

City of Appleton

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

Meeting Agenda - Final Common Council

Wednesday, August 2, 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

17-1182 Common Council Meeting Minutes of July 19, 2017

Attachments: CC Minutes 7-19-17.pdf

H. BUSINESS PRESENTED BY THE MAYOR

<u>17-1187</u> Bird City Presentation

I. PUBLIC HEARINGS

<u>17-971</u>

Public Hearing for Rezoning #4-17
Attachments: Public Hearing RZ4-17 .pdf

17-1179 Public Hearing, 4-P-17 for Sanitary Laterals, Storm Laterals and Storm

Main

Attachments: 4-P-17 Sanitary and Storm Public Hearing Notice.pdf

17-1180 Public Hearing for Text Amendment to Chapter 23 Zoning Ordinance and

Map - Article X. Floodplain Zoning

Attachments: Class II PH Notice - Floodplain Text Amendment (2017).pdf

J. SPECIAL RESOLUTIONS

<u>17-1183</u>	International Migratory Bird Day Resolution
	Attachments: #10-R-17 International Migratory Bird Day.pdf
<u>17-998</u>	Final Resolution 4-P-17 for Sanitary Laterals, Storm Laterals and Storm Main
	Attachments: 4-P-17 Sanitary and Storm Final Resolution.pdf
<u>17-1188</u>	Resolution Approving Project Plan for Tax Incremental District 11
	Attachments: Resolution Approving Project Plan for TID #11 8-2-17CC.pdf
<u>17-1189</u>	Resolution Approving Project Plan for Tax Incremental District 12
	Attachments: Resolution Approving Project Plan for TID #12 8-2-17 CC.pdf

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

Alley south of Franklin Street from Summit Street to Story Street, be reconstructed with concrete pavement to its current width, varying from 13' to 15' from edge of pavement to edge of pavement.

Legislative History

7/24/17 Municipal Services recommended for approval Committee

Center Street from North Street to Atlantic Street, be reconstructed with asphalt pavement and concrete curb & gutter to a width of 31', which is 2' narrower than the existing street. Existing parking proposed to remain unchanged.

Legislative History

7/24/17 Municipal Services recommended for approval Committee

17-1101 Roosevelt Street from Morrison Street to Durkee Street, be reconstructed with asphalt pavement and concrete curb & gutter to its current width of 37 feet. The street to be shifted 2' to the north to save 5 existing street trees along the south side of the street. Existing parking proposed to remain unchanged.

Legislative History

7/24/17 Municipal Services recommended for approval Committee

Telulah Avenue from Calumet Street to Marion Street, be reconstructed with concrete pavement to a width of 40.5' from back of curb to back of curb. Project will include two travel lanes (one in each direction), bike lanes along both sides of Telulah Avenue, and a parking lane along the east side of Telulah Avenue. Parking to be prohibited along the west side of Telulah Avenue within the project limits. The west terrace width to be 5' to accommodate the planting of new trees, with the east terrace

Legislative History

width to be 4.5'.

7/24/17 Municipal Services recommended for approval

Committee

17-1103 Request from Chad Wilson to have the \$50 Weed Administration Fee waived for 1530 E. Calumet Street.

Attachments: 1530 E Calumet Street Weed Ordinance.pdf

Legislative History

7/24/17 Municipal Services recommended for denial

Committee

Approve installation of one street light on Providence Avenue, north of Lightning Drive, at an installation cost of \$3,187.94.

Attachments: Lighting at Providence and Lightning.pdf

Legislative History

7/24/17 Municipal Services recommended for approval

Committee

17-1105 Approve Inter-Governmental Agreement with Outagamie County for traffic signal installation and associated improvements at the Northland Avenue (CTH OO)/Conkey Street intersection.

Attachments: Northland Ave-Conkey Street Intersection.pdf

Legislative History

7/24/17 Municipal Services recommended for approval

Committee

17-1106 Request from Tundraland to place a mobile showroom in the street right-of-way during Mile of Music, August 3-August 6, 2017.

Attachments: Tundraland memo and map.pdf

Legislative History

7/24/17 Municipal Services recommended for approval

Committee

Approve Amendment No. 1 to the Collins Engineers, Inc. Contract for the Bridge Rehabilitation Reports to perform additional LRFD loading analysis as requested by WISDOT and to update the South Island Street Bridge Rehab Report in an amount not to exceed \$7,600 (revised contract amount of \$33,696.81)

Attachments: Bridge Rehabilitation Report.pdf

Legislative History

7/24/17 Municipal Services recommended for approval

Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

"Class B" Beer/Liquor License temporary change of premise description of McGuinness Irish Pub, Christopher A. Meyer, Agent, 201 S. Walnut St., August 3 - 6, 2017, contingent upon approval from all departments.

Attachments: Change of Description-McGuinness Irish Pub.pdf

Legislative History

7/26/17 Safety and Licensing recommended for approval

Committee

"Class A" Beer/Liquor License change of premise description of Ultimate Mart LLC d/b/a Pick 'n Save, Richard M. Kostecki, Agent, 2700 N. Ballard Rd., contingent upon approval from all departments.

Attachments: Change of Description-Pick N Save-N Ballard.pdf

Legislative History

7/26/17 Safety and Licensing recommended for approval

Committee

"Class A" Beer/Liquor License change of premise description of Ultimate Mart LLC d/b/a Pick 'n Save, Kenneth A. Voss, Agent, 511 W. Calumet

St., contingent upon approval from all departments.

Attachments: Change of Description-Pick N Save-W Calumet.pdf

Legislative History

7/26/17 Safety and Licensing recommended for approval

Committee

<u>17-1113</u> Salvage Dealer's License Renewal application of Mr. C's Motorcycles, LLC, Janet Egelseer, Applicant, 724 S. Outagamie St., contingent upon

approval from all departments.

Legislative History

7/26/17 Safety and Licensing recommended for approval

Committee

17-1116 Reserve "Class B" Beer/Liquor License application of RiverHeath Hospitality LLC d/b/a Appleton Marriott Courtyard RiverHeath, Cindy L. Evers, Agent, 101 S. RiverHeath Way, contingent upon approval from all departments.

Attachments: RiverHeath Hospitality LLC application.pdf

Legislative History

7/26/17 Safety and Licensing recommended for approval

Committee

17-1164 Operator's Licenses

Attachments: Operator's Licenses for 07-26-17 S & L.pdf

Legislative History

7/26/17 Safety and Licensing recommended for approval

Committee

MINUTES OF THE CITY PLAN COMMISSION 3.

17-966 Request to approve Rezoning #4-17 to rezone 525 South Memorial Drive (Tax Id #31-3-0624-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from C-2 General Commercial District to R-3 Multi-Family District

Attachments: StaffReport HarborHouse Rezoning For06-27-17.pdf

Legislative History

6/27/17 City Plan Commission recommended for approval

17-1005 Request to approve the proposed Zoning Ordinance Text and Map Amendments to Article X Floodplain Zoning of Chapter 23 of the Municipal Code relating to Section 23-206(b)(1)(h) Official maps and revisions, as identified in the attached staff report

Attachments: StaffReport ZOText&MapAmendment FloodplainZoning 7-11-17.pdf

Legislative History

7/11/17 City Plan Commission recommended for approval

Proceeds to Council on August 2, 2017.

17-1007 Request to approve resolution designating the proposed boundaries and approving a project plan for Tax Incremental Financing District #11 -

East College Avenue area

Attachments: Resolution-City Plan Commission TIF 11 .pdf

TIF District 11 Project Plan 2017 FINAL DRAFT 6-22-17.pdf

Resolution-Common Council TIF 11 .pdf

Legislative History

7/11/17 City Plan Commission recommended for approval

Proceeds to Council on August 2, 2017.

17-1009

Request to approve resolution designating the proposed boundaries and approving a project plan for Tax Incremental Financing District #12 - Downtown West

Attachments: Resolution-City Plan Commission TIF 12.pdf

TIF District 12 Project Plan 2017 FINAL DRAFT 6-22-17.pdf

Resolution-Common Council TIF 12 .pdf

Legislative History

7/11/17 City Plan Commission recommended for approval

Proceeds to Council on August 2, 2017.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

17-792 Resolution introduced by Alderpersons Martin, Croatt and Plank at the May 17, 2017 Common Council meeting related to the City Attorney responsibilities:

Resolution #12-R-17 Martin/Croatt/Plank

Whereas, the City Attorney is elected by the voters of Appleton,

And whereas, it is the responsibility of the City Attorney to uphold the constitution of the State of Wisconsin when performing duties of the job he/she is elected to,

And whereas, it is the duty of the Council and Mayor, also elected by the voters, to ensure that the citizens have the legal representation of the Attorney's office in all matters concerning the city,

And whereas, it is critical that the City Attorney be in a work environment that enables and prioritizes that responsibility,

And whereas, State Statute 62.09 (12) states that, "The attorney shall conduct all the law business in which the city is interested",

Therefore be it resolved, the Finance Committee, of which has jurisdiction over the Attorney's office, be charged with creating a policy that reaffirms the City Attorney conducts all legal work when discussing, negotiating, and drafting all agreements and law business the city is a party to, unless special counsel has been retained in circumstances that comply with city policy or State Statute.

Attachments: Agreement Development Policy - Revised 06-06-2017.pdf

Legislative History

5/22/17 Finance Committee referred

7/24/17 Finance Committee recommended for approval

17-1144 Request approval of the following 2017 Budget Adjustment:

Water Utility Fund Balance - \$55,000 Distribution Operations & Maintenance +\$55,000

to provide funding for additional permanent patch locations associated with water main breaks, lead service and curb box replacements.

Attachments: Water Main Break Patches.pdf

Legislative History

7/24/17 Finance Committee recommended for approval

17-1145
Request approval of Contract Amendment/Change Order No. 1 to contract 39-17 for Unit E-17 Miscellaneous Concrete & Street Excavation Repairs to increase for additional street patches from previous years' water main breaks, lead service line replacements, curb box repairs and valve repairs in the amount of \$55,000.00 resulting in no change to contingency. Overall contract increased from \$530,676.25 to \$585,676.25. NOTE: This contract amendment is contingent upon approval of a \$55,000 Budget Adjustment which is a separate action item on this Committee Agenda.

Attachments: Unit E-17 Contract Amendment-Change Order No.1.pdf

Legislative History

7/24/17 Finance Committee recommended for approval

17-1146 Request approval of Contract Amendment/Change Order No. 3 to contract 9-17 for Unit U-17 Sewer and Water Reconstruction No.2 to increase for an additional 25 L.F. of 42" water main reconstruction in the amount of \$27,500.00 resulting in no change to contingency.

Overall contract increased from \$2,480,984.92 to \$2,508,484.92.

Attachments: Unit U-17 Contract Amendment-Change Order No.3.pdf

Legislative History

7/24/17 Finance Committee recommended for approval

17-1147 Request for approval to deed City owned land between Ballard Road and Smoketree Pass (Tax Key 1-8303-11) to the two abutting property owners at 6433 N. and 6505 N. Smoketree Pass.

Attachments: Request to deed City owned Parcel 1-8303-11.pdf

Legislative History

7/24/17 Finance Committee recommended for approval

17-1151 Request to award the 2017 Wastewater Lighting upgrades project to VOE Power and Systems, LLC in the amount of \$41,740 with a contingency of \$10,000 for a project total not to exceed \$51,740.

Attachments: 2017 Wastewater Lighting Upgrades.pdf

Legislative History

7/24/17 Finance Committee recommended for approval

17-1152 Request to award the 2017 MSB Fire Alarm project to VOE Power and Systems, LLC in the amount of \$68,177 with a contingency of \$10,000 for a project total not to exceed \$78,177.

Attachments: 2017 MSB Fire Alarm.pdf

Legislative History

7/24/17 Finance Committee recommended for approval

- 6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE
- 7. MINUTES OF THE UTILITIES COMMITTEE
- 8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

17-1059 Request to approve Public Works reorganization to create a Lead Clerical position and move the clerical staff supervision under the Assistant City Engineer.

Attachments: DPW TO reorganization 7-11-17.pdf

Legislative History

7/26/17 Human Resources & recommended for approval

Information Technology

Committee

17-1062 Request to approve new Bone Marrow and Organ Donation Leave

policy

Attachments: Bone Marrow and Organ Donation Leave Policy.pdf

Legislative History

7/26/17 Human Resources & recommended for approval

Information Technology

Committee

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

Common Council Meeting Agenda - Final August 2, 2017

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

17-1190 Plan Commission Item 17-1007

Special Resolution Item 17-1188

17-1191 Plan Commission Item 17-1009

Special Resolution Item 17-1189

N. ITEMS HELD

<u>17-1111</u> CONSOLIDATED ACTION ITEMS:

Municipal Services Item 17-991 City Plan Commission Item 17-1003 Initial Resolution Item 17-1110

Legislative History

7/19/17 Common Council held

17-991 Approve Discontinuance of Locust Street at the CN Railroad Crossing

Number 179 919F.

Attachments: Discontinuance of Locust St at the CN Railroad crossing.pdf

Legislative History

7/10/17 Municipal Services recommended for approval

Committee

7/19/17 Common Council held

17-1003 Request to approve the street discontinuance to vacate a portion of

South Locust Street public right-of-way in the 100 block at the CN Railroad Crossing Number 179 919F, as shown on the attached maps and legal description, pending approval by the Municipal Services

Committee, and adopt the Initial Resolution

<u>Attachments:</u> <u>StaffReport_StreetVacation_SLocustStreet.pdf</u>

Legislative History

7/11/17 City Plan Commission recommended for approval

7/19/17 Common Council held

17-1110 Initial Resolution- South Locust Street Vacation

Attachments: Locust Street RR Xing - Initial Resolution.pdf

Legislative History

7/19/17 Common Council held

O. ORDINANCES

<u>17-1178</u> Ordinances 52-17 to 57-17

Attachments: Ordinances going to Council 8-2-17.pdf

- P. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION
- Q. OTHER COUNCIL BUSINESS
- R. ADJOURN

Kami Lynch, City Clerk

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