



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, February 3, 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
[16-161](#) Common Council Meeting Minutes of January 20, 2016

Attachments: [CC Minutes 01-20-2016.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR
[16-163](#) Presentation of Proclamation declaring the Marigold as the Official Flower of the City of Appleton.

- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS
- 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

- [16-104](#) Award of 2016 Materials Testing Contract (M-16) to OMNNI Associates, Inc. in an amount not to exceed \$75,000.

Attachments: [Award of 2016 M-16.pdf](#)

Legislative History

1/26/16	Municipal Services Committee	recommended for approval
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- [16-105](#) Approve amendment No. 6 to the State/Municipal Agreement for the Prospect Avenue Bridge over Jackman Street Project for additional design engineering and plan preparation of a new retaining wall located at the southeast corner of the bridge in an amount not to exceed \$22,554.90 (City share \$4,510.98)

Attachments: [State-Municipal Agreement for Prospect Bridge .pdf](#)

Legislative History

1/26/16	Municipal Services Committee	recommended for approval
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- [16-106](#) Approve request from Appleton Downtown Inc. for a sidewalk occupancy permit to hold a Sidewalk Sale on Saturday, May 7, 2016 from 10:00 a.m. to 3:00 p.m. in accordance with the College Avenue Sidewalk Sale Permit Policy.

Attachments: [ADI Sidewalk Sale.pdf](#)

Legislative History

1/26/16	Municipal Services Committee	recommended for approval
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- [16-107](#) Approve Six-Month Trial Period for proposed parking change on W. Summer Street.

Attachments: [Proposed parking change on W. Summer St.pdf](#)

Legislative History

1/26/16	Municipal Services Committee	recommended for approval
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- [16-140](#) Approve 2016 Sole Source Purchasing Request for various traffic equipment and technologies.

Attachments: [2016 Sole Source Purchasing Report.pdf](#)

Legislative History

1/26/16	Municipal Services Committee	recommended for approval
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2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[15-1953](#)

#16-R-15/Lobner

WHEREAS secondhand dealers allow our residents access to necessities, clothing, entertainment and more that they might not be able to find or afford elsewhere.

AND WHEREAS the City of Appleton currently requires secondhand dealers to hold purchased items for a minimum of 21 days before allowing them to be resold.

AND WHEREAS Wisconsin State Statute 134.71 allows municipalities to reduce that holding period to seven days if daily reports of purchased items are submitted electronically.

AND WHEREAS municipalities both within the Fox Valley and around the state have reduced their waiting period to seven days, putting current and prospective secondhand businesses in the City of Appleton at a potential competitive disadvantage.

THEREFORE BE IT RESOLVED that the City of Appleton shall adopt electronic reporting of secondhand purchases and reduce the holding period to seven days, pursuant to State Statute 134.71.

Legislative History

12/2/15	Safety and Licensing Committee	held
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12/2/15	Common Council	held
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12/9/15	Safety and Licensing Committee	held
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Ald. Konetzke suggests notifying the current secondhand dealers in the City to advise that we're examining revising the ordinance.

Ald. Konetzke motions to hold until the January 13th meeting to allow for these businesses to be notified of the proposed change.

1/13/16	Safety and Licensing Committee	amended
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1/13/16	Safety and Licensing Committee	recommended for denial
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[16-049](#)

Secondhand Article Renewal application of The Attique Resale, James A. Boylan, Applicant, 415 N. Oneida St., contingent upon approval from all departments.

Legislative History

1/27/16	Safety and Licensing Committee	recommended for approval
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[16-050](#) Operator's Licenses

Attachments: [Operator's Licenses for 01-27-2016 S&L.pdf](#)

Legislative History

1/27/16 Safety and Licensing recommended for approval
Committee

[16-053](#) Secondhand Article License Renewal application of GameStop #5520, Michael L. Nichols, Applicant, 3825 E. Calumet St., Ste. 500, contingent upon approval from all departments.

Legislative History

1/27/16 Safety and Licensing recommended for approval
Committee

[16-054](#) Secondhand Article License Renewal application of GameStop #3349, Michael L. Nichols, Applicant, 2640 W. College Ave., contingent upon approval from all departments.

Legislative History

1/27/16 Safety and Licensing recommended for approval
Committee

[16-080](#) Operator's License application of Emily A. Stibbe, 604 9th Street, Menasha.

Attachments: [S&L Item 16-080 Letters.pdf](#)

Legislative History

1/27/16 Safety and Licensing recommended for denial
Committee
Lt. Miller presented the results of the applicant's background check and the reasons for the recommended denial.
Ms. Stibbe was in attendance and spoke citing reasons she feels her application should be approved. Ms. Stibbe also provided four documents to the committee for their review when considering her operator's license application.

[16-081](#) "Class B" Beer/Liquor License application of Taste of Thai Restaurant LLC, Touger Thor, Agent, 321 E. College Ave., contingent upon approval from all departments.

Legislative History

1/27/16 Safety and Licensing recommended for approval
Committee

[16-097](#) Change of Agent of Walgreen Co. d/b/a Walgreens #07323, Ross J. Mueller, Agent, 3330 E. Calumet St., contingent upon approval from Police Department.

Legislative History

1/27/16 Safety and Licensing recommended for approval
Committee

[16-139](#)

Reserve "Class B" Beer/Liquor License application of AF Inc., d/b/a Bamboo, Chuan Shun Chen, Agent, 2230 E. Northland Ave., contingent upon approval from all departments.

Legislative History

1/27/16 Safety and Licensing recommended for approval
Committee

3. MINUTES OF THE CITY PLAN COMMISSION

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[16-109](#)

Action Item: Award contract to MSA Professional Services for design and engineering services for Erb Park and Pool for a contract of \$838,000 and a 5% contingency for a contract not to exceed \$879,900.

Attachments: [2016 Erb Pool Architect and Engineer.pdf](#)

Legislative History

1/25/16 Parks and Recreation recommended for approval
Committee

[16-142](#)

Action Item: Award contract to Alta Planning and Design for a contract of \$112,968 for the development of a Trails Master Plan

Attachments: [2016 Trails Master Plan Comm Memo.doc](#)

Legislative History

1/25/16 Parks and Recreation recommended for approval
Committee

5. MINUTES OF THE FINANCE COMMITTEE

[16-130](#)

Request to sole source contract to File Tech to rebuild a Mobile Shelving Unit at the Police Department for a contract fee of \$35,000 with no contingency. Contract not to exceed \$35,000.

Attachments: [2016 PD Mobile Shelving Rebuild Sole Source.pdf](#)

Legislative History

1/26/16 Finance Committee recommended for approval

[16-144](#)

Request to approve Amendment and Change Order No. 2 to contract 26-15 for Unit E-15 Miscellaneous Concrete and Street Excavation Repairs to increase for additional street patches due to water main and inlet reconstruction in the amount of \$53,226.11. This contract does not include a contingency. Overall contract increased from \$684,800 to \$738,026.11.

Attachments: [Contract Amendment No2- Unit E-15 Miscellaneous Concrete and Street Excav](#)

Legislative History

1/26/16 Finance Committee recommended for approval

[16-147](#)

Request to approve the following 2015 Budget adjustment:

Exhibition Center Capital Projects Fund

Consulting Services	+\$14,635
Room Tax	+\$14,635

to record the cost of legal and consulting services incurred after the closing of the land for the exhibition center project.

Attachments: [Memo to Council on HC Phase III Dec. 2015 Invoice.pdf](#)

[January 19, 2016 H & C Bill for 12.15.pdf](#)

[Previous Memo to ARA for Phase III Overage.pdf](#)

Legislative History

1/26/16 Finance Committee recommended for approval

[16-154](#)

Request to approve the following 2015 Budget adjustment:

Wastewater Capital Project

Digester Improvement Project	+\$114,972
Bar Screen Project	- \$114,972

to record transfer of positive Bar Screen budget variance to fund Digester Project.

Attachments: [Digester Improvements Bid Award A.W.pdf](#)

Legislative History

1/26/16 Finance Committee recommended for approval

[16-155](#)

Request to approve the following 2015 Budget adjustment:

Wastewater Capital Project

Digester Improvement Project	+\$43,842
Contractor Fees	- \$43,842

to record transfer of positive O&M Contractor Fees from 2015 budget to fund O&M Digester painting and repair projects as part of August Winter Digester contract.

Attachments: [Digester Improvements Bid Award_A.W.pdf](#)

Legislative History

1/26/16	Finance Committee	recommended for approval
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6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[16-128](#)

****CRITICAL TIMING**** Request to approve the repurchase of Lot 10 of Plat 4 in the Northeast Industrial Park from Romenesko Developments, Inc.

Attachments: [Romenesko Lot 10 repurchase CEDC 1-27-16.pdf](#)

Legislative History

1/27/16	Community & Economic Development Committee	recommended for approval
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[16-135](#)

Hinshaw & Culbertson Hourly Fee Bill Review for Phase III Services Concerning Exhibition Center and Approval of December 2015 Invoice

Attachments: [Memo to Council on HC Phase III Dec. 2015 Invoice.pdf](#)

[Previous Memo to ARA for Phase III Overage.pdf](#)

[January 19, 2016 H & C Bill for 12.15.pdf](#)

Legislative History

1/27/16	Community & Economic Development Committee	recommended for approval
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[16-143](#)

****CRITICAL TIMING**** Request to approve the extension of the Option to Purchase by United Investments, Inc. and/or assigns to purchase 21 acres of land, more or less, at the northwest corner of Eisenhower Drive and Midway Road in Southpoint Commerce Park

Attachments: [Memo on Extension of Option to Purchase Southpoint Commerce 1-2016.pdf](#)

[Request from United Investments for Extension-Southpoint Commerce Park.pdf](#)

[Southpoint Commerce Park Option to Purchase Fully Signed \(10-12-15\).pdf](#)

[Memo on Option to Purchase Southpoint Commerce 10-2015.pdf](#)

[Exhibit A Option to Purchase 21 Acres.pdf](#)

Legislative History

1/27/16 Community & Economic recommended for approval
Development Committee

7. MINUTES OF THE UTILITIES COMMITTEE

[16-134](#) Award sole source contract for MBC Panel Replacement at the Water Plant to Energy Control and Design, Inc. in the amount of \$37,098.

Attachments: [2016 Water Plant MBC Panel Replacement.pdf](#)

Legislative History

1/26/16 Utilities Committee recommended for approval

[16-156](#) Award Digester Improvements Project Base Bid and Alternate Bids #2 and #3 to August Winter Construction in the amount of \$363,658 with contingency of \$38,000 for a project total not to exceed \$418,008.

Attachments: [Finance Memo Digester Improvements Bid Award_A.W.pdf](#)

Legislative History

1/26/16 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

[16-145](#) Request to approve program changes to the 2016 Water Distribution Capital Improvement Program (Business Unit 5371).

Attachments: [Water CIP Plan Modifications.pdf](#)

Legislative History

1/26/16 Finance Committee recommended for approval

[16-146](#) Approve program changes to the 2016 Water Distribution Capital Improvement Program (Business Unit 5371).

Attachments: [Water CIP Plan Modifications.pdf](#)

Legislative History

1/26/16 Utilities Committee recommended for approval

N. ITEMS HELD

O. ORDINANCES

[16-159](#) Ordinance 13-16

Attachments: [Ordinance going to Council 02-03-2016.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

[16-164](#) Discussion of Exhibition Center Next Steps

- S. ADJOURN

Kami Scofield, City Clerk

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