



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, June 2, 2021

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. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[21-0729](#) Common Council Meeting Minutes of May 19, 2021

Attachments: [CC Minutes 5-19-21.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR

[21-0772](#) Reappointment of Linda Marx to the Board of Review

Attachments: [6-1-21 reappointment BOR.pdf](#)

[21-0684](#) Certificate of Appreciation for Health Officer, Kurt Eggebrecht.

Legislative History

5/19/21 Common Council held

[21-0754](#) Proclamations:

- Pride Month
- CPR & AED Awareness Week
- Gun Violence Awareness Day
- Juneteenth Celebration Day

Attachments: [Pride Month Proclamation.pdf](#)

[CPR AED Awareness Week Proclamation.pdf](#)

[Gun Violence Awareness Day Proclamation.pdf](#)

[Juneteenth Celebration Day Proclamation.pdf](#)

[21-0756](#) COVID-19 Update

Attachments: [COVID -19 Cases June 01.pdf](#)

H. PUBLIC PARTICIPATION

I. PUBLIC HEARINGS

[21-0683](#) Public Hearing for Rezoning #4-21 for U.S. Venture Inc. from R-1B Single-Family District, R-3 Multi-Family District, and P-I Public Institutional District to CBD Central Business District.

Attachments: [RZ #4-21 Notice of Public Hearing.pdf](#)

[21-0749](#) Public Hearing for W. Prospect Ave. & S. Douglas St. Street Vacation

Attachments: [Public Hearing - Prospect and Douglas.pdf](#)

J. SPECIAL RESOLUTIONS

[21-0748](#) Final Resolution for the W. Prospect Ave. and S. Douglas St. Street Vacation

Attachments: [Final Resolution Prospect and Douglas.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

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

[21-0657](#) Request from Mike Krejcarek, 717 N. Richmond Street, for a variance to Municipal Code 19-91 (f)(5) to extend driveway 10 feet into greater front yard.

Attachments: [717 N Richmond St.pdf](#)

Legislative History

5/24/21	Municipal Services Committee	recommended for approval
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5/26/21 Safety and Licensing recommended for approval
Committee

[21-0696](#)

Reserve "Class B" Liquor and Class "B" Beer License application for RH Events LLC d/b/a Poplar Hall, Sandy Emerich, Agent, located at 141 S Riverheath Way, contingent upon approval from all departments.

Attachments: [Poplar Hall.pdf](#)

Legislative History

5/26/21 Safety and Licensing recommended for approval
Committee

[21-0735](#)

2021-2022 Additional Alcohol License renewals, contingent upon approvals from all departments by 12:00 p.m. on June 30, 2021.

Attachments: [2021-22 Alcohol License Renewals-2nd set FINAL.pdf](#)

Legislative History

5/26/21 Safety and Licensing recommended for approval
Committee

[21-0736](#)

Taxi Cab Company License application for Antonio's Transportation Service, Corey A. Gaines, Owner, 240 Algoma Blvd, Oshkosh, WI.

Attachments: [Corey Antonio Gaines.pdf](#)

Legislative History

5/26/21 Safety and Licensing recommended for approval
Committee

[21-0737](#)

Class "B" Beer and Reserve "Class B" Liquor License Temporary Premise Amendment application for Fox Cities Building for the Arts d/b/a Trout Museum of Art, Christina Turner, Agent, Houdini Plaza, on June 5, 2021, contingent upon approval from all departments.

Attachments: [Trout Museum Exhibit Opening S&L.pdf](#)

Legislative History

5/26/21 Safety and Licensing recommended for approval
Committee

[21-0738](#)

2021-2022 Additional Mechanical Amusement Device License renewals, contingent upon approval from all departments by 12:00 p.m. on June 30, 2021.

Attachments: [2021 Additional Amusement Devices.pdf](#)

Legislative History

5/26/21 Safety and Licensing recommended for approval
Committee

3. MINUTES OF THE CITY PLAN COMMISSION

[21-0590](#) Request to approve Rezoning #4-21 to rezone 15 parcels in the area generally located south of Lawrence Street, west of Durkee Street, north of Water Street, and east of Morrison Street (Tax Id #31-2-0159-00, #31-2-0160-00, #31-2-0161-00, #31-2-0163-00, #31-2-0164-00, #31-2-0165-00, #31-2-0166-00, #31-2-0167-00, #31-2-0168-00, #31-2-0169-00, #31-2-0170-00, #31-2-0171-00, #31-2-0172-00, #31-2-0173-00, and #31-2-0174-00), including to the centerline of the adjacent South Morrison Street, East Lawrence Street, South Durkee Street, East Water Street, East Kimball Street, and South Oak Street right-of-way, as shown on the attached maps, from R-1B Single-Family District, R-3 Multi-Family District, and P-I Public Institutional District to CBD Central Business District

Attachments: [StaffReport USVenture Rezoning For05-12-21.pdf](#)

Legislative History

5/12/21 City Plan Commission recommended for approval
Proceeds to Council on June 2, 2021.

[21-0695](#) Request to approve the First Addition to Broadway Hills Estates Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport FinalPlat 1stAddBroadwayHillsEstates For5-26-21.pdf](#)

Legislative History

5/26/21 City Plan Commission recommended for approval

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[21-0715](#) Resolution #8-R-21 Resolution expressing support for Knowles-Nelson Stewardship Program

Attachments: [#8-R-21 Knowles-Nelson Program w-attach-rev.pdf](#)

Legislative History

5/24/21 Parks and Recreation Committee recommended for approval

5. MINUTES OF THE FINANCE COMMITTEE

[21-0719](#) Request to award Unit E-21 Miscellaneous Concrete & Street Excavation Repair to Fischer-Ulman Construction, Inc in the amount of \$532,500 with a 6.2% contingency of \$33,000 for a project total not to exceed \$565,500

Attachments: [Award of Contract Unit E-21.pdf](#)

Legislative History

5/24/21 Finance Committee recommended for approval

[21-0720](#) Request to award Unit L-21 Sewer and Water Construction - Lightning Drive and Edgewood Drive to Feaker and Sons Co, Inc in the amount of \$1,004,464 with a 5% contingency of \$50,000 for a project total not to exceed \$1,054,464

Attachments: [Award of Contract Unit L-21 Rebid.pdf](#)

Legislative History

5/24/21 Finance Committee recommended for approval

[21-0721](#) Request to award Unit Y-21 Sewer & Water Reconstruction No. 3 to Kruczek Construction, Inc in the amount of \$797,798 with a 7.5% contingency of \$60,073 for a project total not to exceed \$857,871

Attachments: [Award of Contract Unit Y-21.pdf](#)

Legislative History

5/24/21 Finance Committee recommended for approval

[21-0722](#) Request to award Unit AA-21 Pacific Street over Peabody Park Bridge Maintenance to Norcon Corporation in the amount of \$207,717 with a 15% contingency of \$31,157 for a project total not to exceed \$238,874

Attachments: [Award of Contract Unit AA-21.pdf](#)

Legislative History

5/24/21 Finance Committee recommended for approval

[21-0723](#) Request to approve the following 2021 Budget amendments:

Public Works Capital Projects Fund

Spartan Drive Land	+\$73,107
Lightning Drive Land	- \$73,107

Stormwater Utility

Land	+\$64,893
Storm Sewer Reconstruction	- \$64,893

to reallocate positive bid variances to purchase land for future Spartan Drive and associated stormwater management (2/3 vote of Council required)

Attachments: [Land Acquisition.pdf](#)

Legislative History

5/24/21 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[21-0691](#)

****CRITICAL TIMING**** Request to approve a six (6) month extension to the Planning Option Agreement with Merge, LLC (d/b/a Merge Urban Development Group) for a potential mixed-use development located on the former Blue Ramp and Conway Hotel sites

Attachments: [Merge Option Extension Memo 5-26-21.pdf](#)
[20-0044 - MERGE - 2nd Extension - 05-19-2021.pdf](#)
[Merge Option Term Extension #1 November 2020.pdf](#)
[Signed Planning Option Agreement Merge 2-6-20.pdf](#)
[Map Blue Ramp+Conway Hotel.pdf](#)
[Letter of Intent Merge 11-29-19.pdf](#)
[Merge Projects + References.pdf](#)

Legislative History

5/26/21 Community & Economic recommended for approval
 Development Committee

[21-0692](#)

****CRITICAL TIMING**** Request to approve the Offer to Purchase from Bose 1 Investments, LLC and 4 Ross Investments, LLC, and/or its assigns, to purchase Lot 1 of CSM 3609 (Tax Id #31-9-5712-00), Lot 26 (Tax Id #31-9-5712-26), Lot 27 (Tax Id #31-9-5712-27), Lot 28 (Tax Id #31-9-5712-28) and Lot 29 (Tax Id #31-9-5712-29) Southpoint Commerce Park Plat No. 3, comprising a total of approximately 30.44 acres, at a purchase price of \$1,217,600.00 (\$40,000 per acre)

Attachments: [Bose 1 Investments and 4 Ross Investments OTP Memo 5-26-21.pdf](#)
[Bose 1 Investments and 4 Ross Investments OTP 5-18-21.pdf](#)
[SouthpointCommerceParkMap SubjectParcel 5 2021.pdf](#)
[SPCP Deed Restrictions.pdf](#)

Legislative History

5/26/21 Community & Economic recommended for approval
 Development Committee

7. MINUTES OF THE UTILITIES COMMITTEE[21-0699](#)

Award Unit R-21 Chemical Root Foaming of Sanitary Sewers to Duke's Root Control in an amount not to exceed \$25,000.

Attachments: [R-21 Bid Tab.pdf](#)

Legislative History

5/25/21 Utilities Committee recommended for approval

[21-0700](#) Award the Sole Source Purchase of Secondary Clarifier Drive Rebuild Parts through Evoqua Water Technologies LLC in the amount of \$105,964.

Attachments: [210519 Finance Memo Final Clarifier Rebuild Work.pdf](#)

Legislative History

5/25/21 Utilities Committee recommended for approval

[21-0701](#) Award the 2021 Secondary Clarifier Drive Removal, Rebuild, and Reinstallation Contract to Sabel Mechanical in the amount of \$174,302 with a 15% contingency of \$26,145 for a project total not to exceed \$200,447.

Attachments: [210519 Finance Memo Final Clarifier Rebuild Work.pdf](#)

Legislative History

5/25/21 Utilities Committee recommended for approval

[21-0702](#) Approve Amendment #1 to McMahon contract for 2021 Solids Dewatering Equipment Upgrades to increase for additional HVAC design and construction management services in the amount of \$27,000 resulting in a decrease to contingency from \$32,587 to \$5,587. Overall contract increased from \$325,872 to \$352,872.

Attachments: [utilities memo - Engineering Dewatering Equipment 05-21-21.pdf](#)

Legislative History

5/25/21 Utilities Committee recommended for approval

[21-0727](#) Award Organic Recycling Contractor Services to Hsu Growing Supply for an extended one (1) year term ending December 31, 2021.

Attachments: [210517 UCM HSU contract extension 2021.pdf](#)

Legislative History

5/25/21 Utilities Committee recommended for approval

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

[21-0755](#) Ordinance #18-21

Attachments: [Ordinances Going to Council 6-2-21.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

S. ADJOURN

Kami Lynch, City Clerk

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