



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, February 20, 2019

7:00 PM

Council Chambers

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A. CALL TO ORDER

*The meeting was called to order by Mayor Hanna at 7:02 p.m.*

B. INVOCATION

*The Invocation was offered by Alderperson Raasch.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 14 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Curt Konetzke, Alderperson Joe Martin, Alderperson Rachel Raasch, Alderperson Kathleen Plank, Alderperson Matt Reed, Alderperson Bob Baker, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Keir Dvorachek and Mayor Timothy Hanna

**Excused:** 2 - Alderperson Ed Baranowski and Alderperson Chris Croatt

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Battalion Chief Young, Health Officer Eggebrecht, Director of Human Resources Matz, Library Director Rortvedt, Director of Parks, Recreation & Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Utilities Shaw*

*The following were excused:*

*Information Technology*

*Valley Transit*

F. PUBLIC PARTICIPATION

*There was no one signed up to speak during public participation.*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[19-0238](#)

Common Council Meeting Minutes of February 6, 2019

**Attachments:** [CC Minutes 2-6-19.pdf](#)

**Aldersperson Baker moved, seconded by Aldersperson Lobner, that the Minutes be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Joe Martin, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Matt Reed, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner and Aldersperson Keir Dvorachek

**Excused:** 2 - Aldersperson Ed Baranowski and Aldersperson Chris Croatt

**Abstained:** 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

[19-0240](#)

Initial Resolution: Street Vacation of a portion of E Pacific St and N Owaissa St

**Attachments:** [Initial Res. E Pacific St Vacation 2-20-19.pdf](#)

**This Report Action Item was approved.**

K. ESTABLISH ORDER OF THE DAY

L. COMMITTEE REPORTS

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Joe Martin, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Matt Reed, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner and Aldersperson Keir Dvorachek

**Excused:** 2 - Aldersperson Ed Baranowski and Aldersperson Chris Croatt

**Abstained:** 1 - Mayor Timothy Hanna

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

**Aldersperson Baker moved, Aldersperson Lobner seconded, to approve the balance of the agenda. The motion carried by the following vote:**

**Aye:** 13 - Alderperson William Siebers, Alderperson Vered Meltzer, Alderperson Curt Konezke, Alderperson Joe Martin, Alderperson Rachel Raasch, Alderperson Kathleen Plank, Alderperson Matt Reed, Alderperson Bob Baker, Alderperson Christine Williams, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner and Alderperson Keir Dvorachek

**Excused:** 2 - Alderperson Ed Baranowski and Alderperson Chris Croatt

**Abstained:** 1 - Mayor Timothy Hanna

**1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

[19-0115](#) Request from Bob Phillips, 1737 N. Mason Street, to have his sidewalk snow removal bill of \$75 waived.

**Attachments:** [1737 N Main-Bob Phillips.pdf](#)

**This Report Action Item was approved.**

[19-0117](#) Approve Pacific Street Vacation east of Owaissa Street.

**Attachments:** [Pacific St Vacation east of Owaissa St.pdf](#)

**This Report Action Item was approved.**

[19-0118](#) Approve updates to Municipal Code Section 4-141 pertaining to garages and accessory buildings.

**Attachments:** [Update to Municipal Code Section 4-141.pdf](#)

**This Report Action Item was approved.**

[19-0120](#) Request from Appleton Downtown Inc. for a street occupancy permit to host a Sidewalk Sale on Saturday, August 3, 2019 from 10:00 am to 6:00 pm (during Mile of Music) on the College Avenue beautification strip from 600 W. College Avenue to 300 E. College Avenue.

**Attachments:** [Appleton Downtown Inc-Sidewalk Sale.pdf](#)

**This Report Action Item was approved.**

[19-0121](#)

Request from Appleton Downtown Inc. for a street occupancy permit for Street Music Week, June 10-14, 2019 in the beautification strip only (noon-1:00 pm) from 600 W. College Avenue to 300 E. College Avenue.

**Attachments:** [Appleton Downtown Inc-Street Music Week.pdf](#)

**This Report Action Item was approved.**

[19-0122](#)

Request from Appleton Downtown Inc. for street occupancy permits for College Avenue (600 W. College Avenue to 300 E. College Avenue) as follows:

- a. May 17, 2019-Celebrating Student Art in the beautification strip area only (noon to 9:00 pm)
- b. June 21, 2019-Make Music in the beautification strip area only (noon to 9:00 pm)
- c. July 19, 2019-Chalk on the Town in the sidewalk area only (noon to 9:00 pm)
- d. August 16, 2019-Plein Air Painting in the beautification strip area only (noon to 9:00 pm)
- e. September 20, 2019-Parking Day in the beautification strip and designated parking stalls only (noon to 9:00 pm)

**Attachments:** [Appleton Downtown Inc-Art on the Town.pdf](#)

**This Report Action Item was approved.**

[19-0123](#)

Award City Hall 5th Floor DPW Renovation Project to Chet Wesenberg Architect, LLC in the amount of \$39,090.00 with a 15% contingency of \$6,000.00 for a project total not to exceed \$45,090.00.

**Attachments:** [City Hall 5th floor DPW Renovation Project.pdf](#)

**This Report Action Item was approved.**

[19-0124](#)

Award Unit L-19 Bridge Deck Sealing to Min Con, Inc. in an amount not to exceed \$85,000.

**Attachments:** [Unit L-19 Bridge Deck Sealing.pdf](#)

**This Report Action Item was approved.**

[19-0167](#)

Approve parking restriction changes on Morrison/Glendale/Roosevelt (near Erb Pool). Follow-up to Six-Month Trial Period.

**Attachments:** [Parking restriction changes-Morrison-Glendale-Roosevelt.pdf](#)

**This Report Action Item was approved.**

[19-0168](#)

Approve parking restriction changes on Banta Court. Follow-up to Six-Month Trial Period.

**Attachments:** [Parking restriction changes on Banta Ct.pdf](#)

**This Report Action Item was approved.**

[19-0170](#)

Approve functional classification of streets and intersection traffic control within the Apple Ridge Estates Subdivision (Phase 1).

**Attachments:** [Apple Ridge Estates Subdivision \(Phase 1\).pdf](#)

**This Report Action Item was approved.**

[19-0173](#)

Approve functional classification of streets and intersection traffic control within the North Edgewood Estates Subdivision.

**Attachments:** [North Edgewood Estates Subdivision.pdf](#)

**This Report Action Item was approved.**

[19-0178](#)

Approve parking restriction changes in the area of Outagamie County's downtown complex.

**Attachments:** [Parking restriction changes-Outagamie County's downtown complex.pdf](#)

**This Report Action Item was approved.**

[19-0179](#)

Approve parking restriction changes on 400 W. Lawrence Street. Follow-up to Six-Month Trial Period.

**Attachments:** [Parking restriction changes on 400 W Lawrence St.pdf](#)

**This Report Action Item was approved.**

[19-0180](#) Approve parking restriction changes on Kamps Avenue, west of Douglas Street. Follow-up to Six-Month Trial Period.

**Attachments:** [Parking restriction change on Kamps Avenue.pdf](#)

This Report Action Item was approved.

[19-0187](#) Approve Amendment No. 5 to Patrick Engineering for the Oneida Street Bridge Project in the amount of \$27,169.00 for a total revised not to exceed contract of \$635,010.

**Attachments:** [Amendment No. 5 to Patrick Engineering Oneida Street Bridge Proj.pdf](#)

This Report Action Item was approved.

[19-0235](#) Approve permanent street occupancy permit for the existing Reid Golf Course Parking Lot within Fremont Street right-of-way.

**Attachments:** [Reid Golf Course Parking.pdf](#)

This Report Action Item was approved.

[19-0236](#) Approve permanent street occupancy permit for a corner of the new US Venture Public Parking Ramp within Water Street right-of-way.

**Attachments:** [US Venture Public Parking Ramp.pdf](#)

This Report Action Item was approved.

[19-0119](#) Award of 2019 Materials Testing Contract (M-19) to OMNNI Associates, Inc. in an amount not to exceed \$100,000.

**Attachments:** [2019 Materials Testing Contract \(M-19\).pdf](#)

This Report Action Item was approved.

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[19-0181](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 2-20-19 S & L.pdf](#)

This Report Action Item was approved.

[19-0184](#)

Permanent Premise Amendment application for a Beer Garden for Mc Guinness Irish Pub, Matthew Miller, agent, 201 S. Walnut St, contingent upon approval from all departments.

**Attachments:** [McGuinness Irish Pub-permanent premise amendment application.pdf](#)

This Report Action Item was approved.

### 3. MINUTES OF THE CITY PLAN COMMISSION

[19-0157](#)

Request to approve the street discontinuance to vacate a portion of East Pacific Street public right-of-way located east of North Owaissa Street and adopt the Initial Resolution and exhibit map

**Attachments:** [StaffReport\\_PacificSt\\_StreetVacation\\_For 2-12-19.pdf](#)

This Report Action Item was approved.

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

### 5. MINUTES OF THE FINANCE COMMITTEE

[19-0190](#)

Request to award the 2019 Scheig Center Redevelopment project to Vinton Construction in the amount of \$80,220 with a contingency of 10% for a total not to exceed \$88,242.

**Attachments:** [2019 Scheig 4 Finance Comittee Memo.pdf](#)

This Report Action Item was approved.

[19-0191](#)

Request to award the Linwood Park 2019 Tennis and Basketball Courts contract to Peters Concrete Company in the amount of \$205,208 with a contingency of 10% for a total not to exceed \$225,729

**Attachments:** [Linwood Tennis Finance Memo.pdf](#)

This Report Action Item was approved.

[19-0192](#)

Request to award Unit A-19 Concrete Paving to Vinton Construction in the amount of \$4,737,505 with a 1.9% contingency of \$90,000 for a project total not to exceed \$4,827,505

**Attachments:** [Award of Contract Unit A-19.pdf](#)

This Report Action Item was approved.

[19-0193](#)

Request to award Unit G-19 Leona Street Stormwater Pond to MCC, Inc in the amount of \$1,218,309 with a 5% contingency of \$61,000 for a project total not to exceed \$1,279,309

**Attachments:**     [Award of Contract Unit G-19.pdf](#)

**This Report Action Item was approved.**

[19-0194](#)

Request to award Unit H-19 Glenhurst Lane Box Culvert to Highway Landscapers, Inc in the amount of \$67,705 with a 7.4% contingency of \$5,000 for a project total not to exceed \$72,705

**Attachments:**     [Award of Contract Unit H-19.pdf](#)

**This Report Action Item was approved.**

[19-0195](#)

Request to award Unit W-19 Sewer & Water Main Reconstruction No. 1 to Kruczek Construction, Inc in the amount of \$2,413,413 with a 4% contingency of \$96,537 for a project total not to exceed \$2,509,950

**Attachments:**     [Award of Contract Unit W-19.pdf](#)

**This Report Action Item was approved.**

[19-0196](#)

Request to award the Engineering contract for the 2019 MSB HVAC Upgrades project to Donohue and Associates in the amount of \$34,135 plus a 10% contingency of \$3,413 for a total not to exceed project engineering cost of \$37,548

**Attachments:**     [2019 MSB HVAC Design.pdf](#)

**This Report Action Item was approved.**

[19-0197](#)

Request to award the Engineering contract for the 2019 AWWTP HVAC Upgrades project to Performa in the amount of \$41,200 plus a 10% contingency of \$4,120 for a total not to exceed project engineering cost of \$45,320

**Attachments:**     [2019 Wastewater HVAC Upgrades.pdf](#)

**This Report Action Item was approved.**



[19-0198](#)

Request to award the Engineering contract for the 2019 AWWTP Water Lateral Replacement project to Donohue and Associates in the amount of \$27,355 plus a 10% contingency of \$2,735 for a total not to exceed project engineering cost of \$30,090

**Attachments:** [2019 Wastewater Water Lateral Replacement.pdf](#)

**This Report Action Item was approved.**

[19-0199](#)

Request to award the Lawe Street Bridge Tender Station 2019 Remodeling project contract to Cardinal Construction Co., Inc in the amount of \$93,269 with a contingency of \$15,000 for a project total not to exceed \$108,269

**Attachments:** [2019 Lawe St Bridge Tender Station Remodel\\_.pdf](#)

**This Report Action Item was approved.**

## **6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

## **7. MINUTES OF THE UTILITIES COMMITTEE**

[19-0129](#)

Third Amendment of the 2018 Stormwater Management Plan Review contract with raSmith by an increase of \$7,500 for a total contract amount not to exceed \$117,500.

**Attachments:** [2018A SWM Plan Review Third Amendment Memo Util Cmte.pdf](#)

**This Report Action Item was approved.**

[19-0130](#)

Approval to single source and award 2019M Stormwater Consulting Services contract for Kernan Ravine Preliminary Engineering with Brown and Caldwell in an amount not to exceed \$41,670.

**Attachments:** [2019M Kernan Ravine 30% BC Award Memo.pdf](#)

**This Report Action Item was approved.**

[19-0131](#)

Award Unit R-19 Chemical Root Foaming of Sanitary Sewers to Great Lakes TV Seal, Inc. in an amount not to exceed \$25,000.

**Attachments:** [R-19 Chemical Root Foaming of Sanitary Sewers.pdf](#)

**This Report Action Item was approved.**

[19-0132](#)

Award Unit K-19 Native Landscape Management Contract to Applied Ecological Services, Inc. in an amount not to exceed \$181,892.

**Attachments:** [K-19 contract award util memo FINAL 02-01-2019.pdf](#)

This Report Action Item was approved.

[19-0133](#)

Award 2019L Leona Pond Construction Related Services Contract to Brown & Caldwell in an amount not to exceed \$32,970.

**Attachments:** [Brown Caldwell 2019L Leona Pond CRS Contract Util Memo FINAL 02-01-2019.pdf](#)

This Report Action Item was approved.

[19-0134](#)

Governmental Responsibility Resolution for Runoff Management Grants.

**Attachments:** [Resolution 2019 Grant Submittal CityofAppleton.pdf](#)

This Report Action Item was approved.

[19-0145](#)

Award Geotechnical Service for the Lake Intake Project to Omni Associates in the amount of \$89,695 with a contingency of \$8,900 and a total project cost not to exceed \$98,595.

**Attachments:** [Lake Intake Geotechnical Omni Award 02-01-19 \(002\).pdf](#)

This Report Action Item was approved.

## 8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[19-0146](#)

Request to approve Legal Services Department to eliminate position of Elections Clerk and replace it with an Administrative Support Specialist.

**Attachments:** [Clerk Re-org. Memo 2019.pdf](#)  
[Legal Services TO draft 2-1-18.pdf](#)

This Report Action Item was approved.

[19-0147](#)

Request approval of the Police Department reorganization to remove one Communication Specialist and add a Forensic Evidence Specialist along with the approval of changes to divisional titles and restructuring of divisions.

**Attachments:**     [Police Table of Org Modification Request Feb 2019.pdf](#)  
                                  [Police TO draft 2-7-19.pdf](#)

This Report Action Item was approved.

**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

**10. MINUTES OF THE BOARD OF HEALTH**

[19-0108](#)

Pheifer Brothers Noise Variance Request

**Attachments:**     [Pheifer Brothers Noise Variance Request.pdf](#)

This Report Action Item was approved.

**M. CONSOLIDATED ACTION ITEMS**

[19-0241](#)

**Consolidated Action Items:**  
- Item 19-0117 Municipal Services Committee  
- Item 19-0157 City Plan Commission  
- Item 19-0240 Special Resolution

This Report Action Item was approved.

**N. ITEMS HELD**

**O. ORDINANCES**

**P. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION**

**Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION**

**R. OTHER COUNCIL BUSINESS**

**S. CLOSED SESSION**

[19-0239](#)

The Common Council will go into closed session according to State Statute §19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session regarding the bluff site development and Soldier's Square Ramp and then reconvene into open session.

**Aldersperson Plank moved, seconded by Aldersperson Baker, that the Common Council convene into closed session at 7:14 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Joe Martin, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Matt Reed, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner and Aldersperson Keir Dvorachek

**Excused:** 2 - Aldersperson Ed Baranowski and Aldersperson Chris Croatt

**Abstained:** 1 - Mayor Timothy Hanna

## T. ADJOURN

*Motion by Aldersperson Coenen, seconded by Aldersperson Baker to reconvene into open session. Roll Call. Motion carried 13/0 and at 8:34 p.m. the Council reconvened in open session.*

*No action was taken in closed session.*

**Aldersperson Martin moved, seconded by Aldersperson Williams, that the meeting be adjourned at 8:34 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Joe Martin, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Matt Reed, Aldersperson Bob Baker, Aldersperson Christine Williams, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Keir Dvorachek and Mayor Timothy Hanna

**Excused:** 2 - Aldersperson Ed Baranowski and Aldersperson Chris Croatt

Kami Lynch, City Clerk