)

Legislative History

11/9/15 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

- [15-1823](#) Request to reject awarding Wastewater Treatment Plant S-Building Air Handler Replacement to B&P Mechanical for a contract amount of \$168,000 and approve the following budget adjustment:

Wastewater Capital Projects

S-Building Air Handler Replacement Project	- \$112,190
Elec Transformer and Switchgear Replacement Proj	+\$112,190

to re-allocate funds to another project.

Attachments: [2015 Wastewater Plant Bid Recommendation to Deny.pdf](#)

- [15-1826](#) Request to approve Change Order #3 to Oudenhoven Construction, Inc. for the Wastewater Sludge Storage Improvements Project in the form of a credit in the amount of \$2,163.50 resulting in an expense of \$93 to the approved contingency (also appears on the Utilities Committee agenda as an informational item).

Attachments: [Change Order 3.pdf](#)

- [15-1920](#) Resolution introduced at the October 26, 2015 City Plan Commission meeting relating to Accepting Petition for Annexation - Spartan Drive Lift Station Annexation, Town of Grand Chute.

Attachments: [Spartan Drive Lift Station Annexation Resolution.pdf](#)

- [15-1921](#) Request to approve Amendment and Change Order No. 1 to contract 26-15 for Unit E-15 Miscellaneous Concrete and Street Excavation Repairs to increase for adding funding to this contract for parking lot improvements at Fire Station No. 1 which were approved as part of the Facilities & Grounds 2015 Capital Projects budget in the amount of \$80,000. This contract does not include a contingency. Overall contract increased from \$604,800 to \$684,800.

Attachments: [Contract Amendment - Unit E-15 Miscellaneous Concrete and Street Excavation](#)

- [15-1922](#) Request to approve Amendment and Change Order No. 1 to contract AG-933 for Miscellaneous Maintenance in the Blue, Yellow, and Green Parking Ramps to increase for priority repairs of two structural columns in the Blue Parking Ramp in the amount of \$11,320. The contract contingency will remain at \$3,258.20. Overall contract increased from \$30,741.80 to \$42,061.80.

Attachments: [Boldt - 2015 Miscellaneous Parking Lot Maintenance.pdf](#)

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[15-1861](#)

Request to approve 2016 Community Development Block Grant Allocation Recommendations

Attachments: [Alloc Recs Memo to CEDC 11-11-15.pdf](#)

[2016 CDBG Summary of Recommendations.pdf](#)

[Board Members Attachment 2016.pdf](#)

Legislative History

11/11/15 Community & Economic recommended for approval
Development Committee

Various people from the audience spoke on this item. Alderperson Williams amended the motion to change the public service distribution by dividing the total \$78,000 evenly among the 7 applicants to give them each \$11,142.86. Alderperson Baranowski seconded the amendment. It was pointed out that the new amount needs to be reduced by \$.02 to arrive at the \$78,000 total, and it was determined the Compassionate Home Health Care amount would be reduced by \$.02. After discussion, Alderperson Williams withdrew her amendment and Alderperson Baranowski withdrew his second.

[15-1881](#)

Request to approve the Offer to Purchase from Quantum Healthcare LLC for Lot 4 of CSM #3490 in the Northeast Industrial Park, comprised of approximately 2.69 acres for a price of \$100,000 (\$37,174.72 per acre) and affirm per Section 2.A.6 of the Deed Restrictions and Covenants and Section 23-22 of the Zoning Code that a medical office building including outpatient imaging and outpatient procedures is consistent with the development objectives of the City

Attachments: [Quantum OTP Memo 11-11-15.pdf](#)

[Offer to Purchase Lot #4.pdf](#)

[Quantum Map.pdf](#)

[CSM3490lot4 Rest and Cov.pdf](#)

[Section23-131_M-1_IndustrialParkDistrict.pdf](#)

Legislative History

11/11/15 Community & Economic recommended for approval
Development Committee

7. MINUTES OF THE UTILITIES COMMITTEE

8. MINUTES OF THE HUMAN RESOURCES COMMITTEE

[15-1637](#)

Request to approve the Aldermanic salary for the election year 2017.

Attachments: [Elected Alderperson Salaries 11-26-15.pdf](#)
[Alderperson community salary schedules.pdf](#)
[Alderperson community salary schedules #2.pdf](#)

Legislative History

10/12/15	Human Resources Committee	held
10/26/15	Human Resources Committee	recommended for approval
	<i>No increase for 2017</i>	
11/4/15	Common Council	referred to the Human Resources Committee
	<i>A motion was made by Alderperson Meltzer, seconded by Alderperson Lobner to amend this item.</i>	
	<i>Amendment No. 1 (Meltzer): Amend this item to increase the alderperson salary by 5% for the election year 2017.</i>	
	<i>A vote was taken on the amendment and failed. This item was then referred back to the Human Resources Committee by Alderperson Baranowski.</i>	
11/9/15	Human Resources Committee	recommended for approval
	<i>1% increase to salary for 2017.</i>	
11/9/15	Human Resources Committee	recommended for approval
	<i>First motion by Konetzke/Spears to reaffirm 0% increase.</i>	
	<i>Motion failed due to 2/2 vote.</i>	
	<i>Second motion:</i>	
	<i>1% increase to salary for 2017.</i>	

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

[15-1940](#)

Resolution of the Common Council Accepting Petition for Annexation - Spartan Drive Lift Station
Finance Agenda: Item #15-1920

Attachments: [CC 11-18-2015 - Spartan Drive Annexation Resolution.pdf](#)

O. ITEMS HELD

P. ORDINANCES

[15-1939](#) Ordinances 99-15 - 102-15

Attachments: [Ordinances going to 11-18-2015 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

Jamie L. Griesbach, Deputy City Clerk

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