



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, April 20, 2016

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:01 p.m.

B. INVOCATION

The Invocation was given by Alderperson Konetzke.

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 Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt and Mayor Timothy Hanna

Excused: 1 - Alderperson Patti Coenen

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Clerk Lynch, City Attorney Walsh, Deputy City Attorney Behrens, Director of Community and Economic Development Harkness, Director of Finance Saucerman, Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Information Technology Fox, Director of Parks, Recreation and Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Utilities Shaw, Valley Transit Asst. General Manager Sandmeier, Library Director Rortvedt

F. PUBLIC PARTICIPATION

*The following spoke regarding Item 16-334 - Rezoning #2-16:
Pat Busha, 2400 S Telulah Ave
Angie Bruner, 2312 S Telulah Ave
Neil Damsheuser, 2418 S Telulah Ave
Alex Oberthaler, National Mangement, LLC*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[16-590](#) Common Council Meeting Minutes of April 6, 2016

Attachments: [CC Minutes 4-06-2016.pdf](#)

Aldersperson Konetzke moved, seconded by Aldersperson Baranowski, 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 Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Excused: 1 - Aldersperson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[16-593](#) Presentation of Library Volunteer of the Year Awards

[16-594](#) Appointment of Scott Engstrom to the Board of Zoning Appeals

Attachments: [APPT TO BD OF ZONING SCOTT ENGSTROM BIO VACATED TERM 041516.pdf](#)

Aldersperson Williams moved, seconded by Aldersperson Spears, that the Appointment 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 Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Excused: 1 - Aldersperson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

[16-595](#) Appointment of Todd Brokl to the Appleton Redevelopment Authority

Attachments: [APPT TO ARA TODD BROKL BIO VACATED TERM 041516.pdf](#)

Aldersperson Croatt moved, seconded by Aldersperson Spears, that the Appointment 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 Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Excused: 1 - Aldersperson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

[16-596](#)

Committee Reappointments

Reappointment of Kathy Groat to the Appleton Housing Authority

Reappointment of Gerald Fisher, and Marissa Downs to the Appleton Redevelopment Authority

Reappointment of Sally Mielke to the Board of Health

Reappointment of Eleanor Maloney, Linda Marx and James Smith to the Board of Review

Reappointment of Steve Uslabar to the City Plan Commission

Reappointment of Nancy Peterson to the Historic Preservation Commission

Reappointment of Richard Detienne and Carolyn Mewhorter to the Fox Cities Transit Commission

Attachments: [COMM REAPPOINTS AHA ARA HEALTH REVIEW PLAN HPC TRANSIT 041516.pdf](#)

Aldersperson Croatt moved, seconded by Aldersperson Konetzke that the Committee Reappointments 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 Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Excused: 1 - Aldersperson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

[16-591](#)

Public Hearing: 1-P-16

Attachments: [Public Hearing 1-P-16.pdf](#)

*The Public Hearing was held. The following individuals spoke:
Nathan Herrick, 1900 N Owaissa St.
Dennis LaMere, 1604 W Rogers Ave*

J. SPECIAL RESOLUTIONS

[16-592](#)

Adoption of Final Resolution 1-P-16 authorizing street improvements and levying special assessments against benefited property

Attachments: [1-P-16 Sanitary Storm Sewer Laterals Final Resolution.pdf](#)

Aldersperson Konetzke moved, seconded by Aldersperson Baranowski, that Resolution 1-P-16 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 Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

[16-334](#)

Request to approve Rezoning #2-16 for 1611 & 1621 Schaefer Circle and 1645 E. Harding Drive, including to the centerline of the adjacent right-of-way, as shown on the attached maps, from PD/R-3 Planned Development Multi-Family District to R-3 Multi-Family District

Attachments: [StaffReport_VirginiaVillageApts_Rezoning_For04-11-16.pdf](#)

Alderperson Konetzke moved, seconded by Alderperson Dannecker, that the Rezoning be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Cathy Spears and Alderperson Chris Croatt

Nay: 2 - Alderperson Kathleen Plank and Alderperson Christine Williams

Excused: 1 - Alderperson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

[16-515](#)

Request to deny the Claim for Excessive Tax appeal from Associated Bank.

Attachments: [Associated Bank claim memo to finance committee April 2016.pdf](#)
[Associated Bank - Claim for Excessive Assessment \(filed 1-28-16\).pdf](#)

Alderperson Konetzke moved, seconded by Alderperson Plank, that the denial of the claim be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Excused: 1 - Alderperson Patti Coenen

Abstained: 2 - Alderperson Matt Reed and Mayor Timothy Hanna

[16-550](#)

Request to approve the offer to purchase of 110 W. Edgewood Drive in the Town of Grand Chute and authorize the budget adjustment from the Industrial Park Land Fund for the associated acquisition and due diligence costs totaling \$309,600.00

Attachments: [Memo to CEDC & Finance on Purchase of 110 W Edgewood Dr.pdf](#)
[Aerial Photo Edgewood Drive.pdf](#)
[Edgewood Drive Map.pdf](#)
[Edgewood Accepted Offer.pdf](#)

Alderson Plank moved, seconded by Alderson Croatt, that the offer to purchase be approved. Roll Call. Motion carried by the following vote:

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

Excused: 1 - Alderson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderson Konetzke moved, Alderson Croatt seconded, to approve the balance of the agenda. The motion carried by the following vote:

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

Excused: 1 - Alderson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[16-558](#) Approve Street Occupancy Permit request from Boldt to install a fence along the Morrison Street and Lawrence Street sides of 218 E. Lawrence Street shutting down the Morrison Street sidewalk and reducing the Lawrence Street sidewalk to 5 feet from March 28, 2016 through July 31, 2016 for construction of Appleton YMCA's new entrance.

Attachments: [Street Occupancy Permit Boldt.pdf](#)

This Report Action Item was approved.

[16-559](#) Award the Purchase and Installation of Appleton's Parking Access and Revenue Control System to TAPCO in an amount not to exceed \$650,000.

Attachments: [Award to TAPCO.pdf](#)

This Report Action Item was approved.

[16-562](#) Approve Memorandum of Understanding with Appleton Northside Business Association for purchase and installation of American Flags for Richmond Street.

Attachments: [Memorandum of Understanding-Appleton Northside Business .pdf](#)

This Report Action Item was approved.

[16-563](#) Request from Appleton Downtown Inc. for a street occupancy permit to host a Sidewalk Sale on Saturday, August 6, 2016 from 1:30 p.m. to 6:00 p.m. (during Mile of Music) on the beautification strip from 600 W. College Avenue to 300 E. College Avenue.

Attachments: [ADI-Sidewalk Sale.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[16-378](#) Farm Market application of Appleton Downtown Inc. for Saturdays, June 18 - October 25, 2016 (except September 24), Appleton Street to Drew Street, including Houdini Plaza and Oneida (south), contingent upon approvals from all departments.

This Report Action Item was approved.

[16-379](#) Indoor Farm Market application of Appleton Downtown Inc., for Saturdays, November 5, 2016 to May 27, 2017, City Center Plaza, contingent upon approvals from all departments.

This Report Action Item was approved.

[16-433](#) Operator's Licenses

Attachments: [Operator's Licenses for 3-23-16 S & L.pdf](#)
[Operator's Licenses for 04-13-16.pdf](#)

This Report Action Item was approved.

[16-438](#) Request Authorization to Purchase Emergency Vehicle Preemption Equipment from a Single Source Vendor

Attachments: [Memo to Safety Licensing Committee - Upgrading EVP Equipment - 3-17-16.pdf](#)

This Report Action Item was approved.

[16-524](#) Secondhand Article License application of Endless Treasures, Lacy L. Karth, Applicant, 1930 W. College Ave., contingent upon approval from all departments.

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[16-514](#) CEA Review Committee Report for March 22, 2016

Attachments: [CEA Review22-Mar-2016-02-02-29.pdf](#)

This Report Action Item was approved.

[16-516](#) Request to approve Resolution accepting Petition for Annexation - Plach Annexation, Town of Grand Chute

Attachments: [Plach - Resolution.pdf](#)

This Report Action Item was approved.

[16-517](#)

Request to approve the following 2016 Budget adjustment:

Water Utility

Machinery and Equipment	- \$105,250
Infrastructure Construction	+\$105,250

to re-allocate funds for the Lawrence Street Watermain Project.

Attachments: [2016 Budget Adj Lawrence St Watermain Proj.pdf](#)

This Report Action Item was approved.

[16-532](#)

Request to award Information Technology Furniture Remodel to Nordon Business Environments in the amount of \$59,854.79.

Attachments: [2016 Technology Services Furniture Sole Source.pdf](#)

This Report Action Item was approved.

[16-533](#)

Request to award the Municipal Services Building 2016 Roof Replacement Project contract to Northeastern Roofing in the amount of \$180,700 with a contingency of 10% for a project not to exceed \$198,770.

Attachments: [2016 MSB Roof Replacement.pdf](#)

This Report Action Item was approved.

[16-534](#)

Request to award the City of Appleton Park Pavilions 2016 Roof Replacement Project contract to Weinert Roofing in the amount of \$37,244 with a contingency of 10% for a project not to exceed \$40,968.

Attachments: [2016 Park Pavilions Roof Replacement.pdf](#)

This Report Action Item was approved.

[16-536](#)

Request to award Unit B-16 Asphalt Pavement Reconstruction to Vinton Construction Company in the amount of \$1,207,978.30 with a 3% contingency of \$36,000 for a project total not to exceed \$1,243,978.30.

Attachments: [Award of Contract B-16.pdf](#)

This Report Action Item was approved.

[16-537](#) Request to award Unit X-16 Sewer and Water Main Reconstruction No. 2 to Van Straten Construction Co. Inc., in the amount of \$1,675,570 with a 2.8% contingency of \$46,000 for a project total not to exceed \$1,721,570.

Attachments: [Award of Contract X-16.pdf](#)

This Report Action Item was approved.

[16-571](#) Request to award contract for the installation of emission control equipment on AWTF generators to August Winter and Sons, Inc for \$46,500 with a contingency of \$3,500 for a project total not to exceed \$50,000, and approve the following 2016 Budget adjustment:

Water Utility Capital Project

Generator Emissions Control Project	+\$50,000
Chemical Storage Room Project	- \$50,000

to record transfer of positive Chemical Storage Room Project budget variance to the Generator Emissions Control Project.

Attachments: [Emissions Control Device Installation Contract rev 1.doc](#)

This Report Action Item was approved.

[16-577](#) Request to approve the following 2016 Budget adjustment:

Industrial Park Land Fund

Land	+\$309,600
Fund Balance	- \$309,600

to record the purchase of future business/industrial property on Edgewood Drive in Grand Chute.

Attachments: [Memo to CEDC & Finance on Purchase of 110 W Edgewood Dr.pdf](#)
[Aerial Photo Edgewood Drive.pdf](#)
[Edgewood Drive Map.pdf](#)
[Edgewood Accepted Offer.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[16-548](#)

Request to approve the City of Appleton entering into a three year extension of the Memorandum of Understanding for Southpoint Commerce Park Market Garden with Goodwill Industries of North Central Wisconsin

Attachments: [Memo to CEDC on CGP Market Garden Extension 4-13-16.pdf](#)
[Market Garden MOU-2016-18.pdf](#)

This Report Action Item was approved.

[16-599](#)

****CRITICAL TIMING**** Request to approve the Offer to Purchase from Farrell Investments, LLC, or assigns to purchase Lot 3, Northeast Industrial Park Plat 4, for a price of \$57,600.00 (\$40,000.00 per acre), comprised of approximately 1.44 acres, and a variance to the Declarations of Covenants and Restrictions requiring construction commencement by December 31, 2017

Attachments: [Farrell OTP Memo 4-15-16.pdf](#)
[Farrell Offer to Purchase Lot 3.pdf](#)
[AvailableSites 4152016.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[16-529](#)

Approve amendment to Municipal Code Chapter 20, Section 20-237(d), relating to how the Stormwater billing amount for impervious area is updated.

Attachments: [Municipal Code Chapter 20, 20-237\(d\) Amendment.pdf](#)

This Report Action Item was approved.

[16-572](#)

Anticipated Award for Unit F-16, Sewer Cleaning and Televising.

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

[16-526](#)

Noise Variance Request - Fox River House

Attachments: [Noise Variance Request - Fox River House.pdf](#)

This Report Action Item was approved.

M. CONSOLIDATED ACTION ITEMS

[16-600](#)

Resolution of the Common Council Accepting Petition for Annexation-
Plach Annexation, Town of Grand Chute
Finance Item 16-516

Attachments: [Plach Annexation Resolution.pdf](#)

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

#6-R-16

Referred to: Parks & Recreation

Whereas, Appleton has been recognized by the League of American Bicyclists as a Bicycle Friendly Community. And

Whereas, communities as vibrant as Appleton are a destination for residents and visitors alike a place where people don't just live and work, but thrive. And

Whereas, riding a bike is a healthy, fun and safe activity. And

Whereas, Appleton has currently, 14.3 centerline-miles of bike lanes and are planning to add an additional 9.3 miles over the next five years. And

Whereas, Appleton has 8.0 miles of side paths (paths located in road rights-of-way that run parallel to roadways). We are planning to add at least an additional 2.3 miles over the next five years. And

Whereas, Appleton has 9.2 miles of public trails, which includes Apple Creek, North Island, Providence, Newberry, and Highview Trails. And

Whereas, we are planning to add in the next 3-10 years: The Trolley Trestle Trail from Atlas Mill to Pullmans, Lutz Park to Vulcan Heritage, Foremost Trestle Trail and Lawrence University connection, Riverview Gardens connecting Veterans Park to Olde Oneida Street and Newberry Trail, and Plamann Park to Apple Hill Trail. And
Whereas, bicycle advocates have fought hard for the right to the road and continue to shape our traffic laws to better accommodate people on bikes and all multimodal transportation choices, And

Now, Therefore, Be It Resolved that Appleton continues to grow our biking and walking community and plans to employ a shared employee in 2017 between Departments of Public Works and Park and Recreation to develop new programs, seek and apply for grants, enhance accommodations, and continue to make the City of Appleton a more bicycle and pedestrian friendly community.

Submitted April 20, 2016

Aldersperson Joe Martin- District 4

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Aldersperson Baranowski moved, seconded by Aldersperson Croatt, that the meeting be adjourned at 7:46 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, 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

Excused: 1 - Aldersperson Patti Coenen

Kami Lynch, City Clerk