



City of Appleton

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

Meeting Minutes Common Council

Wednesday, August 7, 2013

7:00 pm

Council Chambers

A. CALL TO ORDER

7:03 p.m.

B. INVOCATION

Invocation by Alderperson Spears.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 14 - Alderperson Patti Coenen, Alderperson Christopher W. Croatt, Alderperson Greg Dannecker, Alderperson Sarah Garb, Alderperson Jeffrey Jirschele, Alderperson John Robin Hill, Alderperson Curt Konetzke, Alderperson Kyle Lobner, Alderperson Joe Martin, Alderperson Kole Oswald, Alderperson Kathleen Plank, Alderperson Cathy Spears, Alderperson Peter Stueck and Mayor Timothy Hanna

Excused: 1 - Alderperson Michael Smith

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

PRESENT: City Clerk Peterson, City Attorney Walsh, Deputy City Attorney Totzke, Community and Economic Development Director Harkness, Interim Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Human Resources Behnke, Police Chief Helein, Director of Public Works Vandehey, Interim Director of Information Technology Fox.

EXCUSED: Finance Director Remiker, Director of Parks, Recreation and Facilities Gazza, Director of Utilities Shaw, Valley Transit General Manager Wetter, Library Director Rortvedt.

F. PUBLIC PARTICIPATION

*Name - Address - Topic
Mark Geall, 1155 E. Banta Court, River Heath*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[13-1100](#)

Approve July 24, 2013 Council Meeting Minutes.

Attachments: [CC Minutes 07-24-2013.pdf](#)

approved

Aye: 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konezke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Spears and Alderperson Stueck**Excused:** 2 - Alderperson Smith and Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

I. PUBLIC HEARINGS

[13-1096](#)

Public Hearing for Rezoning #7-13 E. Longview Drive (Jana & Megan Cartier)

(File ID #13-870 July 15, 2013 City Plan Commission meeting)

Attachments: [Public Hearing - #7-13.doc](#)*APPEARANCES:**Janet Cartier, 500 E. Greenfield Street.*

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[13-1029](#)

Resolution #21-R-13/Jirschele - "Be it resolved that the City of Appleton allocate \$25,000 to engage an industry-accomplished professional to serve as consultant and project manager/driver to determine the willingness of LNR to give the community the protection it needs to assure the continued viability of the proposed exhibition center and

a) Review the current state of the project and negotiations among the various parties to evaluate and profile the strengths, weaknesses and potential of the current situation by September 15, 2013, and

b) Identify a prudent, practical plan to move negotiations/planning forward on behalf of the people of Appleton and its neighbors throughout the Fox Cities by November 2, 2013, and

c) Negotiate that plan through to final resolution, or terminate the initiative, by January 1, 2014." (Referred back from Common Council)

Attachments: [Budget Adj memo EC.docx](#)[Exhibition Center Resolution.pdf](#)*Referred to Community & Economic Development by Alderperson Coenen.*

referred

[13-997](#)

2013 Annual Action Plan Substantial Amendment allocation recommendations. (Referred back from Common Council as amended)

Attachments: [AdditionalAwardRecommendations.docx](#)

Referred, as amended, to Community & Economic Development by Alderperson Jirschele.

referred

Amend to strike the proposed \$37,133 in funding for Parks and Recreation.

amended

Aye: 7 - Alderperson Coenen, Alderperson Croatt, Alderperson Jirschele, Alderperson Hill, Alderperson Lobner, Alderperson Oswald and Alderperson Spears

Nay: 6 - Alderperson Dannecker, Alderperson Garb, Alderperson Konetzke, Alderperson Martin, Alderperson Plank and Alderperson Stueck

Excused: 2 - Alderperson Smith and Mayor Hanna

The following items were separated out to be voted on individually.

[13-870](#)

Rezoning #7-13 - E. Longview Drive (31-6-2959) from R-2 Two-Family Residential District to R-1B Single-Family Residential District with the intent of combining the properties.

Attachments: [Rezoning 7-13 Attachment.pdf](#)

approved

Aye: 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Spears and Alderperson Stueck

Excused: 2 - Alderperson Smith and Mayor Hanna

[13-795](#)

Adopt the 2014 City of Appleton Policy for Special Assessments. Approved by a vote of Aye: 3 - Alderperson Martin, Alderperson Plank and Alderperson Konetzke; Nay: 1 - Alderperson Stueck; Excused: 1 - Alderperson Dannecker. At the 7/24/13 Council meeting, Alderperson Lobner REFERRED BACK to Committee.

Attachments: [Proposed Changes to SA Policy for 2014.pdf](#)

approved

Aye: 9 - Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Martin, Alderperson Oswald, Alderperson Plank and Alderperson Stueck

Nay: 4 - Alderperson Coenen, Alderperson Croatt, Alderperson Lobner and Alderperson Spears

Excused: 2 - Alderperson Smith and Mayor Hanna

*Amend to strike changes #2 and #3 as outlined in the attached memo, removing \$1/foot increases in the cost for installation of storm and sanitary sewers and laterals.
AMENDMENT FAILED.*

amended

Aye: 5 - Alderperson Coenen, Alderperson Croatt, Alderperson Lobner, Alderperson Oswald and Alderperson Spears

Nay: 8 - Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Martin, Alderperson Plank and Alderperson Stueck

Excused: 2 - Alderperson Smith and Mayor Hanna

13-1098

Approval of RiverHeath Subordination Agreement.

Attachments: [CC 08-07-2013 Attach Memo to Council - Subordination Agreement 07-31-13.pdf](#)

approved

Aye: 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Spears and Alderperson Stueck

Excused: 2 - Alderperson Smith and Mayor Hanna

L. COMMITTEE REPORTS

1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

A motion was made by Alderperson Croatt, seconded by Alderperson Coenen, to vote on the balance of the action items of the Municipal Services Committee.

Balance of the action items on the minutes.

approved on the Balance of the Minutes

Aye: 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Spears and Alderperson Stueck

Excused: 2 - Alderperson Smith and Mayor Hanna

[13-1033](#)

Approve Resolution regarding the railroad crossings at Division Street/Franklin Street, Appleton Street/Packard Street, and South Perkins Street.

Attachments: [Railroad crossing-Division St-Frankling Street.pdf](#)

approved

[13-1035](#)

Award of 2013 Parking Ramp Structural Condition Analysis Contract to Graef in an amount not to exceed \$20,000.

Attachments: [Award of Contract City Parking Ramp.pdf](#)

approved

3. **MINUTES OF THE CITY PLAN COMMISSION**
4. **MINUTES OF THE PARKS AND RECREATION COMMITTEE**
5. **MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**
6. **MINUTES OF THE UTILITIES COMMITTEE**

A motion was made by Alderperson Martin, seconded by Alderperson Coenen, to vote on the balance of the action items of the Utilities Committee.

Balance of the action items on the minutes.

approved on the Balance of the Minutes

Aye: 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konezke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Spears and Alderperson Stueck

Excused: 2 - Alderperson Smith and Mayor Hanna

[13-1028](#)

Amend Stormwater Consulting Services Contract 2013E for the West Wisconsin Avenue Study Update #2 with AECOM by an amount not to exceed \$8,507.

Attachments: [AECOM 2013E Contract Amendment 2.docx](#)

approved

[13-1031](#)

Award Spectralink Phone System Cabling to Faith Technologies in the amount of \$122,916 and a 10% contingency of \$12,290 for a project total not to exceed \$135,206.

Attachments: [Spectralink Cabling Memo 07-25-13 .doc](#)

approved

7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

8. MINUTES OF THE BOARD OF HEALTH

A motion was made by Alderperson Spears, seconded by Alderperson Hill, to vote on the balance of the action items on the Council Agenda.

approved

Balance of the Report

approved on the **Balance of the Agenda**

Aye: 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konezke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Spears and Alderperson Stueck

Excused: 2 - Alderperson Smith and Mayor Hanna

[13-1094](#)

Petition of Edward D. Miles to appeal Appleton Police Department's declaration of his dog "Patty" as a "Prohibited Dangerous Animal.

approved

9. MINUTES OF THE HUMAN RESOURCES COMMITTEE

10. MINUTES OF THE FINANCE COMMITTEE

[13-1025](#)

Award Unit BB-08 RiverHeath Sewer and Water and Grade and Gravel to Vinton Construction Company in the amount of \$856,239.08 with a 15% contingency of \$128,435.86 for a project total not to exceed \$984,674.94.

Attachments: [Finance Committee 7-31-13 - BB-08 Award Form.pdf](#)

[Bid Tabulation 7-23-13 BB 08.xls](#)

approved

[13-1026](#)

Award Unit J-13 Mini-Storm Sewer Construction to Vanco Construction, Inc. in an amount not to exceed \$200,000

Attachments: [Finance Committee 7-31-13 - J-13 Award Form.pdf](#)
[Bid Tabulation J 13.xls](#)

approved

[13-1050](#)

Award of Red Parking Ramp Concrete Corbel Repair Contract to Boldt Company in the amount of \$36,150 with a \$3,850 contingency.

Attachments: [Award of Red Parking Ramp Contract.pdf](#)

approved

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

[13-1097](#)

Ordinances #39-13; #55-13 through #73-13.

Attachments: [Ordinances going to 08-07-2013 Council.pdf](#)

approved

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

T. ADJOURN

CHARLENE M. PETERSON, CMC/WCMC
City Clerk