



# City of Appleton

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

## Meeting Minutes Common Council

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Wednesday, September 4, 2013

7:00 pm

Council Chambers

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A. CALL TO ORDER

*The meeting was called to order at 7:02 P.M.*

B. INVOCATION

*Invocation by Alderperson Croatt*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 16 - Alderperson Patti Coenen, Alderperson Chris 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 Michael Smith, Alderperson Cathy Spears, Alderperson Peter Stueck, Mayor Timothy Hanna and Alderperson Tim Trauger

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, Finance Director Remiker, Interim Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Human Resources Behnke, Director of Parks, Recreation and Facilities Gazza, Police Chief Helein, Director of Public Works Vandehey, Interim Director of Information Technology Fox, Director of Utilities Shaw, Valley Transit General Manager Wetter, Library Director Rortvedt.*

F. PUBLIC PARTICIPATION

*Name - Address - Topic*

*Jeremy Dantie, 2121 E. Glendale Ave, Municipal Services Committee #13-1119  
Glendale Ave*

*Bob Fickel, 2121 E. Glendale Ave, Municipal Services Committee #13-1119 Glendale  
Ave*

*Ed Richter, 1320 Oakcrest Ct, Municipal Services Committee #13-1163 Front Yard  
Parking*

*Pat Chopra, 2307 E. Glendale Ave, Municipal Services Committee #13-1119  
Glendale Ave*

*Matt Hurteau, 1323 Oakcrest Ct, Municipal Services Committee #13-1163 Front Yard  
Parking*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

**13-1252** Approve August 21, 2013 Council Meeting Minutes.

**Attachments:** [CC Minutes 08-21-2013.pdf](#)

**Aldersperson Croatt moved, seconded by Aldersperson Plank, that the minutes be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 15 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Konezke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

**Excused:** 1 - Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

I. PUBLIC HEARINGS

**13-1253** Public Hearing for Rezoning #8-13 Clear Water Creek LLC.

**Attachments:** [Public Hearing - #8-13.doc](#)

*Name - Address - Topic*

*Jill Hendricks, 2100 Freedom Rd, Little Chute*

**13-1254** Public Hearing for Rezoning #9-13 at 420 W. Prospect Avenue.

**Attachments:** [Public Hearing - #9-13.doc](#)

*Name - Address - Topic*

*None.*

**13-1255** Public Hearing for Comp Plan Amendment #1-13 Future Land Use Map.

**Attachments:** [CC 09-04-2013 Comp Plan Amend 2010-2030 Class I Public Hearing Notice.doc](#)

*Name - Address - Topic*  
*None.*

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

**13-1119** R/B - Smith - Glendale Avenue from Ballard Road to Roemer Road be reconstructed with concrete pavement and curb and gutter to a width of 48' from back of curb to back of curb, which is 1' narrower than the existing street width. The newly reconstructed Glendale Avenue would include an 8' parking lane along the north side of the street, a 3' buffer area between the parking lane and bike lane, a 5' wide bike lane along the north side of the street, two 12.5' travel lanes, and a 6' wide bike lane along the south side of the street. Parking would be removed from the south side of Glendale Avenue within the proposed project limits. New Sidewalks would be constructed to the right-of-way line along both sides of Glendale Avenue within the project limits. Approved by a vote of Aye-2/Dannecker, Oswald; Nay-1/Martin.

Amendment #1 at 9/4/13 Council: Strike "north" in all cases, replace with "south", and vice versa. This amendment will move the proposed parking lane from the north to the south side of the street. Approved by a vote of Aye-10; Nay-5.

Amendment #2 at 9/4/13 Council: In the last sentence, strike "both sides" and replace with "the north side". This removes the proposed sidewalk from the south side of the road. Approved by a vote of Aye-8; Nay-7.

*Amendment #1*

**Amendment #1: Alderperson Lobner moved, seconded by Alderperson Croatt, to amend striking "north" in all cases, replace with "south", and vice versa. This amendment will move the proposed parking lane from the north to the south side of the street. Roll Call. Motion carried by the following vote:**

**Aye:** 10 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Jirschele, Alderperson Konetzke, Alderperson Lobner, Alderperson Smith, Alderperson Spears, Alderperson Stueck and Alderperson Trauger

**Nay:** 5 - Alderperson Garb, Alderperson Hill, Alderperson Martin, Alderperson Oswald and Alderperson Plank

**Excused:** 1 - Mayor Hanna

*Amendment #2*

**Amendment #2: Alderperson Lobner moved, seconded by Alderperson Spears, to amend in the last sentence, strike "both sides" and replace with "the north side". This removes the proposed sidewalk from the south side of the road.**

**Roll Call. Motion carried by the following vote:**

**Aye:** 8 - Alderperson Coenen, Alderperson Croatt, Alderperson Jirschele, Alderperson Lobner, Alderperson Smith, Alderperson Spears, Alderperson Stueck and Alderperson Trauger

**Nay:** 7 - Alderperson Dannecker, Alderperson Garb, Alderperson Hill, Alderperson Konezke, Alderperson Martin, Alderperson Oswald and Alderperson Plank

**Excused:** 1 - Mayor Hanna

*Amendment to Amendment #2 failed.*

**Amendment to Amendment #2: Alderperson Lobner moved, seconded by Alderperson Spears, to amend to add a sentence to the end "Cost of installation of the sidewalk on the north side of the road will be shared among residents on the north and south side.. Roll Call. Motion failed by the following vote:**

**Aye:** 2 - Alderperson Lobner and Alderperson Stueck

**Nay:** 13 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konezke, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Smith, Alderperson Spears and Alderperson Trauger

**Excused:** 1 - Mayor Hanna

*Motion to go into Committee of the whole failed.*

**Alderperson Lobner moved, seconded by Alderperson Croatt, to go into Committee of the Whole. Roll Call. Motion failed by the following vote:**

**Aye:** 4 - Alderperson Croatt, Alderperson Jirschele, Alderperson Lobner and Alderperson Spears

**Nay:** 11 - Alderperson Coenen, Alderperson Dannecker, Alderperson Garb, Alderperson Hill, Alderperson Konezke, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Smith, Alderperson Stueck and Alderperson Trauger

**Excused:** 1 - Mayor Hanna

*Referred to Municipal Services Committee.*

**This Report Action Item was referred to the Municipal Services Committee**

**13-1233**

Request to approve the following 2013 Budget Adjustment:

General Fund - Community and Economic Development  
Salaries and Benefits - \$5,000

General Fund - Unclassifieds  
Transfer out to Special Revenue Fund +\$5,000

Special Revenue Fund - Neighborhood Revitalization Program  
Transfer in - General Fund +\$5,000  
Consulting Services +\$5,000

to fund the neighborhood academy so that all City residents can participate in the program (2/3 vote required).

**Attachments:** [Budget Adj for Neighborhood Academy.pdf](#)

*Aldersperson Lobner requested the vote be notwithstanding, which the Mayor explained an aye vote would approve the transfer. It takes a two-thirds vote or 10 ayes.*

**Aldersperson Smith moved, seconded by Aldersperson Konetzke, that the Report Action Item be approved notwithstanding, which the Mayor explained an aye vote would approve the transfer. Roll Call. Motion carried by the following vote:**

**Aye:** 11 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

**Nay:** 4 - Aldersperson Dannecker, Aldersperson Garb, Aldersperson Konetzke and Aldersperson Smith

**Excused:** 1 - Mayor Hanna

**13-1163**

Request from Ed Richter for a variance to the Front Yard Parking Ordinance to extend his driveway more than the allowed 4 feet at 1320 Oakcrest Court.

**Attachments:** [Ed Richter front yard parking.pdf](#)

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

**Aye:** 15 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

- 13-1084** Rezoning #8-13 - Clearwater Creek LLC to rezone Lots 25, 26 and 42 of Clearwater Creek Subdivision and Lots 86, 87, 88, 89, 90 and 91 of First Addition to Clearwater Creek Subdivision from PD/R-2 Planned Development/Two-Family District to R-1B Single Family District.

**Attachments:** [Rezoning #8-13 Attachment.pdf](#)

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

**Aye:** 15 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Garb, Alderson Jirschele, Alderson Hill, Alderson Konetzke, Alderson Lobner, Alderson Martin, Alderson Oswald, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck and Alderson Trauger

- 13-1205** Special Use #11-13 - Roger Hager, 2639 S. Oneida Street to establish a new and used boat and travel trailer sales and display lot contingent upon departmental conditions of approval.

**Attachments:** [Special Use #11-13 attachment.pdf](#)

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

**Aye:** 15 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Garb, Alderson Jirschele, Alderson Hill, Alderson Konetzke, Alderson Lobner, Alderson Martin, Alderson Oswald, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck and Alderson Trauger

- 13-1229** Request to approve the classification and compensation plan with an 80% minimum and a 120% maximum.

**Attachments:** [Comp Plan Implementation proposal 8-27-13.pdf](#)

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

**Aye:** 15 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Garb, Alderson Jirschele, Alderson Hill, Alderson Konetzke, Alderson Lobner, Alderson Martin, Alderson Oswald, Alderson Plank, Alderson Smith, Alderson Spears, Alderson Stueck and Alderson Trauger

**Excused:** 1 - Mayor Hanna

- 13-1230** Request to approve the implementation of the Classification and Compensation Plan effective upon Council approval.

**Attachments:** [Comp Plan Implementation memo 8-22-13.pdf](#)

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

**Aye:** 15 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Smith, Alderperson Spears, Alderperson Stueck and Alderperson Trauger

**Excused:** 1 - Mayor Hanna

**13-1165**

Request from Judy Courtney to not have trees re-planted in the terrace at 718 S. Frederick Street.

**Attachments:** [Judy Courtney terrace.pdf](#)  
[Request to not re-plant trees.pdf](#)

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

**Aye:** 11 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank and Alderperson Trauger

**Nay:** 4 - Alderperson Konetzke, Alderperson Smith, Alderperson Spears and Alderperson Stueck

**13-1166**

Request from Kay Ponschock to not have tree replanted in the Frederick Street side terrace at 2800 E. Forest Street.

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

**Aye:** 10 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Lobner, Alderperson Martin, Alderperson Oswald and Alderperson Plank

**Nay:** 5 - Alderperson Konetzke, Alderperson Smith, Alderperson Spears, Alderperson Stueck and Alderperson Trauger

**13-1245**

#22-R-13/Lobner - "WHEREAS pharmacists play a key role in maintaining and improving the health of our citizens and possess a unique area of expertise in the field of medicine.

And WHEREAS the Appleton Municipal Code calls for "a good faith effort" to be made to appoint a registered nurse and physician to the Board of Health.

And WHEREAS membership of the Board of Health also has included a dentist and mortician.

THEREFORE BE IT RESOLVED that the City of Appleton shall add an eighth member to the Board of Health, and a good faith effort shall be made to appoint a licensed and practicing pharmacist to the board."

**Attachments:**     [Resolution memo.pdf](#)

**Aldersperson Lobner moved, seconded by Aldersperson Oswald, to amend in final paragraph, strike "add an eighth member to the Board of Health, and a good faith effort shall be made" and replace with "make a good faith effort to appoint a licensing practicing pharmacist to the Board". Roll Call. Motion carried by the following vote:**

**Aye:** 11 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Oswald, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

**Nay:** 4 - Aldersperson Hill, Aldersperson Martin, Aldersperson Plank and Aldersperson Smith

**Excused:** 1 - Mayor Hanna

**Aldersperson Lobner moved, seconded by Aldersperson Oswald, that the Report Action Item be approved, as amended, notwithstanding. Mayor Hanna explained that an aye vote would approve. Roll Call. Motion failed by the following vote:**

**Aye:** 5 - Aldersperson Croatt, Aldersperson Jirschele, Aldersperson Lobner, Aldersperson Oswald and Aldersperson Trauger

**Nay:** 10 - Aldersperson Coenen, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Hill, Aldersperson Konetzke, Aldersperson Martin, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears and Aldersperson Stueck

**Excused:** 1 - Mayor Hanna

**13-1237**

Operator's License application of Lisa M. Almanza, 1921 W. Russet Court, #2.

**Aldersperson Oswald moved, seconded by Aldersperson Spears, that the operator license be denied. Roll Call. Motion carried by the following vote:**



**Aye:** 15 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Smith, Alderperson Spears, Alderperson Stueck and Alderperson Trauger

**Excused:** 1 - Mayor Hanna

**Alderperson Croatt moved, seconded by Alderperson Oswald, that the felony is substantially related. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Oswald, Alderperson Plank, Alderperson Smith, Alderperson Spears, Alderperson Stueck and Alderperson Trauger

**Nay:** 1 - Alderperson Martin

**L. COMMITTEE REPORTS**

**A motion was made by Alderperson Smith, seconded by Alderperson Konetzke, to vote on the balance of the action items on the agenda.**

**Balance of the action items on the agenda.**

**Alderperson Smith moved, Alderperson Konetzke seconded, to approve the report. The motion carried by the following vote:**

**Aye:** 14 - Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Smith, Alderperson Spears, Alderperson Stueck and Alderperson Trauger

**Excused:** 1 - Mayor Hanna

**Abstained:** 1 - Alderperson Coenen

**1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

**13-1195** Operator's Licenses

**Attachments:** [Operator's Licenses for 8-29-13 S & L.doc](#)

**This Report Action Item was approved.**

**13-1199** "Class B" Beer/Liquor License application of Social Ventures LLC, d/b/a The 513, Kathryn M. Peotter, Agent, 513 W. College Avenue, contingent upon departmental approvals.

**This Report Action Item was approved.**

- 13-1184** The Taxi Cab Driver's License application of Wayne J. Chambers, 2300 S. Schaefer Street.  
**This Report Action Item was approved.**
- 13-1246** Request Authorization to Purchase Station Alerting Radio Equipment.  
**Attachments:** [Request Authorization to Purchase Station Alerting Radio Equipment.pdf](#)  
**This Report Action Item was approved.**
- 13-1206** The Grant Application - Reserve "Class B" license of Knotted Pianos, 215 E. College Avenue.  
**This Report Action Item was approved.**

## 2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

- 13-1164** Request from Ron & Gail Sabai for a variance to the Street Terrace Policy at 802 N. Appleton Street.  
**Attachments:** [Ron & Gail Sabai terrace policy.pdf](#)  
**This Report Action Item was approved.**
- 13-1219** #23-R-13/Smith - "Resolved that sidewalks be installed on Linwood Ave. as part of the 2014 sidewalk plan from the 100 block of Linwood Ave, starting from the existing sidewalk of Aldi's to the existing sidewalk of the 200 block of Linwood."  
**Attachments:** [Alderson Smiths Res.#23-R-13.pdf](#)  
**This Report Action Item was approved.**
- 13-1235** Additional Parking Restriction on the east side of Durkee Street, adjacent to Classical Charter School Proposed 90 day trial.  
**Attachments:** [Additional parking East side of Durkee.pdf](#)  
**This Report Action Item was approved.**
- 13-1236** Hulke Drive/Johann Drive intersection control  
**Attachments:** [Hulke Dr-Johann Dr.pdf](#)  
**This Report Action Item was approved.**

## 3. MINUTES OF THE CITY PLAN COMMISSION

- 13-1087** Rezoning #9-13 - City of Appleton to rezone 420 W. Prospect Avenue from R-1B Single-Family District to P-I Public Institutional District with the intent of designating the area as a city park and partially rezone a portion of 416 W. Prospect Avenue and 602 S. Walnut Street from R-1B Single-Family District to R-1C Central City Residential District to accommodate a lot line adjustment.

**Attachments:** [Rezoning #9-13 Attachment.pdf](#)

**This Report Action Item was approved.**

- 13-950** Comprehensive Plan 2010-2030 Future Land Use Map Amendments

**Attachments:** [Comp Plan Attachments 7-15-13.pdf](#)

**This Report Action Item was approved.**

- 13-1211** Resolution designating the proposed boundaries and approving a project plan for Tax Incremental Financing District #9 - E. Wisconsin Avenue area.

**Attachments:** [Resolution-City Plan Commission TIF #9 Attachment.doc](#)  
[TIF District 9 Project Plan 2013 rev 8-19-13 Attachment.pdf](#)  
[Resolution-Common Council TIF #9 Attachment.doc](#)

**This Report Action Item was approved.**

- 13-1214** Resolution designating the proposed boundaries and approving a project plan for Tax Incremental Financing District #10 - W. College Avenue area.

**Attachments:** [Resolution-City Plan Commission TIF #10 Attachment.doc](#)  
[TIF District 10 Project Plan 2013 rev 8-19-13 Attachment.pdf](#)  
[Resolution-Common Council TIF #10 Attachment.doc](#)

**This Report Action Item was approved.**

#### **4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**

- 13-970** #18-R-13/Oswald/Croatt - "Whereas, the City of Appleton has made recent investments and policy changes intended to encourage its residents to recycle more frequently and efficiently, and Whereas, encouraging more frequent and efficient recycling is in the City's interest, whether it be on residential, commercial or public property.  
Now, Therefore, Be it Resolved, that the Parks, Recreation and Facilities Management Department install recycling receptacles in City parks and in City facilities with public access where trash receptacles are present."

**Attachments:** [Park & Recreation Recycling Containers \(2013 Oswald Resolution\).doc](#)

This Report Action Item was approved.

- 13-1173** Award Tennis Court Renovation Contract for Green Meadows Park to Valley Sealcoat, Inc.

**Attachments:** [Memo-Tennis Court Contract Green Meadows.docx](#)

This Report Action Item was approved.

**5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

**6. MINUTES OF THE UTILITIES COMMITTEE**

- 13-1182** Anticipated Award of Unit N-13 Sewer Spot Repairs, Protruding Tap & Mineral Deposit Removals. (Bids to be opened Monday, August 26, 2013.)

This Report Action Item was approved.

- 13-1228** Award Organic Recycling Contractor Services to Hsu for an initial term ending December 31, 2015. Processing costs will be based on batch volumes processed as indicated in Table 1, Organic Recycling Contractor Services Quotes with a total not to exceed contract cost of \$230,016.

**Attachments:** [Hsu Contract.doc](#)

This Report Action Item was approved.

- 13-1250** Approve Heart of the Valley/Village of Little Chute/City of Appleton Agreement for Cherryvale Development.

This Report Action Item was approved.

**7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION****8. MINUTES OF THE BOARD OF HEALTH**

**13-1247** Request to appeal denial of a noise variance request for Fox River House

**Attachments:** [Fox River House-Aug-Sept 2013.doc](#)

This Report Action Item was approved.

**9. MINUTES OF THE HUMAN RESOURCES COMMITTEE****10. MINUTES OF THE FINANCE COMMITTEE**

**13-792** Request for Finance Director to sell \$5,250,000 General Obligation Notes. Item held from 7/31/13 Finance Committee Meeting.

**Attachments:** [2013 GO Issue.pdf](#)

This Report Action Item was approved.

**13-1170** Approve the transfer of \$85,000 from the Municipal Services Roof Replacement CIP to the replace the trench drains located in the vehicle storage areas at the Municipal Services Building (2/3 vote required).

**Attachments:** [MSB Trench Drain Transfer of Funds Request 2013.doc](#)

This Report Action Item was approved.

**13-1171** Request to approve Regional Hazardous Materials Response Contract

**Attachments:** [Regional HazMat Response Contract.pdf](#)

This Report Action Item was approved.

**13-1180** Request to assess a special charge for the Risk Management fund for unfavorable loss trend in excess of funds available in 2012. Allocation completed based on the same percentage calculated for expected loss allocations for the 2013 Budget (internal service funds excluded).

**Attachments:** [Loss Special Charge.pdf](#)

This Report Action Item was approved.

**13-1221** RIVERSIDE CEMETERY ASSOCIATION submitting a request for payment for maintenance of Veteran's graves

Attachments: [Riverside Cemetery.pdf](#)

**This Report Action Item was approved.**

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

**13-942** The Mobile Home Park License renewal application of Moore Enterprises Inc., d/b/a Fox Valley Estates, Suzanne Moore, 1106 E. Primrose Lane, contingent upon approvals from all departments. At 7/24/13 Council meeting, Ald. Jirschele requested this item be held to the first Council meeting in September.

**This Report Action Item was approved.**

P. ORDINANCES

**13-1256** Ordinances #75-13 through #79-13.

Attachments: [Ordinances going to 09-04-2013 Council.docx](#)

**This Report Action Item was approved.**

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

13-1257

Reconsideration of Resolution 21-R-13. (Request by Alderperson Croatt)

File #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 8/7/13 Common Council to Community & Economic Development Committee.)

At 8/21/2013 Common Council meeting, motion to approve failed with 6 ayes and 6 nays.

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

**Aye:** 9 - Alderperson Coenen, Alderperson Croatt, Alderperson Jirschele, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears and Alderperson Stueck

**Nay:** 5 - Alderperson Dannecker, Alderperson Garb, Alderperson Hill, Alderperson Oswald and Alderperson Smith

**Abstained:** 1 - Alderperson Trauger

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

**Aye:** 9 - Alderperson Coenen, Alderperson Croatt, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Stueck and Alderperson Trauger

**Nay:** 6 - Alderperson Dannecker, Alderperson Garb, Alderperson Oswald, Alderperson Plank, Alderperson Smith and Alderperson Spears

## T. ADJOURN

**Alderperson Konetzke moved, seconded by Alderperson Lobner, to adjourn. Roll Call. Motion carried by the following vote:**

**Aye:** 16 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Smith, Alderperson Spears, Alderperson Stueck, Mayor Hanna and Alderperson Trauger

CHARLENE M. PETERSON, CMC/WCMC  
City Clerk