



City of Appleton

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

Meeting Minutes Common Council

Wednesday, June 17, 2015

7:00 PM

Council Chambers

A. CALL TO ORDER

Meeting called to order approximately 8:45 pm.

B. INVOCATION

Offered by Alderperson Meltzer.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 15 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Mayor Timothy Hanna, Alderperson Polly Dalton, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

Excused: 1 - Alderperson Christine Williams

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

PRESENT: City Clerk Collins, City Attorney Walsh, Communications Specialist Doran, Director of Community and Economic Development Harkness, Director of Finance Saucerman, Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Human Resources Behnke, Deputy Director of Parks, Recreation and Facilities Flick, Police Chief Thomas, Director of Public Works Vandehey, Director of Information Technology Fox, Director of Utilities Shaw, Valley Transit Community Relations Specialist Voelszke, Library Director Rortvedt.

F. PUBLIC PARTICIPATION

None.

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[15-986](#)

Common Council Meeting Minutes from June 3, 2015.

Attachments: [CC Minutes 06-03-2015.pdf](#)**Alderson Konetzke moved, seconded by Alderson Croatt, that the Meeting Minutes be approved. Roll Call. Motion carried by the following vote:****Aye:** 14 - Alderson Croatt, Alderson Dannecker, Alderson Martin, Alderson Spears, Alderson Dalton, Alderson Meltzer, Alderson Plank, Alderson Siebers, Alderson Konetzke, Alderson Baranowski, Alderson Mann, Alderson Coenen, Alderson Lobner and Alderson Jirschele**Excused:** 1 - Alderson Williams**Abstained:** 1 - Mayor Hanna**H. BUSINESS PRESENTED BY THE MAYOR**[15-1033](#)

Presentation of Flag Day Parade Award Winners.

*Presentation to take place at the next Council meeting.***I. PUBLIC HEARINGS**[15-1007](#)

Public Hearing - 2-P-15.

Attachments: [CC 06-17-2015-PH - 2-P-15.pdf](#)*No person spoke for or against this item.***J. SPECIAL RESOLUTIONS**[15-1008](#)

Adopt Final Resolution 2-P-15 authorizing street improvements and levying Special Assessments against benefited property.

Attachments: [CC 06-17-2015 - Final Resolution - 2-P-15.pdf](#)*Public Hearing was held on June 17, 2015.***Alderson Martin moved, seconded by Alderson Baranowski, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:****Aye:** 14 - Alderson Croatt, Alderson Dannecker, Alderson Martin, Alderson Spears, Alderson Dalton, Alderson Meltzer, Alderson Plank, Alderson Siebers, Alderson Konetzke, Alderson Baranowski, Alderson Mann, Alderson Coenen, Alderson Lobner and Alderson Jirschele

Excused: 1 - Alderperson Williams

Abstained: 1 - Mayor Hanna

K. ESTABLISH ORDER OF THE DAY

[15-974](#)

Request from Mr. Tim Adams to not have terrace trees planted at 3240 E. Aquamarine Avenue.

Attachments: [Tim Adams.pdf](#)

Amendment (Croatt) - to have one terrace tree on west side of apron.

Alderperson Croatt moved, seconded by Alderperson Lobner, that the Report Action Item be amended. Roll Call. Motion carried by the following vote:

Aye: 11 - Alderperson Croatt, Alderperson Martin, Alderperson Spears, Alderperson Meltzer, Alderperson Plank, Alderperson Siebers, Alderperson Konetzke, Alderperson Baranowski, Alderperson Coenen, Alderperson Lobner and Alderperson Jirschele

Nay: 3 - Alderperson Dannecker, Alderperson Dalton and Alderperson Mann

Excused: 1 - Alderperson Williams

Abstained: 1 - Mayor Hanna

Alderperson Dannecker moved, seconded by Alderperson Dalton, that the Report Action Item be approved as amended. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Croatt, Alderperson Martin, Alderperson Spears, Alderperson Dalton, Alderperson Meltzer, Alderperson Plank, Alderperson Siebers, Alderperson Konetzke, Alderperson Baranowski, Alderperson Mann, Alderperson Coenen, Alderperson Lobner and Alderperson Jirschele

Nay: 1 - Alderperson Dannecker

Excused: 1 - Alderperson Williams

Abstained: 1 - Mayor Hanna

[15-953](#)

Request to approve Extraterritorial Final Plat for Forest View Estates located in the Town of Grand Chute as shown on the attached maps

Attachments: [StaffReport_ForestViewEstates_FinalPlat_For06-08-15.pdf](#)

Alderperson Konetzke moved, seconded by Alderperson Croatt, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Croatt, Alderperson Dannecker, Alderperson Martin, Alderperson Spears, Alderperson Dalton, Alderperson Meltzer, Alderperson Plank, Alderperson Siebers, Alderperson Konetzke, Alderperson Mann, Alderperson Coenen, Alderperson Lobner and Alderperson Jirschele

Nay: 1 - Alderperson Baranowski

Excused: 1 - Alderperson Williams

Abstained: 1 - Mayor Hanna

[15-992](#)

Agreement between CN and City of Appleton regarding railroad tressles and trails.

Attachments: [RR - Master Agreement - Redline - 06-05-15.pdf](#)
[RR - WI Central Ltd - Pedestrian Crossing Agrm \(Redline 06-05-15\).pdf](#)
[RR - WI Central Ltd - Real Estate Donation Contract - Clean - 06-03-15.pdf](#)
[2014 Riverfront Trails 10-24-14.pdf](#)

Alderperson Konetzke moved, seconded by Alderperson Plank, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Croatt, Alderperson Martin, Alderperson Spears, Alderperson Dalton, Alderperson Meltzer, Alderperson Plank, Alderperson Siebers, Alderperson Konetzke, Alderperson Baranowski, Alderperson Mann, Alderperson Coenen, Alderperson Lobner and Alderperson Jirschele

Nay: 1 - Alderperson Dannecker

Excused: 1 - Alderperson Williams

Abstained: 1 - Mayor Hanna

[15-897](#)

Request to approve the Economic Development Strategic Plan

Attachments: [Memo to CEDC ARA and Council EDSP.pdf](#)
[EDSP PowerPoint Presentation.pdf](#)
[Appleton Brochure 4-15-15.pdf](#)

Alderperson Baranowski moved, seconded by Alderperson Plank, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson Croatt, Alderperson Dannecker, Alderperson Martin, Alderperson Spears, Alderperson Dalton, Alderperson Meltzer, Alderperson Plank, Alderperson Siebers, Alderperson Konetzke, Alderperson Baranowski, Alderperson Mann, Alderperson Coenen, Alderperson Lobner and Alderperson Jirschele

Excused: 1 - Alderperson Williams

Abstained: 1 - Mayor Hanna

[15-887](#)

Resolution introduced by Alderperson Baranowski at the April 22, 2015 Common Council meeting relating to a referendum for the April 5, 2016 ballot regarding the new municipal library:

#6-R-15 - Baranowski

“Whereas the cost of the proposed re-siting of the municipal library to a completely new building on one of Appleton’s most commercially desirable downtown locations is a major expenditure by the city, and;

Whereas the currently budgeted city contribution is \$30 million dollars, a cost figure that likely does not include collateral and related costs for developments connected to serving the new construction and site, and, thus, is likely to increase as a total project cost, and;

Whereas the citizens of Appleton deserve an opportunity to directly influence an expenditure of this magnitude for a nontaxable municipal building;

Be it resolved that the following be placed as an advisory referendum question on the ballots for the 2016 Spring Election & Presidential Preference Vote to be held on April 05, 2016:

"Should at least \$30 million be spent by the taxpayers of the City of Appleton to construct a new municipal library?"

Recommendation is to deny the Resolution - clarification made that a yes vote will deny and a no vote will approve it.

Alderperson Lobner moved, seconded by Alderperson Mann, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 9 - Alderperson Dannecker, Alderperson Martin, Alderperson Dalton, Alderperson Meltzer, Alderperson Plank, Alderperson Siebers, Alderperson Mann, Alderperson Coenen and Alderperson Lobner

Nay: 5 - Alderperson Croatt, Alderperson Spears, Alderperson Konetzke, Alderperson Baranowski and Alderperson Jirschele

Excused: 1 - Alderperson Williams

Abstained: 1 - Mayor Hanna

[15-987](#)

Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 06-10-2015.pdf](#)

Alderson Martin moved, seconded by Alderson Lobner, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson Croatt, Alderson Dannecker, Alderson Martin, Alderson Spears, Alderson Dalton, Alderson Meltzer, Alderson Plank, Alderson Siebers, Alderson Baranowski, Alderson Mann, Alderson Lobner and Alderson Jirschele

Excused: 1 - Alderson Williams

Abstained: 3 - Mayor Hanna, Alderson Konetzke and Alderson Coenen

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderson Croatt moved, Alderson Martin seconded, to approve the report. The motion carried by the following vote:

Aye: 14 - Alderson Croatt, Alderson Dannecker, Alderson Martin, Alderson Spears, Alderson Dalton, Alderson Meltzer, Alderson Plank, Alderson Siebers, Alderson Konetzke, Alderson Baranowski, Alderson Mann, Alderson Coenen, Alderson Lobner and Alderson Jirschele

Excused: 1 - Alderson Williams

Abstained: 1 - Mayor Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[15-975](#)

Request from Appleton Downtown, Inc. for a street occupancy permit for Chalk On The Town to chalk the 600 W. College Avenue through 300 E. College Avenue sidewalk on July 17, 2015 from 1:00 p.m. to 9:00 p.m.

Attachments: [ADI request for chalk on the town.pdf](#)

This Report Action Item was approved.

[15-976](#) Request from Appleton Downtown, Inc. for a street occupancy permit for Fiber Rain within the College Avenue beautification strip between Superior Street and Durkee Street from June 18, 2015 through June 30, 2015.

Attachments: [ADI request for fiber rain display.pdf](#)

This Report Action Item was approved.

[15-978](#) Anticipated award for the Q-15 Pavement Marking (Paint) annual maintenance contract.

Attachments: [Q-15 Pavement Marking maintenance contract.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[15-910](#) Class "B" Beer License application of Guang Hai Chen, d/b/a Min Du Buffet, 1000 W. Wisconsin Ave., contingent upon approvals from all departments.

This Report Action Item was approved.

[15-919](#) Taxicab Company License renewal of Apple Valley Taxi LLC, James D. Jacobs, 1831 N. Bennett Street, contingent upon approvals from all departments.

This Report Action Item was approved.

[15-923](#) Operator's License application of Erik L. Williams, 1037 A Hunt Avenue, Neenah.

This Report Action Item was approved.

[15-925](#) Taxicab Company and Limousine Service renewal application of LIR Transportation, Igor Leykin, 719 W. Frances Street, contingent upon approval from all departments.

This Report Action Item was approved.

[15-926](#) "Class B" Beer/Liquor License application of The Hideout Bar LLC, Amanda K. Ernst, Agent, 2828 N. Ballard Rd., contingent upon approvals from all departments.

This Report Action Item was approved.

[15-930](#) Class "B" Beer License application of Fronteras LLC, d/b/a Fronteras Restaurant, Hector Mosqueda, Agent, 2311 W. College Ave., contingent upon approvals from all departments.

This Report Action Item was approved.

[15-932](#) Taxicab Company License renewal application of A-Town Taxi, Jeremy Swiertz, 917 Jefferson Street, Menasha, contingent upon approval from all departments.

This Report Action Item was approved.

[15-968](#) Request to apply for a joint grant from the Edward Byrne Memorial Justice Assistance Grant Program for the Appleton Police Department and Outagamie County.

This Report Action Item was approved.

[15-969](#) "Class B" Beer/Liquor License application of MC & C Sales LLC d/b/a McKnight & Carlson Wines, John D. Carlson, Agent, 1350 W. College Ave., contingent upon approvals from all departments.

This Report Action Item was approved.

[15-977](#) Taxicab Company and Limousine Service renewal application of Cavanaugh's Carriages, Rodger Cavanaugh, 3910 Fairview Road, Neenah, contingent upon approvals from all departments.

This Report Action Item was approved.

[15-988](#) Operator's Licenses

Attachments: [Operator's Licenses for 6-10-15 S & L.pdf](#)

This Report Action Item was approved.

[15-990](#) Change of Agent of "Class B" Beer/Liquor License Renewal application for Mc Gregors LLC, d/b/a Durty Leprechaun, 343 W. College Ave., contingent upon approval from the Police Department.

This Report Action Item was approved.

[15-991](#) Operator's License application of Morgan A. Butner, 3201 W. 4th Street, #7.

This Report Action Item was approved.

[15-993](#) Police Department Table of Organization Proposal

Attachments: [Police reorganization 6-8-15 request.pdf](#)
[Police reorganization 6-8-15 TO changes.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[15-952](#) Request to approve Special Use Permit #4-15 for a tavern and outdoor patio with alcohol sales and consumption, at 223 E. College Avenue, as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report

Attachments: [SUP #4-15 Staff Review.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[15-931](#) Request to award contract for Fire Station Standby Power Generator Systems to Van Ert Electric, Inc in the amount of \$95,022 with a contingency of \$9,500 for a contract total not to exceed \$104,522.

Attachments: [2015 Fire Station Emergency Generators Bid Recommendation.pdf](#)

This Report Action Item was approved.

[15-959](#) Approve Finance Committee Report 3-P-15 for Sanitary Sewer, Storm Sewer and Laterals.

Attachments: [Finance Committee 06-09-15 - Report 3-P-15.pdf](#)

This Report Action Item was approved.

[15-960](#) Approve Contract Amendment/Change Order No. 1 to Contract 5-15 for Unit W-15 Sewer & Water Reconstruction No. 1 with Van Straten Construction Co., Inc. to increase for upsizing of stormwater infrastructure per West Wisconsin Avenue Flood Study recommendations and additional quantities of water main, valves and services in the amount of \$60,420.00 resulting in a decrease to contingency from \$100,000.00 to \$87,080.00. Overall contract increased from \$2,596,405.00 to \$2,643,905.00.

Attachments: [Finance Committee 06-09-15 - Contract Amendment and Change Order No. 1 Unit W-15.pdf](#)
[Finance and Utilities Committee 06-09-15 - Memo for Stormwater Project and Funding updates.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[15-943](#) Request to approve the 2014 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program

Attachments: [CAPER memo to CEDC.pdf](#)
[CAPER5.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[15-954](#) Preliminary Resolution 3-P-15 for Sanitary Sewer, Storm Sewer, Sanitary Laterals & Storm Laterals be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [Preliminary Resolution 3-P-15 for Sanitary Sewer.pdf](#)

This Report Action Item was approved.

[15-962](#)

Request from the Department of Public Works to postpone the proposed 2015 West Wisconsin Flood Reduction Project - Phase 2A due to soil related/regulatory permitting issues and re-budget in a future year.

Attachments: [Memo for Stormwater Project and Funding updates.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES COMMITTEE

[15-957](#)

Request to approve Police Department table or organization changes. Overall staffing count remains the same. Change 1.0 fte Deputy Police Chief to 1.0 fte Officer. Retitle Deputy Chief to Assistant Chief. Change 1.0 fte Lead CSO to 1.0 fte Forensic Evidence Specialist. Move 1.0 Officer from ID unit to Patrol. Eliminate non benefited part time position from ID Unit.

Attachments: [Police reorganization 6-8-15 request.pdf](#)
[Police reorganization 6-8-15 TO changes.pdf](#)
[Police revised TO 6-8-15.pdf](#)

This Report Action Item was approved.

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

[15-1009](#)

Consolidated Action:
Utilities Committee: 15-954
Finance Committee: 15-959

This Report Action Item was approved.

[15-1024](#)

Consolidated Action:
Human Resources Committee: 15-957
Safety & Licensing Committee: 15-993

This Report Action Item was approved.

O. ITEMS HELD

P. ORDINANCES

[15-1010](#) Ordinances 53-15 thru 55-15.

Attachments: [Ordinances going to 06-17-2015 Council.pdf](#)

This Report Action Item was approved.

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER COUNCIL BUSINESS

T. ADJOURN

Aldersperson Konetzke moved, seconded by Aldersperson Martin, that the meeting be adjourned. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Mayor Hanna, Aldersperson Dalton, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Mann, Aldersperson Coenen, Aldersperson Lobner and Aldersperson Jirschele

Excused: 1 - Aldersperson Williams

Dawn A. Collins, City Clerk