



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, November 2, 2016

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:00 p.m.

B. INVOCATION

The Invocation was given by Alderperson Williams.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

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

Excused: 1 - Alderperson Chris Croatt

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Clerk Lynch, City Attorney Walsh, Deputy City Attorney Behrens, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief VanderWyst, Health Officer Eggebrecht, Director of Human Resources Behnke, Director of Information Technology Fox, Library Director Rortvedt, Director of Parks, Recreation & Facilities Gazza, Director of Public Works Vandehey, Police Chief Thomas, Director of Utilities Shaw, Valley Transit General Manager Mc Donald

F. PUBLIC PARTICIPATION

*The following spoke during Public Participation:
Greg Bell, 53 Diane Lane- Re: Community Development Block Grants
Pat Leigl, 130 E North St- Re: Community Development Block Grants*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[16-1723](#)

Common Council Meeting Minutes of October 19, 2016

Attachments: [CC Minutes 10-19-16.pdf](#)

Aldersperson Baranowski moved, seconded by Aldersperson Dannecker, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams and Aldersperson Cathy Spears

Excused: 1 - Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[16-1659](#)

Authorization to restructure the Table of Organization by reassigning direct reports in addition to adding two 0.625 fte part-time driver positions

Attachments: [Glance Chart Draft 10 2016.pdf](#)
 [Request to change the T O October 13 2016.pdf](#)

Motion by Konetzke, seconded by Lobner to hold this item at Council until it goes through the HR & IT Committee. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams and Aldersperson Cathy Spears

Nay: 1 - Aldersperson Ed Baranowski

Excused: 1 - Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

16-1643

Request to approve 2017 Community Development Block Grant (CDBG) Community Partner Allocation Recommendations

Attachments: [Alloc Recs Memo to CEDC 10-26-16 mtg.pdf](#)
[CDBG Advisory Board Members 10-26-16 mtg.pdf](#)
[2017 CDBG Award Recommendations.pdf](#)
[2017 CDBG Summary of Award Recommendations.pdf](#)

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

Aye: 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams and Aldersperson Cathy Spears

Excused: 1 - Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

16-1635

Approve Drone Removal Policy.

Attachments: [Drone Removal Policy.pdf](#)

Aldersperson Baranowski moved, seconded by Aldersperson Spears, that the Policy be amended to change the word 'Drone' to: 'remote controlled, self-propelled, or tethered objects'. Roll Call. Motion carried by the following vote:

Aye: 12 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams and Aldersperson Cathy Spears

Nay: 2 - Aldersperson Patti Coenen and Aldersperson Kyle Lobner

Excused: 1 - Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

Aldersperson Baranowski moved, seconded by Aldersperson Martin, that the Policy be approved as amended. Roll Call. Motion carried by the following vote:

Aye: 12 - Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Christine Williams and Aldersperson Cathy Spears

Nay: 2 - Aldersperson Kathleen Plank and Aldersperson Greg Dannecker

Excused: 1 - Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[16-1621](#)

Request to enter into intergovernmental Agreement with Appleton Area School District to borrow short term cash in an amount not to exceed \$14,500,000 from time to time as needed. The note shall be dated as of date of issuance, shall bear interest at the rate of 2% above the average Federal Funds rate from its dated date until paid; and shall mature no later than June 30, 2017. Interest on the note shall be paid at maturity or redemption.

Attachments: [2016-2017 Master Note Agreement.pdf](#)
 [AASD 2016-2017 Bond Council letter.pdf](#)

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

Aye: 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams and Alderperson Cathy Spears

Excused: 1 - Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[16-1647](#)

Request to approve the Development Agreement between the City of Appleton and Kurey Ridge, LLC for the Glacier Valley Condominiums.

Attachments: [Development Agreement - Glacier Valley Condominiums.pdf](#)

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

Aye: 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams and Alderperson Cathy Spears

Excused: 1 - Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[16-1585](#)

Request to approve request from Alderperson Siebers that special assessments for sanitary laterals, storm sewer and storm sewer laterals for properties on Fair Street that are zoned Commercial and R3 with single family residential use be assessed as Single Family.

Attachments: [Fair St Spec Assessment.pdf](#)
 [Petition.pdf](#)

This Report Action Item was referred to the Finance Committee due back on 11/16/2016.

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderperson Lobner moved, Alderperson Plank seconded, to approve the report. The motion carried by the following vote:

Aye: 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams and Alderperson Cathy Spears

Excused: 1 - Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[16-1634](#)

Approve Permanent Street Occupancy Permit for Fox Cities Exhibition Center sheeting tie backs in the Lawrence Street, Elm Street and Eighth Street right-of-way at 355 W. Lawrence Street.

This Report Action Item was approved.

[16-1636](#)

Eighth Street (Elm Street to 210' east of Elm Street) be reconstructed with concrete pavement at a width of 25 feet from back of curb to back of curb. Parking to be prohibited along both sides of Eighth Street within these project limits.

This Report Action Item was approved.

[16-1637](#)

Elm Street (Eighth Street to Lawrence Street) be reconstructed with concrete pavement at widths of 38 feet and 44 feet from back of curb to back of curb. New concrete sidewalk be constructed along both side of Elm Street at a width of 8 feet. Parking to be prohibited along both sides of Elm Street within these project limits. Decorative street lights ~~and colored concrete~~ to be included where feasible as part of streetscape elements.

This Report Action Item was approved.

[16-1638](#)

Lawrence Street (Elm Street to Appleton Street) be reconstructed with concrete pavement at a width of 35 feet from back of curb to back of curb, with one travel lane in each direction and bike lanes along both sides of the roadway. Where available, on-street parallel parking be provided along the north side of Lawrence Street. New concrete sidewalk be constructed along both sides of Lawrence Street at a width varying from 7 feet to 10 feet. Decorative street lights, ~~colored concrete~~, plantings and benches to be included where feasible as part of streetscape elements.

Attachments: [Lawrence St. \(Elm St-Appleton St.\) diagram.pdf](#)

This Report Action Item was approved.

[16-1671](#)

Proposed parking change on N. Gillett Street.

Attachments: [Proposed parking change on N. Gillett Street.pdf](#)

This Report Action Item was approved.

[16-1673](#)

Proposed parking change on W. Summer Street.

Attachments: [Proposed parking change on W. Summer Street.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[16-1652](#)

Operator's Licenses

Attachments: [Operator's Licenses for 10-26-16 S & L.pdf](#)

This Report Action Item was approved.

[16-1674](#)

"Class B" Beer/Liquor License application of Pisco Mar, LLC, Melissa Saint Geours, Agent, 528 W. College Ave., contingent upon approval from all departments.

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[16-1625](#)

Request to approve the dedication of land for public right-of-way for E. Milis Drive as shown on the attached maps

Attachments: [StaffReport_StreetDedication_MilisDrive.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[16-1548](#)

CEA Review Committee Report for September 20, 2016

Attachments: [MeetingMinutes20-Sep-2016-12-46-03.pdf](#)

This Report Action Item was approved.

[16-1586](#)

Request to approve the following 2016 Budget adjustment:

HazMat Fund

Chemicals	+\$50,000
State Grants	+\$50,000

to record a Department of Homeland Security grant for the purchase of firefighting foam for crude oil response.

Attachments: [Fire Foam Grant 2016.pdf](#)

This Report Action Item was approved.

[16-1587](#)

Request to approve the following 2016 Budget adjustment:

HazMat Fund

Chemicals	+\$56,826
State Grants	+\$56,826

to record a Department of Homeland Security grant for the purchase of HazMat radiological detection equipment.

Attachments: [Fire Radiological Equipment Grant 2016.pdf](#)

This Report Action Item was approved.

[16-1620](#)

Request to award contract of materials testing services for the Fox Cities Exhibition Center to PSI for a time and materials contract not to exceed \$60,000, and approve the following 2016 Budget adjustment:

Exhibition Center Construction Project

Contractor Fees	+\$60,000
Room Tax/Proceeds of Debt	+\$60,000

to award materials testing services contract to PSI.

Attachments: [2016 Expo Center Testing Services.pdf](#)

This Report Action Item was approved.

[16-1626](#)

Request from Mr. David Galow, 525 N. Division Street, for an exception to Section XI(A)(2) of the Special Assessment Policy stating that payment shall be in one installment if the assessment is \$1,000 or less. Mr. Galow's assessment for sanitary lateral is \$912.

Attachments: [Assessment Policy Section XI Method of Payment.pdf](#)

This Report Action Item was approved.

[16-1646](#)

Request to award the Appleton Memorial Park 2016 Park Sign and Message Board contract to TLC Sign in the amount of \$39,994.83.

Attachments: [AMP Park Sign and Message Center.pdf](#)

This Report Action Item was approved.

[16-1648](#)

Request to approve a sole source purchase of 42" PCCP water main pipe and fittings from U.S. Pipe for the 2017 S. Oneida Street Water Main Relocation project.

Attachments: [Sole Source Purchase Request - US Pipe.pdf](#)

This Report Action Item was approved.

[16-1672](#)

Request to approve the following 2106 Budget adjustment:

Exhibition Center Construction Project

Consulting Services	+\$15,000
Room Tax/Proceeds of Debt	+\$15,000

to record cost of municipal advising services related to the financing of the Exhibition Center.

Attachments: [Speer Financial Muni Advisor.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[16-1629](#)

Award 2016I contract for the Cotter Street Stormwater Pond Design and Construction Related Services to RA Smith National in an amount not to exceed \$30,428.

Attachments: [Cotter Design Award Memo Util Cmte.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[16-1722](#)

Ordinances 78-16 through 95-16

Attachments: [Ordinances going to Council 11-2-16.pdf](#)**This Report Action Item was approved.**

P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

#11-R-16

*Submitted by Alderperson Siebers**Whereas the R3 and CBD zoning of the 200 block of North Fair Street does not reflect the present usage of the properties along this street**Whereas the zoning of the properties of the 200 block of North Fair Street was done by the City in 1994, likely in hope that it would generate future development reflective of the zoning**Whereas no development on this block has taken place since the rezoning and those who own houses on this block, along with their alderperson, are not aware of any possible development pending in the near future**Whereas the property owners on the 200 block of North Fair Street desire that their properties be properly zoned according to their usage**Therefore, be it resolved, that the zoning of the properties in the 200 block of North Fair Street reflect the present usage of said properties.**Be it further resolved, that the Community & Economic Development Department identify other areas similar to the 200 block of North Fair Street, as it pertains to zoning, and if it is the desire of the property owners, properly zone these properties according to their usage.**Referred to the City Plan Commission*

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

[16-1724](#)

The Common Council may convene in closed session pursuant to State Statute §19.85(1)(e) for the purpose of deliberating the purchasing of public properties and/or the investing of public funds in certain property located in downtown Appleton and pursuant to State Statute § 19.85(1)(e) for the purpose of deliberating or discussing the sale and/or purchase terms of property within the City of Appleton's Northeast Industrial Park and then will reconvene into open session.

The Common Council convened into closed session at 7:34 p.m.

Motion by Martin, seconded by Baranowski to reconvene into open session. Roll Call. Motion Carried 14/0.

*The Common Council reconvened into open session at 8:46 p.m.
No action was taken in closed session.*

Aldersperson Baranowski moved, seconded by Aldersperson Konetzke, that the Common Council convene into closed session. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams and Aldersperson Cathy Spears

Excused: 1 - Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

T. ADJOURN

Aldersperson Baranowski moved, seconded by Aldersperson Martin, that the meeting be adjourned at 8:48 p.m. Roll Call. Motion carried by the following vote:

Aye: 16 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Chris Croatt and Mayor Timothy Hanna

Kami Lynch, City Clerk