



City of Appleton

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

Meeting Agenda - Final-revised Common Council

Wednesday, March 16, 2022

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

[22-0294](#) Common Council Meeting Minutes of March 2, 2022

Attachments: [CC Minutes 3-2-22.pdf](#)

- G. BUSINESS PRESENTED BY THE MAYOR

[22-0334](#) Appointment to the Fox Cities Area Room Tax Commission

Attachments: [Room Tax Commission Appointment Memo.pdf](#)

- H. PUBLIC PARTICIPATION

- I. PUBLIC HEARINGS

[22-0301](#) Public Hearing on Special Resolution 1-P-22; Concrete Pavement,
Sidewalk Construction, and Driveway Aprons
Amethyst Dr (Providence Ave to Bluetopaz Dr)
Bluetopaz Dr (Providence Ave to Calmes Dr)
Tiburon Lane (Applehill Blvd to Purdy Pkwy)

Attachments: [1-P-22 Public Hearing Notice.pdf](#)

[22-0296](#) Public Hearing for Comprehensive Plan Map Amendment #1-22 Maritime Bar from R-1C Residential to C-1 Mixed Use

Attachments: [Public Hearing Notice Comp Plan Amend #1-22.pdf](#)

[22-0299](#) Public Hearing for Rezoning #1-22 for Maritime Bar from R-1C Central City Residential District & C-2 General Commercial District to C-1 Neighborhood Mixed Use District.

Attachments: [RZ #1 22 Notice of Public Hearing.pdf](#)

J. SPECIAL RESOLUTIONS

[22-0305](#) Final Resolution 1-P-22 Concrete Pavement, Sidewalk Construction, and Driveway Aprons

Attachments: [Final Resolution 1-P-22 Concrete Paving Sidewalks and Aprons.pdf](#)

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[22-0213](#) Resolution #3-R-22 regarding Municipal Code Chapter 12, Article III, Weeds and Wild Growth.

Attachments: [Resolution #3-R-22.pdf](#)
[Resolution #3-R-22-Memo.pdf](#)

Legislative History

2/21/22	Municipal Services Committee	held
3/7/22	Municipal Services Committee	recommended for denial <i>The motion to recommend for denial failed by a 2-3 vote.</i>
3/7/22	Municipal Services Committee	recommended for approval <i>The motion to recommend for approval failed by a 2-3 vote.</i>
3/7/22	Municipal Services Committee	approved as amended <i>Motion to amend by substitution to enact a No Mow May consistent with the rules that we have used the previous two years.</i>

[21-0868](#) Request from Blue Sky Contractors for a street occupancy permit for four parking stalls (CAW 310, 312, 314 & 316) for the commercial development project at 318 W. College Avenue be approved from June 14, 2021 through October 29, 2021 (except for September 24th and 25th).

Legislative History

6/21/21	Municipal Services Committee	recommended for approval
7/7/21	Common Council	approved
10/25/21	Municipal Services Committee	recommended for approval
11/3/21	Common Council	approved
3/7/22	Municipal Services Committee	recommended for approval

[22-0192](#)

Approve proposed change to Municipal Code Section 19-112, Non-metered off-street parking.

Attachments: [Municipal Code Section 19-112.pdf](#)

Legislative History

2/21/22	Municipal Services Committee	recommended for approval
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[22-0289](#)

Request from Creative Downtown Appleton Inc. for a street occupancy permit for the College Avenue beautification strip between Drew Street and Badger Avenue for the following events:

May 20, 2022: Student Art
June 17, 2022: Street Music Week Finale
July 15-16, 2022: Chalk Walk
August 19-20, 2022: Paint Out

Attachments: [Downtown Creates Event Series Memo.pdf](#)
[Street Occ Permit-Creative Downtown.pdf](#)

Legislative History

3/7/22	Municipal Services Committee	recommended for approval
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[22-0290](#)

Request from Creative Downtown Appleton Inc. for a street occupancy permit for Sidewalk Sales on the College Avenue beautification strip (not sidewalk area) from Drew Street to Badger Avenue on May 20, 2022; June 17, 2022; July 15-16, 2022 and August 19-20, 2022.

Legislative History

3/7/22	Municipal Services Committee	recommended for approval
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- [22-0291](#) Request from Bolton & Menk, Inc. for a street occupancy permit for balconies to extend into the Washington Street right-of-way 3 feet, with a minimum 28 foot clearance and a canopy to extend 8" into the Washington Street right-of-way with an 8'8" clearance.

Attachments: [Street Occ Permit-Bolton & Menk Inc.pdf](#)

Legislative History

3/7/22 Municipal Services recommended for approval
Committee

- [22-0302](#) Approve changes to intersection traffic control at the Lindbergh Street/Summit Street intersection. Follow-Up to Six-Month Period.

Attachments: [Lindbergh St-Summit St.pdf](#)

Legislative History

3/7/22 Municipal Services recommended for approval
Committee

- [22-0303](#) Approve New parking restriction on the 1300 block of N. Summit Street (at Wisconsin Avenue). Follow-Up to Six-Month Trial Period

Attachments: [1300 N Block of N. Summit St.pdf](#)

Legislative History

3/7/22 Municipal Services recommended for approval
Committee

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

- [22-0046](#) Resolution #1-R-22 Intoxicated Bartender Ordinance

Attachments: [#1-R-22 Intoxicated Bartenders.pdf](#)
[Intoxicated Bartender incidents 2021.pdf](#)

Legislative History

1/26/22 Safety and Licensing held
Committee
Motion and second to deny were withdrawn.

Motion to hold until February 23rd to allow for additional revisions carried 5/0.

2/23/22 Safety and Licensing returned without recommendation
Committee
Ald. Smith stated that he would like to withdraw the Resolution. There were no objections from the Committee members.

3/9/22 Safety and Licensing recommended for denial
Committee

[22-0227](#)

Class "B" Beer and Reserve "Class B" Liquor License application for Holidays Pub LLC d/b/a Holidays Pub & Grill, Corey Bringman, Agent, located at 3950 N Richmond St, contingent upon approval from the Health and Inspections departments.

Attachments: [Holidays Pub & Grill.pdf](#)

Legislative History

3/9/22	Safety and Licensing Committee	recommended for approval
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[22-0228](#)

Class "B" Beer and "Class B" Liquor Temporary Premise Amendment application for Sangria's Mexican Grill, Sarah Gregory, Agent, located at 215 S Memorial Dr, on May 5, 7 & 8, 2022, contingent upon approvals the Community Development and Health departments.

Attachments: [Sangrias S&L.pdf](#)

Legislative History

3/9/22	Safety and Licensing Committee	recommended for approval
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[22-0231](#)

Class "B" Beer and Reserve "Class B" Liquor License application for Foster Cocktail Company LLC d/b/a Commodore Club, Patrick Frawley, Agent, located at 231 & 233 E College Ave, contingent upon approval from the Health, Public Works and Inspections departments.

Attachments: [Commodore Club.pdf](#)

[SUP 17-15 Transfer Report 3-2-22 final Commodore Club.pdf](#)

Legislative History

3/9/22	Safety and Licensing Committee	recommended for approval
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[22-0236](#)

Class "A" Beer and "Class A" Liquor License Change of Agent application for Walgreens Co d/b/a Walgreens #07323, Garrette Kersten, New Agent, located at 3330 E Calumet St.

Attachments: [Garrette J Kersten S&L.pdf](#)

Legislative History

3/9/22	Safety and Licensing Committee	recommended for approval
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[22-0317](#)

Cigarette and Tobacco Products Retail License application for Tee Tees Nachos LLC d/b/a Tee Tees Nachos, Timasha Thornton, Person in Charge, located at 550 N Morrison St.

Attachments: [Tee Tees Nachos S&L.pdf](#)

Legislative History

3/9/22	Safety and Licensing Committee	recommended for approval
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3. MINUTES OF THE CITY PLAN COMMISSION

[22-0073](#) Request to approve Comprehensive Plan 2010-2030 Future Land Use Map Amendment #1-22 for the subject parcel located at 1312 North Division Street (Tax Id #31-6-0598-00) from future One and Two-Family Residential land use designation to Mixed Use land use designation as shown on the attached map and approve the attached Resolution

Attachments: [StaffReport_Maritime Bar_CompPlan+Rezoning_For02-09-22.pdf](#)

Legislative History

2/9/22 City Plan Commission recommended for approval
Proceeds to Council on March 16, 2022.

[22-0075](#) Request to approve Rezoning #1-22 for the subject parcels located at 1312 North Division Street (Tax Id #31-6-0598-00) and 336 West Wisconsin Avenue (Tax Id #31-6-0599-00), including the adjacent one-half (1/2) right-of-way of North Division Street and West Wisconsin Avenue, as shown on the attached maps, from R-1C Central City Residential District and C-2 General Commercial District to C-1 Neighborhood Mixed Use District

Attachments: [StaffReport_Maritime Bar_CompPlan+Rezoning_For02-09-22.pdf](#)

Legislative History

2/9/22 City Plan Commission recommended for approval
Proceeds to Council on March 16, 2022.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**5. MINUTES OF THE FINANCE COMMITTEE**

[22-0054](#) #2-R-22 Improve Communication, Technology, and Pedestrian Safety

Attachments: [Finance Committee Resolution 2-R-22.pdf](#)

[#2-R-22 Communication, Technology Ped. Safety.pdf](#)

[Resolution 2-R-22 memo.pdf](#)

Legislative History

1/24/22	Finance Committee	held
2/7/22	Finance Committee	held

- 3/7/22 Finance Committee approved as amended
The Resolution was recommended for approval as amended (3/2), following the recommendations outlined in Mayor Woodford's March 3, 2022 memo:
- Allocate and authorize \$75,000 for a consultant to evaluate the Enhanced Crosswalk Program
 - Allocate and authorize \$60,000 for IT systems upgrades
- The following allocation/authorization will be held and taken up by the Finance Committee in the future:*
- Hold \$100,000 for website re-design
 - Hold remaining \$150,000 for Enhanced Crosswalk program
 - Hold remaining \$90,000 for technology upgrades

[22-0272](#)

Change Order No 7 to Staab Construction contract as part of the 2019 AWWTP Improvements Projects totaling \$57,614 resulting in a decrease in contingency from \$216,845 to \$159,231

Attachments: [2019 AWWTP Improvements Staab Change Order No7.pdf](#)
[CO-07-Cost to provide six 12in SS Knife Gate Valves.pdf](#)

Legislative History

- 3/7/22 Finance Committee recommended for approval
Moved up to action item 5-0.

[22-0267](#)

Request to award Unit C-22 Sidewalk Sawcutting to ASTI Sawing, Inc in an amount not to exceed \$30,000 (year 2 of 3-year agreement)

Attachments: [Award of Contract Unit C-22.pdf](#)

Legislative History

- 3/7/22 Finance Committee recommended for approval

[22-0268](#)

Request to award Unit B-22 Asphalt Pavement Reconstruction to Peters Concrete Company in the amount of \$1,445,674 with a 7% contingency of \$100,000 for a project total not to exceed \$1,545,674. This is contingent upon the approval of the \$275,000 budget adjustment/carryover request.

Attachments: [Award of Contract Unit B-22.pdf](#)

Legislative History

- 3/7/22 Finance Committee recommended for approval

[22-0269](#)

Request to approve Finance Committee Report 2-P-22 for Sanitary Laterals, Storm Laterals and Storm Main

Attachments: [Report 2-P-22.pdf](#)

Legislative History

- 3/7/22 Finance Committee recommended for approval

[22-0273](#)

Request to approve the 2021-2022 Budget carryover appropriations:

1. Items not under contract \$24,152,421
2. Items requesting Special Consideration \$686,626

(2/3 vote of Council required)

Attachments: [Not Under Contract 2021-2022 Carryover.pdf](#)
[Special Consideration 2021-2022 Carryover.pdf](#)

Legislative History

3/7/22 Finance Committee recommended for approval

[22-0274](#)

Request to award the 2022 AWWTP Electrical Distribution Upgrades - Phase 5 Project contract to Van Ert Electric, Inc in the amount of \$1,595,000 with a contingency of 10% for a project total not to exceed \$1,754,500

Attachments: [2021 AWWTP Electrical Distribution Upgrades Phase 5 \(Final\).pdf](#)

Legislative History

3/7/22 Finance Committee recommended for approval

[22-0278](#)

Request to award the 2022 Green Meadows Tennis and Basketball Court Reconstruction to Northeast Asphalt, Inc in the amount of \$230,550 with a contingency of \$20,850 for a total not to exceed \$251,400

Attachments: [2022 Green Meadows Tennis and Basketball Court Action Items.pdf](#)

Legislative History

3/7/22 Finance Committee recommended for approval

[22-0282](#)

Request approval to participate in the Solar Now Program at the Library, Municipal Services Building and Valley Transit

Attachments: [2022 SolarNOW.pdf](#)

Legislative History

3/7/22 Finance Committee recommended for approval

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[22-0244](#)

Request approval of engineering services for final engineering and stormwater management in Southpoint Commerce Park to be performed by R.A. Smith at a cost not to exceed \$53,000

Attachments: [RA Smith Final Eng + Stormwater in SPCP Memo to CEDC 3-9-22.pdf](#)
[DRAFT RA Smith 2022 Southpoint Commerce Park Task Order.pdf](#)
[Southpoint Commerce Park Map 2 23 2022.pdf](#)

Legislative History

3/9/22 Community & Economic recommended for approval
 Development Committee

[22-0245](#)

Request to approve the City of Appleton maintain its current selling prices for business/industrial park land and hold option fees as described in the attached documents

Attachments: [Business-Industrial Park Land Value Memo 3-9-22.pdf](#)
[Exhibit A-Ind Land Sales Comparison.pdf](#)
[Exhibit B-Ind Land Sales Ask Price Comparison.pdf](#)
[Southpoint Commerce Park Map 2 23 2022.pdf](#)
[NE Business Park Map 7 2021.pdf](#)

Legislative History

3/9/22 Community & Economic recommended for approval
 Development Committee

[22-0246](#)

Request to approve the recommended allocation of American Rescue Plan Act (ARPA) grant funds as specified in the attached documents

Attachments: [ARPA Grant Distribution Memo to CEDC 3-9-22.pdf](#)
[Recommended Awards for ARPA Phase One Nonprofit Grant Apps.pdf](#)
[ARPA Phase One Matrix.pdf](#)

Legislative History

3/9/22 Community & Economic recommended for approval
 Development Committee

7. MINUTES OF THE UTILITIES COMMITTEE

[22-0276](#)

Preliminary Resolution 2-P-22 for Sanitary Laterals, Storm Laterals and Storm Main be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [2-P-22 Sanitary Laterals Storm Laterals Storm Main.pdf](#)

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

- [22-0297](#) Request to sole source an IT network assessment to Heartland Business Systems in the amount of \$60,000.

Attachments: [2022 Heartland Assessment Sole Sourcing.pdf](#)

Legislative History

3/9/22 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

- [22-0335](#) **Consolidated Action Items for Preliminary Resolution 2-P-22 Sanitary Laterals, Storm Laterals & Storm Main**

Item# 22-0269 Finance Committee

Item# 22-0276 Utilities Committee

N. ITEMS HELD

O. ORDINANCES

- [22-0330](#) Ordinances #16-22 to #21-22

Attachments: [Ordinances to Council 3-16-22.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.

Remote meeting attendance may be permitted pursuant to Section 2-29 of the Appleton Municipal Code and Rules of Council.

