



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, March 1, 2017

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

[17-253](#)

Common Council Meeting Minutes of February 15, 2017

Attachments: [CC Minutes 2-15-17.pdf](#)

- H. BUSINESS PRESENTED BY THE MAYOR
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY
- L. COMMITTEE REPORTS

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

[17-195](#)

Approve proposed changes to Section 15-33 of Municipal Code related to solid waste at residential properties.

Attachments: [Section 15-33.pdf](#)

Legislative History

2/23/17

Municipal Services
Committee

recommended for approval

- [17-196](#) Approved proposed change to Section 16-10 of Municipal Code related to snow removal from driveway aprons.

Attachments: [Section 16-10.pdf](#)

Legislative History

2/23/17	Municipal Services Committee	recommended for approval
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- [17-197](#) Preliminary Resolution 2-P-17 for Concrete Pavement, Driveway Aprons and Sidewalk Construction be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [Resolution 2-P-17.pdf](#)

Legislative History

2/23/17	Municipal Services Committee	recommended for approval
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- [17-198](#) Request from Jennifer Morales from Mr. Taco for a street occupancy permit to place tables and chairs in the "terrace area" at 106 S. State Street.

Attachments: [Mr. Taco.pdf](#)

Legislative History

2/23/17	Municipal Services Committee	recommended for approval
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- [17-199](#) Request from Lori Locy for a refund of the \$35 reinspection fee for electrical reinspection at 1739 N. Alvin Street.

Attachments: [Lori Locy refund.pdf](#)

Legislative History

2/23/17	Municipal Services Committee	recommended for denial
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2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

- [17-130](#) Operator's Licenses

Attachments: [Operator's Licenses for 2-8-17 S & L.pdf](#)

Legislative History

2/22/17	Safety and Licensing Committee	recommended for approval
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- [17-177](#) Pawnbroker License Renewal application of JGB, LLC d/b/a Mister Money, Gregory A. Baer, Applicant, 1933B N. Richmond St., contingent upon approval from all departments.

Legislative History

2/22/17 Safety and Licensing recommended for approval
 Committee

- [17-188](#) Operator's License application of Parker J. Langworthy, 1707 W. Weiland Lane.

Attachments: [Langworthy, Parker J..pdf](#)
[langworthy denial.pdf](#)

Legislative History

2/22/17 Safety and Licensing recommended for denial
 Committee
Mr. Langworthy was at the meeting and addressed the Committee.

- [17-205](#) Reserve "Class B" Beer/Liquor License application of Appleton Music Hall LLP, d/b/a Gibson Music Hall, Kurt M. Langkau, Agent, 211 W. College Ave., contingent upon approval from all departments.

Attachments: [Gibson Music Hall Beer Liquor License application.pdf](#)

Legislative History

2/22/17 Safety and Licensing recommended for approval
 Committee

- [17-209](#) "Class B" Beer/Liquor License temporary premise description change for March 17 & 18, 2017, 201 S. Walnut St., contingent upon approval from all departments.

Attachments: [McGuinness Irish Pub.pdf](#)

Legislative History

2/22/17 Safety and Licensing recommended for approval
 Committee

- [17-218](#) Amendment to Rate Fees for Towing Companies on the Rotating Call List

Attachments: [Memo- Towing Call List Fees.pdf](#)
[Towing Fee Schedule \(edited 2-16-17\).pdf](#)

Legislative History

2/22/17 Safety and Licensing recommended for approval
 Committee
The following individuals spoke on the item:
Scott, Dansche of D&D towing and Butch Vanderputen, retired from a towing company

3. MINUTES OF THE CITY PLAN COMMISSION**4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**

[17-183](#) Action Item: Award Contract to Zimmerman Architectural Studios for Design and Engineering Services for Jones Parks Design for a Contract of \$219,936 and a Contingency of 15% for a Contract Not-To-Exceed \$252,926

Attachments: [Action-Jones Park Design-Zimmerman \(2-20-17\).doc](#)

Legislative History

2/20/17	Parks and Recreation Committee	recommended for approval
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[17-184](#) Action Item: Award Contract to Lunde & Williams for Design Services for Ellen Kort Peace Park for a Not-To-Exceed Contract of \$25,000

Attachments: [Action-Ellen Kort Peace Park Approval \(2-20-17\).doc](#)

Legislative History

2/20/17	Parks and Recreation Committee	recommended for approval
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[17-187](#) Action Item: Award Contract to McMahon Engineers & Architects for Design and Engineering Services for the Memorial Park Restroom/Concession Facility for a Contract of \$58,325 and a Contingency of 15% for a Contract Not-To-Exceed \$67,074

Attachments: [Action-Memorial Park Design Approval \(2-20-17\).doc](#)

Legislative History

2/20/17	Parks and Recreation Committee	recommended for approval
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5. MINUTES OF THE FINANCE COMMITTEE

[17-243](#) Request to approve Finance Committee Report 2-P-17 for Concrete Pavement, Sidewalk Construction and Driveway Aprons.

Attachments: [Report 2-P-17.pdf](#)

[17-244](#) Request to award Unit CC-17 Bridge Maintenance to NuGen Johnson, LLC in an amount not to exceed \$192,925.

Attachments: [Award of Contract Unit CC-17.pdf](#)

[17-245](#) Request to award Unit U-17 Oneida Street Sewer & Water Reconstruction No. 2 to Dorner, Inc. in the amount of \$2,334,435.50 with a 5.25% contingency of \$122,500 for a project total not to exceed \$2,456,935.50.

Attachments: [Award of Contract Unit U-17.pdf](#)

[17-246](#) Request to award Unit W-17 Sewer & Water Reconstruction No. 1 to Van Straten Construction Co., Inc. in the amount of \$1,868,323.50 with a 5.0% contingency of \$93,415.50 for a project total not to exceed \$1,961,739.

Attachments: [Award of Contract Unit W-17.pdf](#)

[17-247](#) Request to award contract to Hoffman Planning Design and Construction for design and engineering services for Blue Ramp Demolition for a contract of \$101,813 and a contingency of 15% for a contract not to exceed \$117,085.

Attachments: [2017 Blue Ramp Demolition.pdf](#)

[17-248](#) Request to award the Fire Station #3 2017 Roof Replacement project contract to Kaschak Roofing in the amount of \$121,900 with a contingency of 10% for a project total not to exceed \$134,000.

Attachments: [2017 Fire Station #3 Roof Replacement.pdf](#)

[17-249](#) Request to award the Municipal Services Building 2017 Roof Replacement project contract to Weinert Roofing in the amount of \$178,245 with a contingency of 10% for a project total not to exceed \$196,000.

Attachments: [2017 MSB Roof Replacement.pdf](#)

[17-250](#) Request the approval of 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 \$10,440,199.

Attachments: [2017 Expo Center Bid Package #3.pdf](#)

- [17-251](#) Request to reject bids from Elmstar Electric, Suburban Electric, Van Ert Electric and Conference Technologies Incorporation. All bids received were over our budgeted amount. The scope will be reviewed and modified to rebid.

Attachments: [2017 Expo Center Bid Package #3.pdf](#)

- [17-252](#) Request to approve the settlement agreement with CVS Pharmacy for the 2011-2013 and 2014-2016 tax years and approve the related following 2017 budget adjustment:

General Fund - Unclassified

Tax Adjustments	+\$129,061
Fund Balance	- \$129,061

to record the property assessment settlement for tax years 2011-2016 with CVS Pharmacy.

Attachments: [Signed CVS 2014-2016 settlement agreement 2016-02-16.pdf](#)
[Dark Store Resolution with attachments.pdf](#)
[CVS pharmacy 2011 - 2013 refund.pdf](#)
[CVS pharmacy 2014 - 2016 refund.pdf](#)

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

- [17-207](#) Request to approve the attached resolution encouraging our state legislature to close property tax loopholes in Wisconsin

Attachments: [Dark Store Resolution Memo to CEDC 2-22-17.pdf](#)
[City of Appleton Resolution for Proposed Dark Store Legislation.pdf](#)
[Dark Store Resolution Memo Attachments.pdf](#)

Legislative History

2/22/17	Community & Economic Development Committee	recommended for approval
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- [17-208](#) Request to approve a one (1) year lease with Erv Van Camp to farm the undeveloped land at 110 and 210 W. Edgewood Drive, estimated to be approximately 21 acres, at the rental rate of \$100 per acre, with no crop loss provision

Attachments: [FarmLeaseMemo 110&210 W Edgewood 2-10-17.pdf](#)
[110&210 W Edgewood - Farm Lease \(1-30-2017\).pdf](#)
[Edgewood Farm Lease Map EXHIBIT A.pdf](#)
[EXHIBIT B Small Exposure Leases.pdf](#)

Legislative History

2/22/17 Community & Economic recommended for approval
Development Committee

7. MINUTES OF THE UTILITIES COMMITTEE

[17-190](#) Approve Agreement with Outagamie County for public/private utilities associated with their downtown campus expansion project.

Attachments: [CoA - OC - OC Bldg Expansion Agrm \(02-14-2017\).pdf](#)

Legislative History

2/23/17 Utilities Committee recommended for approval

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[17-214](#) Request to approve reorganization for Valley Transit to change 4 part time drivers to variable part time drivers.

Attachments: [VT Request to Change T.O. 02.20.2017.pdf](#)

Legislative History

2/20/17 Human Resources & recommended for approval
Information Technology
Committee

[17-215](#) Request to approve Police Department reorganization for the following:

- Change title of Police Communication Technician to Police Communication Specialist
- Move one Communication Specialist to an Administrative Support Specialist position
- Move supervision of Communication Specialists from a Lieutenant to Administrative Services Supervisor
- Move Administrative Services Supervisor supervision from Captain to Assistant Chief

Attachments: [Police Table of Org Modification Request 2-20-17.pdf](#)
[Police TO Draft 2-20-17.pdf](#)

Legislative History

2/20/17 Human Resources & recommended for approval
Information Technology
Committee

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

17-150 Request to Purchase Transit Buses

Attachments: [VT Request to Purchase New Flyer Buses 02.08.2017.pdf](#)
[Estimated Annual Depreciation Schedule.pdf](#)

Legislative History

2/8/17 Fox Cities Transit Commission recommended for approval
This item was recommended for approval

10. MINUTES OF THE BOARD OF HEALTH**M. CONSOLIDATED ACTION ITEMS**

- 17-216** Request to approve Fire Department reorganization as follows:
- Merge the current two Battalion Chiefs of Training and Special Operations to one Battalion Chief of Resource Development and Special Operations
 - Create a Civilian Training and Resource Development Specialist
 - Reduce the number of Captains from 8 to 6 and increase the number of Lieutenants from 13 to 15

Attachments: [Fire Department Reorganization - February 2017.pdf](#)
[Fire TO existing.pdf](#)
[Fire TO proposed 2017.pdf](#)

Legislative History

2/20/17 Human Resources & Information Technology Committee recommended for approval

17-204 The Appleton Fire Department Requests Approval of the Proposed Reorganization

Attachments: [Table of Organization - Proposed.pdf](#)
[Table of Organization - Proposed \(003\).pdf](#)
[Memo Requesting Appleton Fire Department Reorganization - February 2017.pdf](#)

Legislative History

2/22/17 Safety and Licensing Committee recommended for approval

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

[17-260](#) Convene into Committee of the Whole

[17-263](#) Resolution Authorizing that the City of Appleton guarantee the maintenance of an interest reserve account in an amount not less than \$1.5 million; provided that the reserve account is initially funded with not less than \$2 million from room tax receipts for purposes of financing the Fox Cities Exhibition Center.

Attachments: [Resolution for 3-1-17 Council Meeting-FCEC Financing.pdf](#)

[FCEC Summary Term Sheet Common Council Resolution 2-28-17a.pdf](#)

[17-261](#) Reconvene to Common Council

[17-262](#) Report of the Committee of the Whole

S. ADJOURN

Kami Lynch, City Clerk

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