



# 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, December 21, 2016

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

[16-1976](#) Common Council Meeting Minutes of December 7, 2016

**Attachments:** [CC Minutes 12-7-16.pdf](#)

[16-1977](#) Common Council Meeting Minutes of December 14, 2016

**Attachments:** [CC Minutes 12-14-16.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR

[16-1974](#) Reappointment of Jason Druxman, Gary Schmitz, and Nathan Weyenberg to the Business Improvement District Board.

**Attachments:** [BID BD Reappt Memo 121616.pdf](#)

[16-1975](#) Information Item:  
Reappointment of Karen Harkness to the Fox Cities Convention & Visitors Bureau Board of Directors

**Attachments:** [FCCVB BD Reappt 121616.pdf](#)

- I. PUBLIC HEARINGS

[16-1954](#) Public Hearing for Rezoning #7-16

**Attachments:** [Public Hearing RZ #7-16 .pdf](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

**1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[16-1931](#) Award 2017 Materials Testing Contract (M-17) to OMNNI Associates, Inc. in an amount not to exceed \$100,000.

**Attachments:** [2017 Materials Testing Contract.pdf](#)

**Legislative History**

12/13/16	Municipal Services Committee	recommended for approval
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[16-1932](#) Award 2017 Contract for Operation, Maintenance and Monitoring at the Closed City of Appleton Landfill to SCS Engineers, in an amount not to exceed \$70,140.

**Attachments:** [2017 Contract for Operation, Maintenance and Monitoring.pdf](#)

**Legislative History**

12/13/16	Municipal Services Committee	recommended for approval
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[16-1933](#) Approved proposed Truck Route changes as recommended in the Downtown Mobility Study.

**Attachments:** [Truck Route changes-Downtown Mobility Study.pdf](#)

**Legislative History**

12/13/16	Municipal Services Committee	recommended for approval
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[16-1934](#) Approve proposed parking change on Kamps Avenue between Locust Street and Bennett Street.

**Attachments:** [Kamps Ave between Locust St and Bennett St..pdf](#)

**Legislative History**

12/13/16	Municipal Services Committee	recommended for approval
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[16-1935](#) Approve proposed parking changes on Eighth Street/Walnut Street/Sixth Street/Elm Street related to the Fox Cities Exhibition Center.

**Attachments:** [Parking changes-Fox Cities Exhibition Center.pdf](#)

**Legislative History**

12/13/16      Municipal Services      recommended for approval  
                 Committee

[16-1936](#)      Approve proposed parking changes on Hancock Street between Lawe Street and Meade Street.

**Attachments:** [Hancock St between Lawe St and Meade St.pdf](#)

**Legislative History**

12/13/16      Municipal Services      recommended for approval  
                 Committee

[16-1948](#)      Award of Contract for the design and construction related services for the northbound Oneida Street Bridge Reconstruction Project over Jones Park to Patrick Engineering, in an amount not to exceed \$228,861.

**Attachments:** [Oneida Street Bridge Reconstruction Project.pdf](#)

**Legislative History**

12/13/16      Municipal Services      recommended for approval  
                 Committee

[16-1950](#)      Amendment to the scope of services & contract amount for the Railroad Quiet Zone Feasibility & Implementation Plan consulting services contract.

**Attachments:** [Railroad Quiet Zone Feasibility & Implementation Plan.pdf](#)

**Legislative History**

12/13/16      Municipal Services      recommended for approval  
                 Committee

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

[16-1733](#)      Secondhand Jewelry License Renewal application of Avenue Jewelers, Jason Druxman, Applicant, 303 E. College Ave., contingent upon approval from all departments.

**Legislative History**

12/14/16      Safety and Licensing      recommended for approval  
                 Committee

[16-1734](#)      Secondhand Article License Renewal application of Warehouse Office Products, Jeff S. Lemery, Applicant, 1825 N. Richmond St., contingent upon approval from all departments.

**Legislative History**

12/14/16      Safety and Licensing      recommended for approval  
                 Committee

- [16-1796](#) Secondhand Jewelry License Renewal application of Expert Jewelry Repair, Randy L. Kester, Applicant, 636 W. College Ave., contingent upon approval from all departments.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1797](#) Secondhand Article License Renewal application of Active Bike & Fitness LLC, Mark A. Fluette, Applicant, 1421 N. Richmond St., contingent upon approval from all departments.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1799](#) Secondhand Jewelry License Renewal application of Tennie's Jewelry, Brian D. Frisch, Applicant, 208 E. College Ave., contingent upon approval from all departments.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1817](#) Secondhand Article License Renewal application of The Exclusive Company, J.A. Giombetti, Applicant, 770 W. Northland Ave., contingent upon approval from all departments.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1831](#) Secondhand Article License Renewal application of Play It Again Sports, Shane A. Herron, Applicant, 611 W. Northland Ave., contingent upon approval from all departments.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1832](#) Secondhand Article License Renewal application of Tiffani's Bridal & Consignment, Tiffani Rose Ebben, Applicant, 1314 W. College Ave. #6, contingent upon approval from all departments.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1834](#) Secondhand Jewelry License Renewal application of Scanlan Jewelers, Judy A. Scanlan, Applicant, 2031 E. Calumet St., contingent upon approval from all departments.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1835](#) Secondhand Article License Renewal application of Replay Toys, Chris L. Freimuth, Applicant, 1131 N. Badger Ave., contingent upon approval from all departments.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1836](#) Secondhand Article License Renewal application of Tina Marie's Unique Boutique, LLC, Tina Marie Ahrens, Applicant, 206 E. College Ave., contingent upon approval from all departments.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1841](#) Operator's License application of Laurie A. Cooper, 743 W. Eighth Street.

**Attachments:** [Laurie A. Cooper.pdf](#)  
[SL Denials L.Cooper.pdf](#)

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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*Ms. Cooper was in attendance but did not wish to address the Committee.*

*Paul Vanderlinden, her supervisor at Muncieez spoke on Ms. Cooper's behalf stating that she is an excellent employee who has turned her life around and deserves to hold an operator license. Ms. Cooper answered questions from the Committee about Lt. Miller's reference to an outstanding warrant in Arkansas.*

- [16-1844](#) Secondhand Article License Renewal application of ecoATM, LLC, Hunter E. Bjorkman, Applicant, 3701 E. Calumet St., contingent upon approval from all departments.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1855](#) Reserve "Class B" Beer/Liquor License Change of Agent of Red & White, Inc., David Herbeck, Agent, 2400 S. Kensington Dr., contingent upon approval from the Police Department.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1857](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 12-14-16 S & L.pdf](#)

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1866](#) Operator's License application of Garret S. King, 3222 N. Lawe Street.

**Attachments:** [Garret S. King.pdf](#)  
[SL Denials G.King.pdf](#)

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for denial
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*Mr. King was in attendance but did not wish to speak to the Committee.*

- [16-1871](#) Request to Sole Source the Purchase of the Emergency Vehicle Preemption Equipment.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1872](#) Secondhand Article License Renewal application of Beatnik Betty's Resale Butik, Monica L. Austin, Applicant, 214 E. College Ave., contingent upon approval from all departments.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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- [16-1873](#) Secondhand Jewelry License Renewal application of Krieger Jewelers, Jamie L. Boyce, Applicant, 934 W. Northland Ave., contingent upon approval from all departments.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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[16-1874](#)

Reserve "Class B" Beer/Liquor License Change of Agent, Timeless Tavern LLC, Jared M. Korn, Agent, 215 E. College Ave., contingent upon approval from the Police Department.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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[16-1875](#)

"Class B" Beer/Liquor License Change of Agent of Apple Hospitality Group LLC, d/b/a Applebee's, Kenneth J. Lemerond, Agent, 3040 E. College Ave., contingent upon approval from the Police Department.

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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[16-1887](#)

Recommendation to Purchase Class B Firefighting Foam from W. S. Darley

**Attachments:** [Memo Requesting Purchase of Solberg foam from Darley.pdf](#)

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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[16-1942](#)

Class "B" Beer/"Class C" Wine License application of Artful Expressions LLC d/b/a Pinot's Palette, Amy L. Duffey, agent, 226 E. College Ave., contingent upon approval from all departments.

**Attachments:** [Pinots Palette application.pdf](#)

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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[16-1952](#)

Request to Revise Chapter 9, Article XIII Division 3 of the Municipal Code, Rotating Call List Towing Services

**Attachments:** [S L Memo Towing Ordinance.pdf](#)

[Proposed Tow Ordinance \(edited 12-2-16\).pdf](#)

[tow companies rates 2016 \(2\).pdf](#)

[Tow Ordinance \(CURRENT 12-09-16\).pdf](#)

[Proposed Fee Schedule \(edited 12-12-16\).pdf](#)

[Proposed Tow Ordinance \(edited 12-14-16\).pdf](#)

**Legislative History**

12/14/16	Safety and Licensing Committee	recommended for approval
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*The following citizens spoke regarding this item:*

*Scott from D&D Towing*

*Butch Vanderputen, retired from a towing company*

### 3. MINUTES OF THE CITY PLAN COMMISSION

[16-1820](#) Request to approve Rezoning #7-16 to rezone 320 and 410 S. Walnut Street (Tax Id #31-3-0827-00, #31-3-0680-00, #31-2-0220-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from PD/CBD Planned Development Central Business District to CBD Central Business District

**Attachments:** [StaffReport\\_OutagamieCoCampus\\_Rezoning\\_For11-21-16.pdf](#)

**Legislative History**

11/21/16 City Plan Commission recommended for approval  
*Proceeds to Council on December 21, 2016.*

[16-1882](#) Request to approve Special Use Permit #7-16 for a light manufacturing use in a C-2 General Commercial District, located at 1115 W. Tuckaway Lane (Tax Id #31-8-1569-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the condition in the attached staff report (2/3 vote required)

**Attachments:** [StaffReport\\_Press\\_Color\\_SpecialUsePermit#7-16.pdf](#)

**Legislative History**

12/12/16 City Plan Commission recommended for approval

[16-1884](#) Request to approve Special Use Permit #8-16 for a standalone parking lot in a CBD Central Business District, located at 227 S. Walnut Street (Tax Id #31-3-0851-00), 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) (Attached letter received on 12-14-16, after the Plan Commission meeting)

**Attachments:** [StaffReport\\_227SWalnutSt\\_SUP\\_For12-12-16.pdf](#)

[Letter from Schaff & Rattray Opposing SUP#8-16 Request.pdf](#)

**Legislative History**

12/12/16 City Plan Commission recommended for approval

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

[16-1922](#) Action: Award the City of Appleton "2016 Erb Playground Equipment Project" contract to Lee Recreation, LLC in an amount not to exceed \$145,000

**Attachments:** [2016 Erb Playground award.docx](#)

**Legislative History**

12/12/16 Parks and Recreation Committee recommended for approval



[16-1926](#)

Action: Request Approval of Reciprocity Agreement with the City of Neenah

**Attachments:** [City of Neenah Reciprocity Agreement.pdf](#)

**Legislative History**

12/12/16	Parks and Recreation Committee	recommended for approval
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[16-1927](#)

Action: Request Approval of Reciprocity Agreement with the City of Menasha

**Attachments:** [City of Menasha Reciprocity Agreement.pdf](#)

**Legislative History**

12/12/16	Parks and Recreation Committee	recommended for approval
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## 5. MINUTES OF THE FINANCE COMMITTEE

[16-1891](#)

Request to award contract to Unifirst Corporation for rental and cleaning of uniforms and related items.

**Attachments:** [Uniform Contract Recommendation.pdf](#)

**Legislative History**

12/13/16	Finance Committee	recommended for approval
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[16-1892](#)

Request to approve Change Order #1 to contract 50-16 for Erb Park and Pool renovation project for a separated recirculation system of slides in the amount of \$130,590.99 resulting in a decrease of the contingency from \$613,048 to \$482,457.01. No change to the overall contract amount.

**Attachments:** [2016 Erb Pool Construction Change Order #1.pdf](#)

**Legislative History**

12/13/16	Finance Committee	recommended for approval
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[16-1893](#)

Request to write off \$14,003.29 of accounts receivable invoices and \$19,481.52 of personal property taxes (outstanding over one year).

**Attachments:** [Written off accounts list.pdf](#)

**Legislative History**

12/13/16	Finance Committee	recommended for approval
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- [16-1915](#) Request to approve Bid Packages and project related expenses into the Guaranteed Maximum Price Amendment to Miron Construction for the Fox Cities Exhibition Center for a contract not to exceed \$5,585,083; and to reject bids from Applied Flooring Solutions, Braun Thyssen Krupp Elevator LLC and Schindler Elevator Corporation for not meeting and/or following bidding requirements.

**Attachments:** [2016 Expo Center Bid Package #2 - Guaranteed Maximum Price Amendment .j](#)

**Legislative History**

12/13/16 Finance Committee recommended for approval

- [16-1917](#) Request to award Unit Y-16 Arbutus Park Stormwater Lift Station (rebid) to August Winter and Sons, Inc in the amount of \$213,775 with a 10% contingency of \$21,377.50 for a project total not to exceed \$235,152.50.

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

**Legislative History**

12/13/16 Finance Committee recommended for approval

- [16-1918](#) Request to award Unit S-17 Spartan Drive Sanitary Lift Station to August Winter and Sons, Inc. in the amount of \$760,250 with a 10% contingency of \$76,025 for a project total not to exceed \$836,275.

**Attachments:** [Spartan Dr Lift Station.pdf](#)

**Legislative History**

12/13/16 Finance Committee recommended for approval

## **6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

- [16-1896](#) Request to approve a Variance to the Declaration of Covenants and Restrictions, Item 3.A for the Northeast Industrial Park Plat #4, allowing for a minimum building size of 5,000 square feet for Parcel #31-1-5362-00 on Goodland Drive

**Attachments:** [Onstage variance 12-6-16.pdf](#)

**Legislative History**

12/14/16 Community & Economic Development Committee recommended for approval

## **7. MINUTES OF THE UTILITIES COMMITTEE**

- [16-1859](#) Intergovernmental Cooperation Agreement between the City of Appleton and the City of Neenah for Solicitation of Chemical Quotations.

**Attachments:** [Intermunicipal Agreement - Appleton and Neenah - Chemical Quote Solicitation](#)

**Legislative History**

12/13/16      Utilities Committee      recommended for approval

[16-1912](#)

Award 2017C Northland Pond Construction Related Services Contract to Brown & Caldwell in an amount not to exceed \$77,110.

**Attachments:** [Brown Caldwell 2017C Northland CRS Contract Util Memo 12-07-2016.pdf](#)

**Legislative History**

12/13/16      Utilities Committee      recommended for approval

[16-1914](#)

Amend the 2016C contract for Leona Pond Final Design and Permitting contract to Brown & Caldwell in an amount not to exceed \$27,410.

**Attachments:** [Leona Pond Final Design and Permitting.pdf](#)

**Legislative History**

12/13/16      Utilities Committee      recommended for approval

[16-1947](#)

Approve contract for the Bar Screen #1 Channel Butterfly Valve Rebuild to August Winter and Sons, Inc. for \$111,250 with a contingency of \$13,750 and a project total not to exceed \$125,000.

**Attachments:** [Bar Screen #1 Gate Valve Rebuild Project Award Memo.pdf](#)

**Legislative History**

12/13/16      Utilities Committee      recommended for approval

## **8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE**

[16-1843](#)

Request to award 3 year contract to Associated Benefits and Risk Consulting (ABRC) (formerly Associated Financial Group) to provide benefit consulting services for 2017, 2018 and 2019. With an option to renew for another 3 years.

**Attachments:** [ABRC consulting memo 11-16-16.pdf](#)

**Legislative History**

12/12/16      Human Resources &  
Information Technology  
Committee      recommended for approval

[16-1865](#)

Request to approve a proposed modification to the Department of Public Works table of organization - Parking Utility to convert one Ramp Attendant position to a Ramp Operator I - Parking position.

**Attachments:** [DPW Parking Utility Reorg.pdf](#)

**Legislative History**

12/12/16      Human Resources &  
Information Technology  
Committee      recommended for approval

16-1904

Request to approve Police Professional Association union contract for 2017-2019 with the following adjustments:

2017: 7/1-1.5% and 10/1 1.0%

2018: 1/1-1.5% and 7/1-1.0%

2019: 1/1-1% and 7/1-1.0%

Attachments: [APPA Tentative Agreements November 2 2016.pdf](#)

Legislative History

12/12/16

Human Resources &  
Information Technology  
Committee

recommended for approval

**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

**10. MINUTES OF THE BOARD OF HEALTH**

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

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. ADJOURN

Kami Lynch, City Clerk

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