



City of Appleton

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

Meeting Minutes Common Council

Wednesday, July 16, 2014

7:00 PM

Council Chambers

A. CALL TO ORDER

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

B. INVOCATION

Aldersperson Lobner offered the Invocation.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 13 - Aldersperson Patti Coenen, Aldersperson Chris Croatt, Aldersperson Sarah Garb, Aldersperson Jeffrey Jirschele, Aldersperson Kyle Lobner, Aldersperson Joe Martin, Aldersperson Kathleen Plank, Aldersperson Cathy Spears, Aldersperson Peter Stueck, Mayor Timothy Hanna, Aldersperson Tim Trauger, Aldersperson Polly Dalton and Aldersperson Vered Meltzer

Excused: 3 - Aldersperson Greg Dannecker, Aldersperson Curt Konetzke and Aldersperson Christine Williams

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

PRESENT: Legal Assistant Jamie Sova, Assistant City Attorney Chris Behrens, Community and Economic Development Director Harkness, Finance Director Saucerman, 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, Director of Information Technology Fox, Valley Transit General Manager Wetter, Library Director Rortved.

EXCUSED: Deputy City Clerk Helgeson, City Attorney Walsh, Director of Utilities Shaw

F. PUBLIC PARTICIPATION

Name - Address - Topic

Christine Shaefer/VHBA- 920 West Association Drive - Special Assessment Policy

Mary Hopfensperg - 824 South Westhaven Place - Mile of Music Parking

Earl Brooker - 1905 North Morrison - Street Occupancy for A.E.D.

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

14-1218 Approval of July 2, 2014 Council Meeting Minutes.

Attachments: [CC Minutes 07-02-2014.pdf](#)

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

Aye: 12 - Alderson Coenen, Alderson Croatt, Alderson Garb, Alderson Jirschele, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Spears, Alderson Stueck, Alderson Trauger, Alderson Dalton and Alderson Meltzer

Excused: 4 - Alderson Dannecker, Alderson Konetzke, Mayor Hanna and Alderson Williams

H. BUSINESS PRESENTED BY THE MAYOR

I. PUBLIC HEARINGS

14-1223 Public Hearing for Proposed Text Amendment Chapter 23 - Shoreland Zoning and District Map.

Attachments: [CC 07-16-2014 - Public Hearing - Chapter 23 - Shoreland Zoning.pdf](#)

Name - Address
None

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

14-1221 Petition - Minimum Wage.

Attachments: [Minimum Wage Petition.pdf](#)

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

Aye: 11 - Alderson Coenen, Alderson Croatt, Alderson Garb, Alderson Jirschele, Alderson Lobner, Alderson Martin, Alderson Spears, Alderson Stueck, Alderson Trauger, Alderson Dalton and Alderson Meltzer

Nay: 1 - Alderson Plank

Excused: 4 - Alderson Dannecker, Alderson Konetzke, Mayor Hanna and Alderson Williams

14-1196

Request from Earl Brooker for a street occupancy permit to place an AED in the terrace area at 1905 N. Morrison Street with the understanding that any relocation or repair be solely at property owner expense.

Attachments: [Request from Earl Brooker for a street occupancy permit.pdf](#)

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

Aye: 12 - Alderson Coenen, Alderson Croatt, Alderson Garb, Alderson Jirschele, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Spears, Alderson Stueck, Alderson Trauger, Alderson Dalton and Alderson Meltzer

Excused: 4 - Alderson Dannecker, Alderson Konetzke, Mayor Hanna and Alderson Williams

14-1127

REFERRED BACK BY ALDERPERSON KONETZKE - Request to approve the New Subdivision Development portion of the Special Assessment Policy for 2015.

Aldersperson Konetzke moved, seconded by Aldersperson Coenen, that the Report Action Item be recommended for approval.

Aldersperson Stueck moved, seconded by Aldersperson Konetzke to amend p18 as shown on attached "Amended Subdivision SA Policy". 4-0 approved.

Aldersperson Plank moved, seconded by Aldersperson Lobner to have park fees funded by the Developer 4-0 approved. (Amend to Amend.)

Aldersperson Stueck moved to allow 10 equal annual payments if assessment is greater than \$5,000. Failed for lack of second.

Aldersperson Patti Coenen left at 6:00pm.

Roll Call vote on Report Action item as amended. Motion carried by the following vote:

Aye: 3 - Aldersperson Plank, Aldersperson Stueck and Aldersperson Lobner

Nay: 1 - Aldersperson Konetzke

Excused: 1 - Aldersperson Coenen

Attachments: [New Subdivision SA Policy.pdf](#)
[Valley Home Builders.pdf](#)
[Amended Subdivision SA Policy.pdf](#)
[Subdivision Devel Fund.pdf](#)
[Home Building Report.pdf](#)

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

Aye: 11 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Lobner, Aldersperson Martin, Aldersperson Plank, Aldersperson Stueck, Aldersperson Trauger, Aldersperson Dalton and Aldersperson Meltzer

Nay: 1 - Aldersperson Spears

Excused: 4 - Aldersperson Dannecker, Aldersperson Konetzke, Mayor Hanna and Aldersperson Williams

14-1169

Operator License application of Jessica A. Grosskreutz, 1009 N. Division Street.

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

Aye: 10 - Alderperson Coenen, Alderperson Croatt, Alderperson Garb, Alderperson Jirschele, Alderperson Lobner, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger and Alderperson Meltzer

Nay: 2 - Alderperson Martin and Alderperson Dalton

Excused: 4 - Alderperson Dannecker, Alderperson Konetzke, Mayor Hanna and Alderperson Williams

14-1204

#21-R-14 - Martin/Coenen/Trauger/Meltzer

"WHEREAS, Mile of Music 2 will bring thousands of music fans to downtown Appleton on August 7, 8, 9, and the 10th

WHEREAS, Guests to our city will be mostly traveling by automobile and could be visiting our city for the first time

WHEREAS, Parking is monitored six days a week from 9:00 AM to 9:00 PM

WHEREAS, Visitors to our downtown should be able to park throughout the downtown, without receiving a parking ticket as a gesture of good-will for visiting our city

NOW, THEREFORE, BE IT RESOLVED, the City of Appleton parking attendants do not issue any citations expired metered stalls from 3:00 PM on Thursday 8/7/14 till Monday 8/11/14 at 9:00 AM. A provided note to be given out instead of a ticket, thanking them for visiting downtown Appleton."

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

Aye: 9 - Alderperson Coenen, Alderperson Croatt, Alderperson Garb, Alderperson Jirschele, Alderperson Lobner, Alderperson Plank, Alderperson Spears, Alderperson Stueck and Alderperson Dalton

Nay: 2 - Alderperson Trauger and Alderperson Meltzer

Excused: 4 - Alderperson Dannecker, Alderperson Konetzke, Mayor Hanna and Alderperson Williams

Abstained: 1 - Alderperson Martin

14-1155 "Class B" Beer/Liquor License application of Axelrod LLC, Jordan L. Hereford, Agent, 117 S. Appleton Street, contingent upon approvals from all departments.

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

Aye: 12 - Alderson Coenen, Alderson Croatt, Alderson Garb, Alderson Jirschele, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Spears, Alderson Stueck, Alderson Trauger, Alderson Dalton and Alderson Meltzer

Excused: 4 - Alderson Dannecker, Alderson Konetzke, Mayor Hanna and Alderson Williams

L. COMMITTEE REPORTS

1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

Balance of the action items on the agenda.

Alderson Croatt moved, Alderson Stueck seconded, to approve the balance of action items on the agenda. The motion carried by the following vote:

Aye: 12 - Alderson Coenen, Alderson Croatt, Alderson Garb, Alderson Jirschele, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Spears, Alderson Stueck, Mayor Hanna, Alderson Dalton and Alderson Meltzer

Excused: 4 - Alderson Dannecker, Alderson Konetzke, Alderson Trauger and Alderson Williams

14-1137 Change of Agent - "Class A" Beer/Liquor License of Ultra Mart Foods LLC, d/b/a Copps Food Center, 2700 North Ballard Road, Tim S. Verhasselt, Agent, contingent upon approval from the Police Department.

This Report Action Item was approved.

14-1136 CBD Vendor's License application of Luis A. Morales, 1750 Dublin Trail, #49, Neenah.

This Report Action Item was approved.

14-1043 Operator's License application of Bobby M. Pegues, 1706 E. Sylvan Avenue.

This Report Action Item was approved.

14-1170 Operator's Licenses

Attachments: [Operator's Licenses for 07-10-14 S & L.pdf](#)

This Report Action Item was approved.

14-1171 Operator License Renewals

Attachments: [Operator's Renewal Licenses for 07-10-14 S & L.pdf](#)

This Report Action Item was approved.

14-1159 Change of Premises Description - "Class B" Beer/Liquor License of La Michoacana Bar & Grill, Pedro Juarez, Agent, 211 West College Avenue, to include tables and chairs in the beautification strip to be removed at the time business closes or by 2:00 a.m. at the latest, contingent upon approvals from all departments.

This Report Action Item was approved.

14-1139 Change of Agent - "Class A" Beer/Liquor License of Aldi Inc Wisconsin, d/b/a Aldi #69, 2310 South Kensington Drive, Kelly L. Connis, Agent, contingent upon approval from the Police Department.

This Report Action Item was approved.

14-1150 Pet Store License Renewal application of Petco, Amy L. Starfeldt, Applicant, 3829 E. Calumet Street, contingent upon approvals from all departments.

This Report Action Item was approved.

14-1160 Grant Application - Reserve "Class B" Beer/Liquor of C-Vine Lounge LLC, 531 W. College Avenue, Conrado Lopez Mendez, Agent, contingent upon approvals from all departments.

This Report Action Item was approved.

14-1165 Change of Agent - "Class B" Beer/Liquor License of Apple Hospitality Group LLC, d/b/a Applebee's Neighborhood Grill & Bar, 3040 E. College Avenue, Jennifer L. Williams, Agent, contingent upon approvals from the Police Department.

This Report Action Item was approved.

14-1180 Change of Premises Description - "Class B" Beer/Liquor License of S. C. Carrow Corp, d/b/a Rookies, 325 N. Appleton Street for July 26, 2014 to include a 50' x 50' section in parking lot, contingent upon approvals from all departments.

This Report Action Item was approved.

14-1187 Change of Agent - Class "A" Beer License of Kwik Trip, 3232 S. Oneida Street, Toua Lee, Agent, contingent upon approvals from the Police Department.

This Report Action Item was approved.

14-1188 Change of Agent - Class "A" Beer License of Kwik Trip, 2175 S. Memorial Dr., Isaac Peterson, Agent, contingent upon approvals from the Police Department.

This Report Action Item was approved.

2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

14-1181 Request from Andy Uecker to appeal their \$50 Weed Administration Fee for the vacant lot Purdy Parkway and Highpond Crossing.

Attachments: [Request from Andy Uecker to appeal Weed Administration Fee.pdf](#)

This Report Action Item was approved.

14-1193 Request from Henry Chou to appeal his \$50 Weed Administration Fee for 1353 W. College Avenue.

Attachments: [Request from Henry Chou to appeal Weed Violation at 1353 W. College Ave..pdf](#)

This Report Action Item was approved.

14-1194 Request from the Appleton Beer Factory for a street occupancy permit to place tables and chairs in the beautification strip at 603 W. College Avenue to be removed at the time business closes or by 2:00 am at the latest.

Attachments: [Request from Appleton Beer Factory for a street occupancy permit.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

- 14-1101** Creating Article XIX. Shoreland Zoning Ordinance and the Official Shoreland District Map of Chapter 23 Zoning of the Municipal Code.

Attachments: [Shoreland Zoning report 6-23-2014.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

- 14-1151** Action: Award Grounds Improvements to "Van Handel Excavating, Inc." for a Contract Total not to Exceed \$20,100.

Attachments: [Parks Recreation Committee Hoover Grounds Improvements CIP 2014 7-9-14 Meeting.docx](#)

This Report Action Item was approved.

5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

6. MINUTES OF THE UTILITIES COMMITTEE

- 14-1183** Amend 2014F Stormwater Consulting Services Contract with GRAEF for Construction Related Services for Unit T-11 Appleton East Stormwater Storage in an amount not to exceed \$10,000.

Attachments: [GRAEF 2014F Contract Amendment.docx](#)

This Report Action Item was approved.

- 14-1190** Approve Preliminary Resolution 7-P-14 for Sanitary Sewer, Storm Sewer & Laterals on Glendale Avenue.

Attachments: [Preliminary Resolution 7-P-14.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

8. MINUTES OF THE BOARD OF HEALTH

9. MINUTES OF THE HUMAN RESOURCES COMMITTEE

10. MINUTES OF THE FINANCE COMMITTEE

- 14-1161** Request to award contract to “Fortress Fence Co., Inc.” for Municipal Service Building and Whitman Road yard waste site perimeter and interior fencing for a contract not to exceed \$49,965.00.

Attachments: [MSB Fencing project 2014.docx](#)

This Report Action Item was approved.

- 14-1166** Request for Finance Director to sell \$3,575,000 Stormwater Revenue Bonds.

This Report Action Item was approved.

- 14-1167** Request for Finance Director to sell \$4,000,000 Water Revenue Bonds.

This Report Action Item was approved.

- 14-1168** Request for Finance Director to sell \$6,320,000 General Obligation Notes.

This Report Action Item was approved.

- 14-1189** Request to award the Telulah Park Skate Park Project to Miron Construction Company, Inc. in the amount of \$230,278.00 with a contingency of \$20,844.00 for a contract total not to exceed \$251,122.00.

Attachments: [Bid Recommendation-Telulah Skate Park Project.doc](#)
[Telulah Park.pdf](#)

This Report Action Item was approved.

- 14-1191** Request to approve Finance Committee Report 7-P-14 for Sanitary Sewer, Storm Sewer & Laterals on Glendale Avenue.

Attachments: [Report 7-P-14.pdf](#)

This Report Action Item was approved.

M. CONSOLIDATED ACTION ITEMS

- 14-1220** Consolidated Action - Preliminary Resolution 7-P-14 for Sanitary Sewer, Storm Sewer and Laterals.
 - a. File 14-1190 Utilities Committee
 - b. File 14-1191 Finance Committee

This Report Action Item was approved.

O. ITEMS HELD

P. ORDINANCES

- 14-1219** Ordinances #54-14 and #55-14.

Attachments: [Ordinances going to 07-16-2014 Council.pdf](#)

This Report Action Item was approved

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

MUNICIPAL SERVICES COMMITTEE

#24-R-14 – Martin/Trauger

“WHEREAS, Appleton’s Children’s Museum is a popular destination for school’s to plan a bus field trip to the museum

WHEREAS, present parking and unloading of young school age children from buses are done on Washington Street

WHEREAS, small children are lead across two very busy exiting driveways during a variety of weather conditions

NOW, THEREFORE, BE IT RESOLVED, the City of Appleton move parking to College Ave, with the same layout as Washington Street. This allows for the buses to unload the small children right in front of the museum and improve safety. As well as showing a busy downtown”

S. OTHER BUSINESS

T. ADJOURN

A motion was made by Alderperson Peter Stueck, seconded by Alderperson Patti Coenen, that the meeting be adjourned. The motion carried by the following vote:

Aye: 12 - Alderperson Coenen, Alderperson Croatt, Alderperson Garb, Alderperson Jirschele, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton and Alderperson Meltzer

Excused: 4 - Alderperson Dannecker, Alderperson Konetzke, Mayor Hanna and Alderperson Williams

Wendy Helgeson, Deputy City Clerk