



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, May 18, 2016

7:00 PM

Council Chambers

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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 Martin.*

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 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, Alderperson Chris Croatt and Mayor Timothy Hanna

**Excused:** 1 - Alderperson Margret Mann

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, Deputy Fire Chief Reece, Health Officer Eggebrecht, Director of Human Resources Behnke, 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 individuals spoke regarding Item 16-706 Special Use Permit #2-16 for a proposed cell tower:*

*Ryan Vissers, 2713 Kesting Court  
Emory Laffin, 2709 Kesting Court  
Lynndale Ihm, 2810 N Park Drive Lane  
Rod Roovers, 2708 Kesting Court  
Bill Fellows, 1808 E Longview Drive  
Guy Stewart, 3703 North Point*

## G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[16-812](#) Common Council Meeting Minutes of May 4, 2016

**Attachments:** [CC Minutes 5-4-16.pdf](#)

**Alderson Konetzke moved, seconded by Alderson Dannecker, that the Minutes 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 Patti Coenen, 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 Margret Mann

**Abstained:** 1 - Mayor Timothy Hanna

## H. BUSINESS PRESENTED BY THE MAYOR

[16-807](#) Presentation of National Public Works Week Proclamation

[16-808](#) Presentation of Hmong American Day Proclamation

[16-809](#) Presentation of Appleton Police Department Officer of the Year Award to Sergeant Neal Rabas

[16-810](#) Presentation of Appleton Police Department Civilian Medals of Gallantry to William Beyer, Julie Dudek, and Bruce Dudek

[16-811](#) Presentation of A Week to Celebrate Policing Proclamation

## I. PUBLIC HEARINGS

[16-813](#) Public Hearing: Resolution 2-P-16 Concrete Pavement, Sidewalk Construction and Driveway Aprons

**Attachments:** [2-P-16 Public Hearing Notice.pdf](#)

*The Public Hearing was held. No one spoke during the Public Hearing.*

## J. SPECIAL RESOLUTIONS

[16-814](#)

Resolution 2-P-16

**Attachments:** [2-P-16 Concrete Paving Final Resolution.pdf](#)

**Aldersperson Croatt moved, seconded by Aldersperson Baranowski, that the Resolution 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 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 and Aldersperson Chris Croatt

**Excused:** 1 - Aldersperson Margret Mann

**Abstained:** 1 - Mayor Timothy Hanna

## K. ESTABLISH ORDER OF THE DAY

[16-706](#)

Request to approve Special Use Permit #2-16 for an 85-foot monopole wireless telecommunication tower with associated antennas and ground equipment located in the 2700 block of N. Kesting Court (Tax Id 31-1-4025-00), as shown on the attached maps and per attached plan of operation, subject to the conditions in the attached staff report

**Attachments:** [StaffReport\\_KestingCtTower\\_SpecialUsePermit#2-16.pdf](#)  
[Kesting Ct Cell Tower Petition.pdf](#)  
[Photos submitted to Plan Commission on 5-9-16 re Kesting Ct Tower.pdf](#)

*Aldersperson Croatt Referred this Item back to the City Plan Commission. The Item will be on the June 6th City Plan Commission Agenda.*

[16-760](#)**\*\*\*CRITICAL TIMING\*\*\***

Approval to bury majority of overhead power lines on S. Oneida Street from the south end of the Skyline Bridge to 300 feet south of Seymour Street for an additional \$750,000 added to city share of S. Oneida Street Project contingent upon St. Elizabeth Hospital reimbursing the City for the costs south of Fremont Street **in an amount not to exceed \$325,000.**

**Attachments:**     [05-10-2016 MSC Presentation legal size paper.pdf](#)  
[05-10-16 MSC Overhead Lines Remain.pdf](#)  
[05-10-16 MSC Overhead Lines Removed.pdf](#)

*Motion by Alderperson Coenen, seconded by Konetzke to Call the Question. Motion carried 13/1. A vote on the original Motion as amended to include the commitment date of May 20th was taken.*

**Motion by Martin, seconded by Konetzke to approve the Report Action Item. The Motion was amended (below) to add that the commitment for reimbursement be received by May 20th. A Roll Call vote was taken and the item was approved as amended by the following vote:**

**Aye:** 12 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Cathy Spears and Alderperson Chris Croatt

**Nay:** 2 - Alderperson Greg Dannecker and Alderperson Christine Williams

**Excused:** 1 - Alderperson Margret Mann

**Abstained:** 1 - Mayor Timothy Hanna

**Alderperson Konetzke moved, seconded by Alderperson Coenen, that the original Motion be amended to remove the contingency of the reimbursement from St. Elizabeth Hospital. Roll Call. Motion failed by the following vote:**

**Aye:** 7 - Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Matt Reed, Alderperson Joe Martin, Alderperson Cathy Spears and Alderperson Chris Croatt

**Nay:** 7 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Vered Meltzer, Alderperson Greg Dannecker and Alderperson Christine Williams

**Excused:** 1 - Alderperson Margret Mann

**Abstained:** 1 - Mayor Timothy Hanna

**Alderperson Spears moved, seconded by Alderperson Croatt, that the original Motion be amended to add to the contingency, that St. Elizabeth Hospital commits to the reimbursement by May 20th. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, 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 Alderperson Chris Croatt

**Excused:** 1 - Alderperson Margret Mann

**Abstained:** 1 - Mayor Timothy Hanna

[16-776](#)

Request to approve a variance to the Declaration of Covenants and Restrictions, Item 3.C.6 for Plat 4 in the Northeast Industrial Park, allowing for the currently installed "plank embossed profile" exterior material to remain at 3100 E. Capitol Drive

**Attachments:** [Memo to CEDC on Variance to Covenants for 3100 E Capitol Dr.pdf](#)  
[City Letter Request for Variance.pdf](#)  
[Keller letter regarding 3100 E Capitol Drive.pdf](#)  
[Photo 1 of 3100 E. Capitol Drive.pdf](#)  
[Photo 2 of 3100 E. Capitol Drive.pdf](#)  
[NEIP Covenants and Restrictions.pdf](#)

**Alderperson Baranowski moved, seconded by Alderperson Coenen, 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 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 Alderperson Chris Croatt

**Excused:** 1 - Alderperson Margret Mann

**Abstained:** 1 - Mayor Timothy Hanna

## L. COMMITTEE REPORTS

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

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

**Aye:** 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, 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 Alderperson Chris Croatt

**Excused:** 1 - Alderperson Margret Mann

**Abstained:** 1 - Mayor Timothy Hanna

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

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

[16-667](#)

Change of Agent - "Class B" Beer/Liquor License of Milko, Inc., d/b/a The Bar on the Avenue, Samuel D. Kilgas, Agent, 427 W. College Ave., contingent upon approval from all departments.

**This Report Action Item was approved.**

[16-668](#)

Change of Agent - Class "A" Beer/Liquor License of Walgreen Co., d/b/a Walgreens #02921, Stacey A. West, Agent, 1901 S. Oneida St., contingent upon approval from all departments.

**This Report Action Item was approved.**

[16-669](#)

Change of Agent - Class "A" Beer/Liquor License of Albertfest Inc., d/b/a Festival Foods, John R. Borski, Agent, 1200 W. Northland Ave., contingent upon approval from all departments.

**This Report Action Item was approved.**

[16-685](#)

Salvage Dealer's License Renewal application of Bee J Enterprise Inc., Connie J. Hartjes, Applicant, 4845 Greenville Dr., contingent upon approval from all departments.

**This Report Action Item was approved.**

[16-686](#)

Request authorization to purchase structural firefighting personal protective equipment.

**Attachments:** [Purchase Structural FF PPE.pdf](#)

**This Report Action Item was approved.**

[16-701](#)

Taxi Cab Company and Limousine Service renewal application of A-Town Taxi, Jeremy Swiertz, P.O. Box 42, Menasha, contingent upon approvals from all departments.

**This Report Action Item was approved.**

[16-755](#) Mobile Home Park License renewal application of Moore Enterprises, Fox Valley Estates, Scott Moore, 106 Primrose Lane, contingent upon approvals from all departments.

**This Report Action Item was approved.**

[16-778](#) Taxi Cab Company and Limousine Service renewal application of L&S Classic Limousine LLC, Leonard Trams, W6177 Plymouth Street, contingent upon approvals from all departments.

**This Report Action Item was approved.**

[16-784](#) Renewal Operator Licenses

**Attachments:** [Renewal Operator's Licenses for 5-11-16 S & L.pdf](#)

**This Report Action Item was approved.**

[16-793](#) Change of Premise Description of Vers Venture LLC d/b/a Mr. Brews Taphouse, Tammy L. Verhagen, Agent, 201 S. Riverheath Way, Suite 1100 for the dates of May 31, June 18, July 31 & August 6, 2016, contingent upon approval from all departments.

**This Report Action Item was approved.**

### **3. MINUTES OF THE CITY PLAN COMMISSION**

[16-704](#) Request to approve Special Use Permit #1-16 for a microbrewery and bar with outdoor alcohol sales and service at 115 S. State Street (Tax Id #31-3-0986-00 and #31-3-0987-00), 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:** [StaffReport\\_McFleshmans\\_SUP\\_For05-09-16.pdf](#)

**This Report Action Item was approved.**

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

### **5. MINUTES OF THE FINANCE COMMITTEE**

[16-800](#) Request to award Unit J-16 Mini Storm Sewer Construction to Vanco Construction, Inc. in an amount not to exceed \$200,000.

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

This Report Action Item was approved.

[16-801](#) Request to award the Fire Stations #3 and #5 2016 Exterior Lighting Replacement contract to K&B Electric, LLC in the amount of \$38,110 with a contingency of 10% for a project not to exceed \$41,921.

**Attachments:** [2016 Fire Station 35 Lighting.pdf](#)

This Report Action Item was approved.

[16-804](#) Request to approve the following 2016 Budget adjustment:

**General Fund - City Clerk's Office**

Reserve Class B License Grant Payment	+\$10,000
Fund Balance	- \$10,000

to record Class B Liquor License Grant payment to El Patron restaurant approved at April 27, 2016 Safety and Licensing Committee (2/3 vote required).

**Attachments:** [El Patron License Rebate.pdf](#)

This Report Action Item was approved.

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

[16-757](#) Request to apply to Wisconsin Economic Development Corporation (WEDC) for a Site Assessment Grant (SAG) for \$150,000 to investigate contamination and understand and create a mitigation plan for 618 S. Olde Oneida Street (Metso property)

**Attachments:** [Memo to CEDC on Site Assessment Grant from WEDC.pdf](#)  
[Grant Tracking Form Signed WEDC Site Assessment Grant.pdf](#)

This Report Action Item was approved.

**7. MINUTES OF THE UTILITIES COMMITTEE**



[16-723](#)

Award of Cotter Street Stormwater Management Alternatives Evaluation, in an amount not to exceed \$20,687 and authorization to single source the future design contract and construction related services contract, with RA Smith National, Inc.

**Attachments:** [Cotter Analysis award Memo Util Cmte final.pdf](#)

This Report Action Item was approved.

**8. MINUTES OF THE HUMAN RESOURCES COMMITTEE**

[16-714](#)

Request to award contract for Computer Assisted Mass Appraisal (CAMA) implementation project to Patriot Properties of Marblehead, MA not to exceed \$308,341, this is a base of \$280,310 with a 10% contingency for potential programming needs.

**Attachments:** [CAMA Software HR-IT Committee Memo.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

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. ADJOURN

Aldersperson Baranowski moved, seconded by Aldersperson Coenen, that the meeting be adjourned at 8:52 p.m. Roll Call. Motion carried by the following vote:

**Aye:** 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, 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, Alderperson Chris Croatt and Mayor Timothy Hanna

**Excused:** 1 - Alderperson Margret Mann

Kami Lynch, City Clerk