



City of Appleton

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

Meeting Agenda - Final Municipal Services Committee

Tuesday, May 27, 2014

5:30 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

14-901 Minutes from May 13, 2014.

Attachments: [Minutes from May 13, 2014.pdf](#)

4. Public Hearings/Apearances

5. Action Items

14-892 Approve State/Municipal Agreement for the South Oneida Street Bridge and the Oneida Street/Prospect Avenue intersection Project.

Attachments: [State-Municipal-Agreement-South Oneida Street Bridge.pdf](#)

14-893 Request from El Patron for a street occupancy permit to place tables and chairs in the beautification strip at 100 E. College Avenue to be removed at the time business closes or by 2:00 a.m. at the latest.

Attachments: [El Patron request for tables and chairs.pdf](#)

14-894 Request from Rebecca Hurst for a street occupancy permit to place tables and chairs in the beautification strip at 205 W. College Avenue to be removed at the time business closes or by 2:00 a.m. at the latest.

Attachments: [Rebecca Hurst request for tables and chairs.pdf](#)

14-895 Request from David Krueger to have the Apple Hill Boulevard trail moved further away from the property line (already moved 5 feet from property line) at 2701 E. Apple Hill Boulevard.

Attachments: [David Krueger-Apple Hill Boulevard Trail.pdf](#)

14-922

#18-R-14 - Dannecker/Martin/Konetzke

"WHEREAS, the Appleton Common Council unanimously approved the Appleton On-Street Bike Lane Plan in 2010, and
WHEREAS, the Appleton Common Council has subsequently approved on-street bike lanes on segments of Badger Avenue, Ballard Road, Capitol Drive, College Avenue Bridge, Coop Road, Drew Street, Franklin Street, Fremont Street, Glendale Avenue, Jackman Street, Kensington Drive, Mason Street, Meade Street, Newberry Street, Olde Oneida Street, Oneida Skyline Bridge, Plank Road and South River Street,
THEREFORE BE IT RESOLVED that staff be directed to complete retrofit sections of the Bike Lane Plan as follows:

Capitol Drive (Richmond St. to west city limits)

Implement in 2014

Parking removed from both sides

Capitol Drive (McDonald St. to 150 feet west of Morrison St.)

Implement in 2015

Parking removed from both sides (150 feet west of Morrison St. to Durkee St.)

Parking removed from one side (Durkee St. to Lawe St.)

Parking removed from both sides (Lawe St. to McDonald St.)

Prospect Avenue (Oneida St. to Mason St.)

Implement concurrent with Prospect Avenue Bridge project (currently planned for 2015)

Parking removed from both sides

Roemer Road (Glendale Av. To Capitol Dr.)

Implement concurrent with Glendale Av. Reconstruction project (currently planned for 2015)

Parking removed from one side (Glendale Av. To Winslow Dr.)

Parking removed from both sides (Winslow Dr. to Capitol Dr.)

N. Oneida Street

Implement in 2015

Parking removed from both sides (Atlantic St. to Winnebago St.)

Parking retained on both sides/sharrows (Winnebago St. to Commercial St.) - widened in the future

Parking removed from both sides (Commercial St. to Northland Av.)

Telulah Avenue (Calumet St. to Midway Rd.)

Implement concurrent with reconstruction of Telulah Av. North of Calumet St. (currently planned for 2018)

Parking removed from both sides"

6. Information Items

- 14-896** * Downtown Appleton Parking Study Update.
- 14-897** * Recycling cart delivery starting June 2, 2014.
- 14-898** * Street terrace condition throughout the City.
- 14-900** * Update on Resolutions regarding Holiday Parking in bike lanes.
- 14-926** * Update on CN Railroad Crossings.

7. Adjournment

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible. If you have any questions please call Paula Vandehey at 832-6474.



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Meeting Minutes - Final Municipal Services Committee

Tuesday, May 13, 2014

5:30 PM

Council Chambers, 6th Floor

1. Call meeting to order

2. Roll call of membership

Present: 5 - Alderperson Greg Dannecker, Alderperson Patti Coenen, Alderperson Polly Dalton, Alderperson Sarah Garb and Alderperson Joe Martin

3. Approval of minutes from previous meeting

[14-783](#)

Minutes from April 22, 2014.

Attachments: [Minutes from April 22, 2014.pdf](#)

Alderperson Coenen moved, seconded by Alderperson Dalton, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 5 - Alderperson Dannecker, Alderperson Coenen, Alderperson Dalton, Garb and Martin

4. Public Hearings/Appealances

[14-776](#)

Michael Ferris regarding Midway Road corner visibility non-compliance orders.

5. Action Items

[14-777](#)

Request from Flanagan's Stop & Shop and Wine Review for a permanent street occupancy permit to install two (2) posts in the beautification strip and an awning across the sidewalk with a minimum clearance of 7'6" at 528 W. College Avenue.

Attachments: [Flanagan's Wine Review-Awning.pdf](#)

Martin moved, seconded by Alderperson Dalton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Alderperson Dannecker, Alderperson Coenen, Alderperson Dalton, Garb and Martin

[14-778](#)

Request from Christopher Glapa for a variance to Municipal Code Section 19-10, Obstruction of view at intersection by vegetation, fence, etc., 600 E. Woodcrest Drive.

Attachments: [Glapa-variance.pdf](#)

Martin moved, seconded by Alderperson Coenen, that the Report Action Item be received and filed. Roll Call. Motion carried by the following vote:

Aye: 5 - Alderperson Dannecker, Alderperson Coenen, Alderperson Dalton, Garb and Martin

[14-789](#)

Proposed parking change on East Street between Fremont Street and Harrison Street.

Attachments: [Parking change on East St. between Fremont & Harrison St.pdf](#)

Martin moved, seconded by Alderperson Dalton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Alderperson Dannecker, Alderperson Coenen, Alderperson Dalton, Garb and Martin

[14-790](#)

Proposed parking changes on South Court between John Street and South Street.

Attachments: [Parking changes on South Ct. between John & South St.pdf](#)

Martin moved, seconded by Alderperson Coenen, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Alderperson Dannecker, Alderperson Coenen, Alderperson Dalton, Garb and Martin

[14-791](#)

Proposed parking changes on Eldorado Street between Lawe Street and Meade Street.

Attachments: [Parking changes on Eldorado St. between Lawe & Meade St.pdf](#)

Alderperson Coenen moved, seconded by Alderperson Dalton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 4 - Alderperson Dannecker, Alderperson Coenen, Alderperson Dalton and Martin

Nay: 1 - Garb

[14-792](#)

Proposed parking change on the 1000 block of W. Summer Street.

Attachments: [Parking change on the 1000 block of W. Summer St.pdf](#)

Alderperson Dalton moved, seconded by Alderperson Coenen, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Alderperson Dannecker, Alderperson Coenen, Alderperson Dalton, Garb and Martin

[14-793](#)

Proposed parking changes on Plateau Street between Wisconsin Avenue and Jardin Street.

Attachments: [Parking changes on Plateau St. between Wisconsin Ave & Jardin St.pdf](#)

Aldersperson Coenen moved, seconded by Aldersperson Dalton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Aldersperson Dannecker, Aldersperson Coenen, Aldersperson Dalton, Garb and Martin

[14-795](#)

Proposed parking ordinance update on Water Street between Jackman Street and Olde Oneida Street.

Attachments: [Parking ordinance update on Water St. between Jackman & Olde Oneida St.pdf](#)

Martin moved, seconded by Aldersperson Coenen, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Aldersperson Dannecker, Aldersperson Coenen, Aldersperson Dalton, Garb and Martin

[14-821](#)

Preliminary Resolution 6-P-14 for sidewalk installation on 430 E. First Avenue and 1853 W. Spring Street approximately 110' on N. Sharon Street side.

Attachments: [Resolution 6-P-14.pdf](#)

Martin moved, seconded by Aldersperson Dalton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 5 - Aldersperson Dannecker, Aldersperson Coenen, Aldersperson Dalton, Garb and Martin

6. Information Items

[14-779](#)

Parking Utility Condensed Income Statement for April, 2014.

Attachments: [Parking Utility Condensed Income Statement-April 2014.pdf](#)

[14-780](#)

Fox Cities Cycling Association E-Update.

Attachments: [Fox Cities Cycling Assoc.pdf](#)

[14-782](#)

Inspection Division Permit Summary Comparison Report for April, 2014.

Attachments: [Insp. Div. Permit Summary Comparison Report.pdf](#)

[14-844](#)

Appointment to Board of Heating Examiners.

[14-845](#)

Appointment to Board of Building Inspectors.

[14-846](#)

Appointment to CEA Review Committee.

7. Adjournment

Martin moved, seconded by Garb, that the meeting be approved. Roll Call.

Motion carried by the following vote:

Aye: 5 - Alderperson Dannecker, Alderperson Coenen, Alderperson Dalton, Garb and Martin



Original
STATE/MUNICIPAL AGREEMENT
FOR A STATE- LET HIGHWAY
PROJECT

Revised Date: N/A

Date: 05/14/2014

ID.: 4984-07-71

Road Name: S. Oneida St, City of Appleton

Limits: Fox River Bridge B-44-0075

County: Outagamie

Roadway Length: 0.5 miles

The signatory city, village, town or county, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and affect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request: The South Oneida Street Bridge, B-44-0075, is deteriorating and needs rehabilitation. The bridge was built in 1980 with the last rehab project in 1998.

Proposed Improvement - Nature of work: Rehab of B-44-0075 including: concrete deck overlay, joint replacement, drain replacements, pin and hanger work, painting, and lighting. Reconstruct the intersection of Oneida St and Prospect Ave.

Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality: The City of Appleton would like the intersection of Oneida St and Prospect Ave reconstructed with signals replaced. It is possible that Prospect Ave will be closed at the same time as the bridge anyways because of a different City project that is proposed in 2015 further down the street so the timing may work out between projects. Otherwise Prospect Ave will be reconstructed under traffic with some full time closures.

TABLE 1: SUMMARY OF COSTS					
Phase	Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
Design Engineering: ID 4984-07-00					
Design Note 1, 2	\$ 150,000	\$ 150,000	100%	\$ -	0%
Real Estate Acquisition Note 3	\$ -	\$ -		\$ -	
ID Total	\$ 150,000	\$ 150,000		\$ -	
Construction: ID 4984-07-71					
Category 0010 - Roadway Items Note 1	\$ 250,000	\$ 250,000	100%	\$ -	0%
Category 0020 - Bridge Items Note 1	\$ 2,000,000	\$ 2,000,000	100%	\$ -	0%
Category 0030 - Non-Participating Note 1, 4	\$ 250,000	\$ -	0%	\$ 250,000	100%
ID Total	\$ 2,500,000	\$ 2,250,000		\$ 250,000	
Construction Engineering Note 1, 5	\$ 300,000	\$ 275,935	92%	\$ 24,065 capped	8%
Subtotal Construction:	\$ 2,800,000	\$ 2,525,935		\$ 274,065	
Total Est. Project Cost Distribution	\$ 2,950,000	\$ 2,675,935		\$ 274,065	

Notes:

- 1) All costs are approximate and subject to final audit.
 - a. Estimated costs as of 05/14/2014, based on pre-PS&E estimate.
- 2) Design costs are fully state funded. Municipality helped provide their own plan details for the work at Prospect Ave.
- 3) No real estate purchases needed.
- 4) Work added to project by Municipality – Prospect Ave intersection reconstruction and signals.
- 5) The Municipality was billed on project 1130-33-71 for \$935.00 for a light pole relocation that was supposed to be covered by the State. This amount is taken off of the Municipality's cost share under this project.
- 6) The Municipality will remove and reinstall existing street lighting cable on the bridge and install new conductors for NAV Lights with their own forces concurrent with this project.

This request is subject to the terms and conditions that follow (pages **[1]** – **[5]**) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State and delivery to the Municipality shall constitute agreement between the Municipality and the State. No term or provision of neither the State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Agreement.

Signed for and in behalf of the City of Appleton (please sign in blue ink)		
Name	Title	Date
Signed for and in behalf of the State (please sign in blue ink)		
Name	Title	Date

TERMS AND CONDITIONS:

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement that exceed Federal/State financing commitments or are ineligible for Federal/State financing. Local participation shall be limited to the items and percentages set forth in the Summary of Costs table, which shows Municipal funding participation. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.
3. Funding of each project Phase is subject to inclusion in an approved program and per the State's Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:
 - (a) Design engineering and state review services.
 - (b) Real Estate necessitated for the improvement.
 - (c) Compensable utility adjustment and railroad force work necessitated for the project.
 - (d) The grading, base, pavement, curb and gutter, and bridge costs to State standards, excluding the cost of parking areas.
 - (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.
 - (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.
 - (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.
 - (h) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.
 - (i) Replacement of existing driveways, in kind, necessitated by the project.

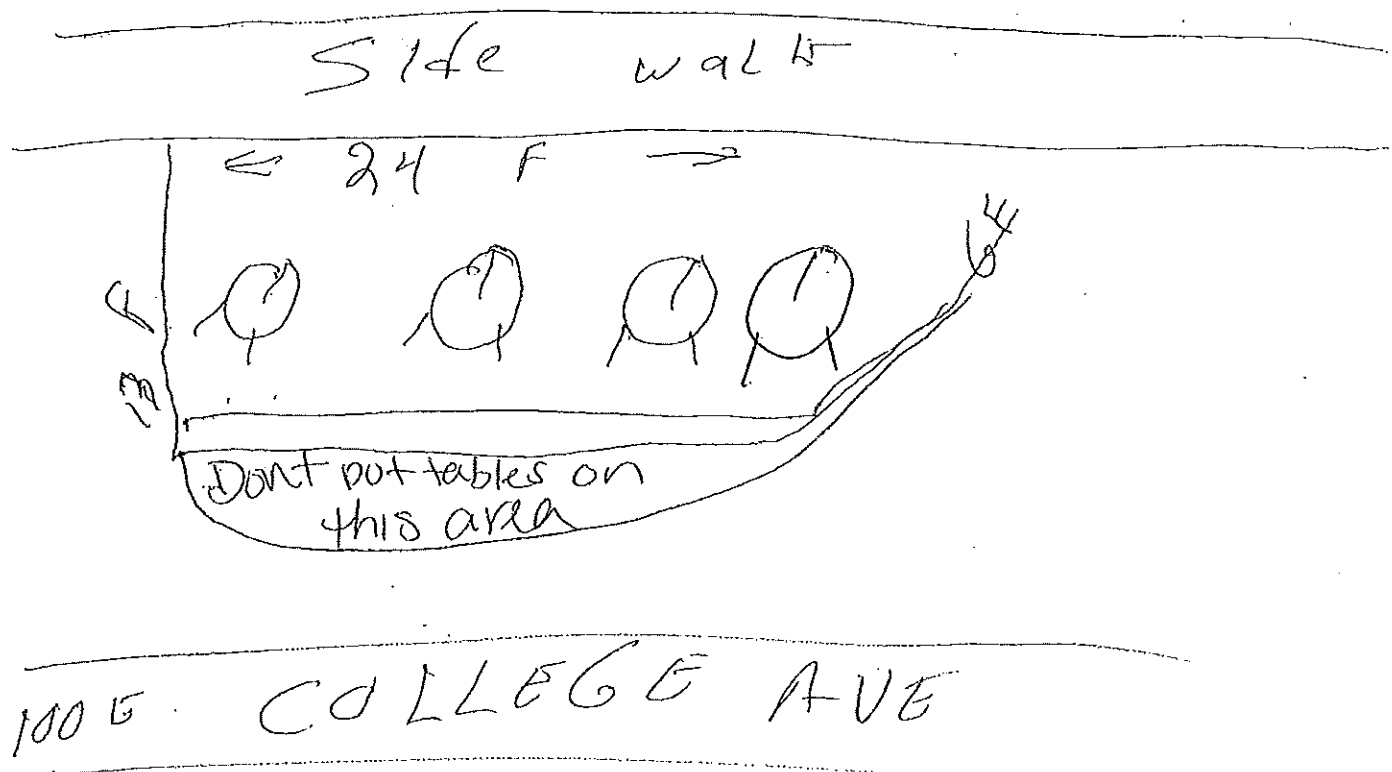
- (j) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.
- 4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or Facility Owner includes the following items:
 - (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - (b) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.
 - (c) Roadway and bridge width in excess of standards.
 - (d) Construction inspection, staking, and material testing and acceptance for construction of sanitary sewer and water main.
 - (e) Parking lane costs.
 - (f) Coordinate, clean up, and fund any hazardous materials encountered for city utility construction. All hazardous material cleanup work shall be performed in accordance to state and federal regulations.
- 5. As the work progresses, the Municipality will be billed for work completed which is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs.
- 6. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.
- 7. The work will be administered by the State and may include items not eligible for federal/state participation.
- 8. The Municipality shall at its own cost and expense:
 - (a) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and shall make ample provision for such maintenance each year. This agreement does not remove the current municipal maintenance responsibility.
 - (b) Maintain all items outside the travel lane along the project, to include but not limited to parking lanes, curb and gutter, drainage facilities, sidewalks, multi-use paths, retaining walls, pedestrian refuge islands, landscaping features and amenities funded by Community Sensitive Solutions (CSS).
 - (c) Maintain and accept responsibility for the energy, operation, maintenance, repair, and replacement of the lighting system.
 - (d) Prohibit angle parking.
 - (e) Regulate parking along the highway. The Municipality will file a parking declaration with the State.
 - (f) Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
 - (g) Use the WisDOT Utility Accommodation Policy unless the Municipality adopts a policy which has equal or more restrictive controls.
 - (h) Provide complete plans, specifications, and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing, and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions, or claims resulting from the sanitary sewer and water system construction.
 - (i) Maintain all Community Sensitive Solutions and/or enhancement funded items.

- (j) Coordinate with the State on changes to highway access within the project limits.
 - (k) In cooperation with the State, assist with public relations for the project and announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.
 - (l) Maintain signs and pavement markings not necessary for the safe and efficient movement of traffic (no parking signs, crosswalk pavement markings not at signalized intersections, etc).
9. Basis for local participation:
- (a) See chart and notes above.

[END]

100 East College Avenue -- Approx 1,000 square ft. restaurant with storage in the cooler and basement.
To comply with stipulations of Special Use Permit #1-03

Use tables and chairs.
on Beautification areas



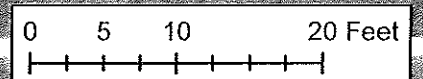
FILED
MAR 18 2014
CITY CLERK

2-0287

6 ft

24 ft

E. College Ave



Paula Vandehey

From: Rebecca Hurst <sohlo@live.com>
Sent: Thursday, May 08, 2014 8:47 PM
To: Paula Vandehey
Subject: Sidewalk Cafe Permit for The Mad Hatter Pub and Grill

Dear Paula,

I met with Don Harp at your office today to discuss a special use permit and our vision as new owners of the Mad Hatter Pub and Grill downtown Appleton. In effort to increase our business and draw in new customers, The Mad Hatter is interested in having a sidewalk cafe for our patrons. We would serve a full menu and non-alcoholic drinks, with the intent of serving alcoholic beverages once we can secure a special use permit for that space. As it will likely be late June or early July before we can obtain a special use permit, and it is imperative we increase our business to survive, we are hoping we can get tables out front as soon as possible!

Please advise of the next steps or application process. You can respond via email, or call me at (920) 740-2135. We are very excited to be a part of what is happening downtown Appleton!

Respectfully,
Rebecca Hurst & Steven Heckenlaible

Chase
Bank

200



The
for

College Avenue

205

203

201

be gallery &
Photo Studio

Cleos

The Vintage
Garden

APPLETON STREET

The Mad Hatter
Pub & Grill

2-0080

2-0081

2-0082

2-0083



MEMO

"...meeting community needs...enhancing quality of life."

TO: Municipal Services Committee

FROM: Paula Vandehey, Director of Public Works *PAV*

DATE: May 22, 2014

SUBJECT: Request from David and Debra Krueger to have the Apple Hill Boulevard Trail moved further from their property line.

In January, 2004 the Common Council unanimously approved the Apple Hill Farms Development Agreement and Master Plan. These documents included the Developer dedicating a 10-foot wide strip of land adjacent to Apple Hill Boulevard street right-of-way for the purpose of a 10-foot wide trail. This property is noted as "Outlot 9 – 10' Greenways Trail" on the attached Plat, and as "Outlot 9 – Tax Key Number 1-8303-17" on the attached City Parcel Map.

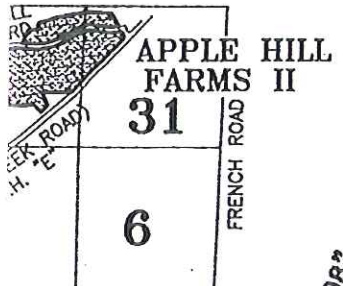
The planning for this trail was specifically done for the following reasons:

1. Designate trail before lots sold and developed
2. Designate trail to be part of larger "Greenways Trail System"
3. Limit number of access points that would cross the trail
4. Provide adequate room from obstructions for city equipment to maintain the trail
5. Dedicated land used towards park land dedication requirements

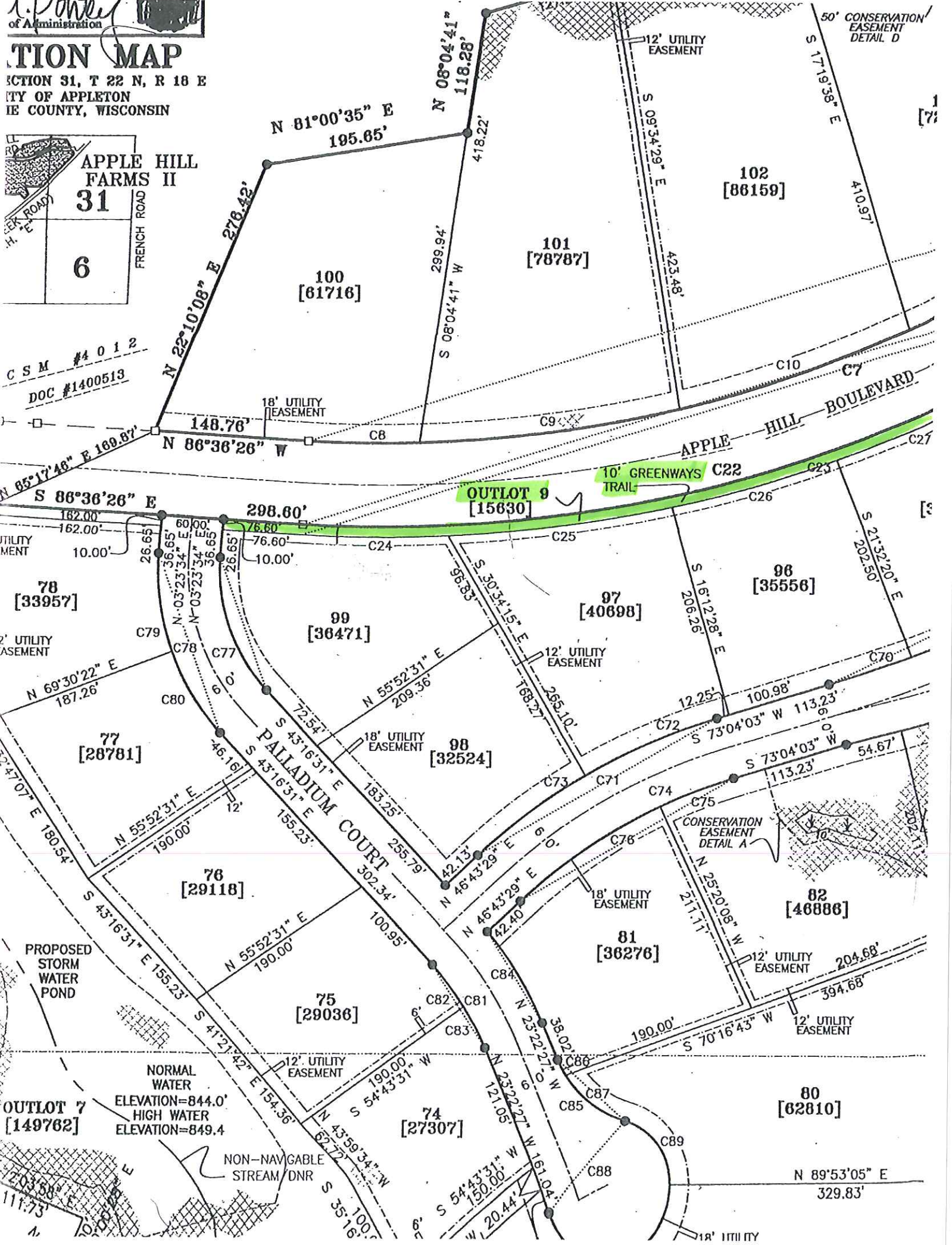
In an attempt to address the desire of the Kruegers, who bought Lot 99 in 2012, yet still meet the intent of the 2004 dedicated trail as much as possible, staff agreed to shift the trail 5 feet away from the property line as shown on the attached paving plan sheet. City staff does not support further compromise for safety and equity reasons. The Wisconsin Bicycle Facility Design Manual stipulates that a clear zone of 3' on either side of the path is the desirable distance away from obstructions along a pathway. The two main obstructions along this trail are existing street lights with a 6-foot clear zone and existing hydrants with a 3-foot clear zone. The City has over 400 miles of sidewalk that is currently located on the property line/street right-of-way line and the majority of these property owners probably wish the sidewalk was further from their homes as well.

Therefore, staff recommends denial of the request to move the trail any further than the 5 feet it is already planned to be shifted.

SECTION MAP
SECTION 31, T 22 N, R 18 E
CITY OF APPLETON
DANE COUNTY, WISCONSIN



CSM #4012
DOC #1400513





Property Line

