



# City of Appleton

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

## Meeting Agenda - Final-revised Common Council

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Wednesday, April 7, 2021

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. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES  
[21-0355](#) Common Council Meeting Minutes of March 17, 2021  
*Attachments:* [CC Minutes 3-17-21.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR
  - [21-0371](#) Police & Fire Commission Reappointment  
*Attachments:* [PFC Reappointment Memo.pdf](#)
  - [21-0306](#) Certificate of Recognition to Sandy Matz, Director of Human Resources
  - [21-0372](#) Library Week Proclamation  
*Attachments:* [Library Week Proclamation.pdf](#)
  - [21-0373](#) Golden Rule Day Proclamation  
*Attachments:* [Golden Rule Day Proclamation.pdf](#)
  - [21-0374](#) Autism Acceptance Month Proclamation  
*Attachments:* [Autism Acceptance Month Proclamation.pdf](#)

[21-0393](#) Public Health Week Proclamation

**Attachments:** [Public Health Week.pdf](#)

[21-0375](#) COVID-19 Update

**Attachments:** [COVID -19 Cases 4-7-21.pdf](#)

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

[21-0302](#) Public Hearing for Rezoning #3-21 at Broadway Hills Estates 1st Addition Annexation from Temporary AG Agricultural District to R-1B Single-Family District.

**Attachments:** [RZ #3-21\\_Notice of Public Hearing.pdf](#)

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

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

[21-0340](#) Approve State/Municipal Financial Agreement for improvements to the CTH CE eastbound right turn lane as part of the WIS441 Improvement Project.

**Attachments:** [CTH CE to WIS 441.pdf](#)

**Legislative History**

3/22/21	Municipal Services Committee	recommended for approval
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[21-0341](#) Approve Three Party Design Contract with the State of Wisconsin Department of Transportation and EXP US Services, Inc. for the design of the Olde Oneida Street Bridge over the South Mill Race in an amount not to exceed \$259,800 (City share \$52,960).

**Attachments:** [Olde Oneida St Bridge-South Mill Race.pdf](#)

**Legislative History**

3/22/21	Municipal Services Committee	recommended for approval
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[21-0347](#) Request from Appleton Downtown Inc. for a street occupancy permit for Artful Chairs, June 18-20, 2021, in the College Avenue beautification strip between Drew Street and Badger Avenue.

**Attachments:** [ADI-Artful Chairs June 18-20, 2021.pdf](#)

**Legislative History**

3/22/21	Municipal Services Committee	recommended for approval
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[21-0348](#) Request from Appleton Downtown Inc. for a street occupancy permit for Chalk Walk, July 16-18, 2021, in the sidewalk area between Drew Street and Richmond Street.

**Legislative History**

3/22/21	Municipal Services Committee	recommended for approval
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[21-0349](#) Request from Appleton Downtown Inc. for a street occupancy permit for Paint Out, August 20, 2021, in the College Avenue beautification strip between Drew Street and Badger Avenue.

**Attachments:** [ADI-Paint out August 20, 2021.pdf](#)

**Legislative History**

3/22/21	Municipal Services Committee	recommended for approval
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[21-0354](#) Approve Memorandum of Understanding with Bird Rides, Inc to initiate a Dockless, Stand-up Electric Scooter Pilot Program for 2021.

**Attachments:** [Bird Ride Inc.pdf](#)

**Legislative History**

3/22/21	Municipal Services Committee	recommended for approval
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*5.4.2 amended to read, "Electric scooters may be operated on the sidewalks on College Avenue between Drew Street and Badger Avenue."5-0*

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[21-0289](#) Resolution #3-R-21 Prohibition on Large Scale Commercial Dog and Cat Breeding

**Attachments:** [#3-R-21 Large Scale Dog & Cat Breeding Ord.pdf](#)

**Legislative History**

3/10/21	Safety and Licensing Committee	held
3/24/21	Safety and Licensing Committee	recommended for approval

[21-0305](#) Class "A" Beer and "Class A" Liquor License application for Appleton Liquor LLC d/b/a Appleton Liquor, Heidi Guta, Agent, located at 2727 N Meade St, contingent upon approval from all departments.

**Attachments:** [Appleton Liquor.pdf](#)

**Legislative History**

3/24/21 Safety and Licensing Committee recommended for approval

[21-0315](#) Class "B" Beer and "Class B" Liquor License application for C Solutions 200 LLC d/b/a Uptown Chicken and Waffles, Sarah P Powell, Agent, located at 823 W College Ave, contingent upon approval from all departments.

**Attachments:** [Uptown Chicken & Waffles.pdf](#)

**Legislative History**

3/24/21 Safety and Licensing Committee recommended for approval

[21-0331](#) Class "B" Beer and "Class B" Liquor License Change of Agent application for Old Bavarian Brau Haus Inc, d/b/a OB's Brau Haus, Christopher A Nelis, New Agent, located at 523 W College Ave, contingent upon approval from Appleton Police Department.

**Attachments:** [Christopher A Nelis S&L.pdf](#)

**Legislative History**

3/24/21 Safety and Licensing Committee recommended for approval

[21-0336](#) Operator's License for Michael Alger

**Attachments:** [MichaelAlgerDenial.pdf](#)

[Michael Alger Application.pdf](#)

**Legislative History**

3/24/21 Safety and Licensing Committee recommended for denial

*Mr. Alger was in attendance at the meeting and addressed the committee.*

[21-0338](#) Request from the Appleton Fire Department to update Section 6-56(b) of the city ordinance.

**Attachments:** [Changes to Sec 6-56\(b\).pdf](#)

[2018 IFC adoption memo.pdf](#)

[UPDATE 3-25-21 2018 IFC adoption memo.doc](#)

**Legislative History**

3/24/21 Safety and Licensing Committee recommended for approval

### 3. MINUTES OF THE CITY PLAN COMMISSION

#### [21-0244](#)

Request to approve Rezoning #3-21 to rezone the First Addition to Broadway Hills Estates Annexation (Tax Id #31-1-9210-14), formerly part of Town of Freedom, generally located approximately 1,400 feet north of the intersection of French Road and Broadway Drive, on the west side of French Road, including to the centerline of existing adjacent right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District

**Attachments:** [StaffReport\\_Rezoning\\_1stAddBroadwayHillsEstAnnex\\_For3-9-21.pdf](#)

**Legislative History**

3/9/21 City Plan Commission recommended for approval  
*Proceeds to Council on April 7, 2021.*

#### [21-0245](#)

Request to approve the First Addition to Broadway Hills Estates Preliminary Plat as shown on the attached maps and subject to the conditions in the attached staff report

**Attachments:** [StaffReport\\_PrePlat\\_1stAddBroadwayHillsEstates\\_For3-9-21.pdf](#)

**Legislative History**

3/9/21 City Plan Commission recommended for approval  
*Proceeds to Council on April 7, 2021.*

#### [21-0310](#)

Detachment of territory from the City of Appleton to the Village of Fox Crossing, per the request of the property owners, Ann Kloehn, William Kloehn and Julie Lapkoff, located at 1834 Palisades Drive (Tax Id #31-4-9003-00, 31-4-9004-00 and 31-4-9005-00)

**Attachments:** [StaffReport\\_Detachment\\_Kloehn\\_WPalisadesDr\\_For3-23-21.pdf](#)

**Legislative History**

3/23/21 City Plan Commission recommended for approval

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

#### [21-0316](#)

Action Item: Award the City of Appleton's "2021 Linwood Park Playground Equipment Project" contract to Lee Recreation, LLC in an amount not to exceed \$85,000

**Attachments:** [2021 Linwood Playground Parks and Rec. Comittee Memo.docx](#)

**Legislative History**

3/22/21 Parks and Recreation Committee recommended for approval

### 5. MINUTES OF THE FINANCE COMMITTEE

[21-0322](#)

Request to approve the following 2020 Budget amendments:

**Community Development Block Grant Fund**

Federal Grant	+\$ 56,549
Grant Payments	+\$ 56,549

to record federal funds received for COVID-19 mitigation (2/3 vote of Council required)

**Emergency Shelter Grant (ESG) Fund**

State Aids	+\$100,636
Grant Payments	+\$ 94,740
Salaries	+\$ 4,200
Fringe Benefits	+\$ 1,696

to record State funds received for COVID-19 mitigation (2/3 vote of Council required)

**Police Grants Fund**

Federal Grant	+\$ 56,620
Miscellaneous Supplies	+\$ 56,620

to record State funds received for COVID-19 mitigation (2/3 vote of Council required)

**Housing Rehabilitation Loan Fund**

Federal Grant	+\$ 51,452
Project Repayments	+\$ 34,058
Grant Payments	+\$ 66,190
Salaries	+\$ 15,220
Fringe Benefits	+\$ 4,100

to record additional funds received in 2020 in the Housing Rehab Loan program (2/3 vote of Council required)

**Police Grants Fund**

Federal Grant	+\$ 2,739
State Aids	+\$100,651
Overtime Wages	+\$ 63,395
Miscellaneous Equipment	+\$ 33,995
Other Contracts/Obligations	+\$ 6,000

to record additional Police grant funds received in 2020 (2/3 vote of Council required)

**Wheel Tax Fund**

Wheel Tax Proceeds	+ \$ 16,329
Transfer Out - General Fund	+\$ 16,329

to record Wheel Tax proceeds above budget amount (2/3 vote of Council required)

**TIF 6 Capital Projects Fund**

Other Contracts/Obligations	+\$ 72,967
Fund Balance	+\$ 72,967

to record additional cost of developer incentive payments (2/3 vote of Council required)

**TIF 8 Capital Projects Fund**

Other Contracts/Obligations	+\$ 47,445
Fund Balance	+\$ 47,445

to record additional cost of developer incentive payments (2/3 vote of Council required)

**General Fund - Finance Department**

Salaries	+\$ 6,675
Wage Reserve	+\$ 6,675

to record transfer of wage reserve funds (2/3 vote of Council required)

**General Fund - Information Technology Department**

Salaries	+\$ 7,730
Wage Reserve	+\$ 7,730

to record transfer of wage reserve funds (2/3 vote of Council required)

**Attachments:** [2020 Final Budget adjustments .pdf](#)

**Legislative History**

3/22/21 Finance Committee recommended for approval

[21-0324](#)

Request to approve the 2020-2021 Budget carryover appropriations:

1. Items not under contract \$9,110,803
2. Items requesting Special Consideration \$500,471  
(2/3 vote of Council required)

**Attachments:** [Not under Contract 2020-2021 Carryover.pdf](#)  
[Special Consideration 2020-2021 Carryover.pdf](#)

**Legislative History**



3/22/21 Finance Committee recommended for approval

[21-0326](#)

Request to award the City of Appleton's 2021 Pierce Park Lighting Upgrades Phase 2 Project contract to Elmstar Electric Corp in the amount of \$113,679 with a contingency of 10% for a project total not to exceed \$125,046

**Attachments:** [2021 Pierce Park Lighting upgrades Phase 2.pdf](#)

**Legislative History**

3/22/21 Finance Committee recommended for approval  
*Aldersperson Meltzer joined the meeting*

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

**7. MINUTES OF THE UTILITIES COMMITTEE**

[21-0313](#)

Anticipated award for Unit N-21, Spot Repairs, Protruding Tap and Mineral Deposit Removal (bids to be opened Monday, March 22, 2021).

**Attachments:** [Unit N-21.pdf](#)

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

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

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

**M. CONSOLIDATED ACTION ITEMS**

**N. ITEMS HELD**

**O. ORDINANCES**

[21-0356](#)

Ordinance #8-21 (Kloehn Detachment of Territory), Ordinance #9-21, and Ordinance #10-21

**Attachments:** [Ordinances going to Council 4-7-21.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**

[21-0376](#) Alderperson Send-Off

S. ADJOURN

Kami Lynch, City Clerk

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