



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, August 5, 2015

7:00 PM

Council Chambers

A. CALL TO ORDER

Meeting called to order at 7:01 p.m.

B. INVOCATION

Offered by Alderperson Jirschele

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 11 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

Excused: 4 - Alderperson Polly Dalton, Alderperson Christine Williams, Alderperson Margret Mann and Alderperson Patti Coenen

Presiding: 1 - Mayor Timothy Hanna

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

PRESENT: Deputy City Clerk Sova, City Attorney Walsh, Director of Community and Economic Development Harkness, Director of Finance Saucerman, Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Human Resources Behnke, Police Chief Thomas, Director of Public Works Vandehey, Director of Information Technology Fox, Valley Transit General Manager Wetter, Director of Utilities Shaw.

EXCUSED: Director of Parks, Recreation and Facilities Gazza, Library Director Rortvedt.

F. PUBLIC PARTICIPATION

*Name - Address - Topic
Stephanie Malaney - East McArthur - Mayor-Council (League of Women Voters)
Rev. April Kain-Breese - Unity of Appleton, South Lawe - Class B Liquor License*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[15-1224](#)

Common Council Meeting Minutes from July 15, 2015.

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

Aye: 11 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Lobner and Aldersperson Jirschele

Excused: 4 - Aldersperson Dalton, Aldersperson Williams, Aldersperson Mann and Aldersperson Coenen

Abstained: 1 - Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[15-1282](#)

Possible Reconsideration of Item 15-1160 (Aldersperson Dannecker) - #9-R-15/Aldersperson Baranowski regarding Appleton form of government.

Aldersperson Dannecker moved, seconded by Aldersperson Baranowski, that the Report Action Item be reconsidered. Roll Call. Motion failed by the following vote:

Aye: 5 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Spears, Aldersperson Plank and Aldersperson Baranowski

Nay: 6 - Aldersperson Martin, Aldersperson Meltzer, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Lobner and Aldersperson Jirschele

Excused: 4 - Aldersperson Dalton, Aldersperson Williams, Aldersperson Mann and Aldersperson Coenen

Abstained: 1 - Mayor Hanna

[15-1167](#)

"Class B" Beer/Liquor License application of Thao Enterprises Inc, d/b/a Chung's Sandwich Bar, Maiyoua Thao, Agent, 1804 S. Lawe Street, Suite 203, contingent upon approval from all departments.

This Report Action Item was referred to the Safety and Licensing Committee

[15-1153](#)

R/B as Amended-Aldersperson Croatt-Bateman Street (Pacific St to Hancock St):

Bateman Street, from Pacific Street to Atlantic Street, be reconstructed with asphalt pavement and concrete curb and gutter to a width of 28' from back of curb to back of curb, which is 1' narrower than the existing street. Bateman Street, from Pacific Street to Atlantic Street, would be narrowed by 1' along the east side to save 3 existing street trees. Current on-street parking would be removed from the east side of the street.

Bateman Street, from Atlantic Street to Hancock Street, be reconstructed with concrete pavement and curb and gutter to a width of 29' from back of curb to back of curb, which is the same width as the existing street. On-street parking would be removed from this block of Bateman to improve maneuverability for fire trucks entering and exiting from Fire Station #1.

Amendment 1 (Meltzer): Bateman Street (Pacific St to Hancock St): Amend final sentence to read, "Current on-street parking shall be removed from the east side of the street.

Aldersperson Meltzer moved, seconded by Aldersperson Siebers, that the Report Action Item be amended. Roll Call. Motion carried by the following vote: 8-4

This item, as amended, was then referred back to the Municipal Services Committee by Aldersperson Croatt.

This Report Action Item was referred to the Municipal Services Committee

Aye: 8 - Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke and Aldersperson Jirschele

Nay: 3 - Aldersperson Croatt, Aldersperson Baranowski and Aldersperson Lobner

Excused: 4 - Aldersperson Dalton, Aldersperson Williams, Aldersperson Mann and Aldersperson Coenen

Abstained: 1 - Mayor Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Aldersperson Dannecker moved, Aldersperson Croatt seconded, to approve the report. The motion carried by the following vote:

Aye: 11 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Lobner and Aldersperson Jirschele

Excused: 4 - Aldersperson Dalton, Aldersperson Williams, Aldersperson Mann and Aldersperson Coenen

Abstained: 1 - Mayor Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[15-1191](#) Approve Badger Avenue street vacation adjacent to 415 S. Memorial Drive.

This Report Action Item was approved.

[15-1220](#) Approve proposed parking changes on 300 N. Morrison Street.

This Report Action Item was approved.

[15-1222](#) Approve proposed parking changes on 1300 W. Lawrence Street.

This Report Action Item was approved.

[15-1223](#) Approve proposed 6-Month Trial for parking changes near Huntley Elementary School.

This Report Action Item was approved.

[15-1225](#) Approve proposed parking changes on 2100 N. Roemer Road.

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[15-1218](#) Operator's Licenses

This Report Action Item was approved.

[15-1219](#) Renewal Operator Licenses

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[15-1170](#) Request to approve Special Use Permit #8-15 for a personal storage facility, at 806 W. Capitol Drive, 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

This Report Action Item was approved.

[15-1249](#) Initial Resolution for street vacation of a portion of South Badger Avenue

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**5. MINUTES OF THE FINANCE COMMITTEE****6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE****7. MINUTES OF THE UTILITIES COMMITTEE**[15-1233](#)

Approve the Purchase of Gas Sensing Equipment to LAI, Inc. in the amount of \$97,836 for the Methane Detection System Replacement Project.

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****M. CONSOLIDATED ACTION ITEMS**[15-1248](#)

Consolidated Action Item:
15-1191 - Municipal Services Committee
15-1172 - City Plan Commission

This Report Action Item was approved.

[15-1172](#)

Request to approve the street discontinuance to vacate a portion of South Badger Avenue public right-of-way, generally located west of South Memorial Drive, as shown on the attached map and legal description, pending approval by the Municipal Services Committee, and adopt the Initial Resolution

This Report Action Item was approved.

O. ITEMS HELD[15-1126](#)

Request from Nancy Lee Carter, 1036 E. Green Tree Ct #A to appeal the change in Appleton's Stormwater Utility billing for the multifamily classifications.

This item is held until the August 19, 2015 meeting.

[15-1128](#)

Request from Donald Fischer, 3229 N. Barkwood Lane to appeal the change in Appleton's Stormwater Utility billing for the multifamily classifications

This item is held until the August 19, 2015 meeting.

[15-1156](#)

Request from Diane Mandler, 1016 E. Green Tree Ct #B to appeal the change in Appleton's Stormwater Utility billing for the multifamily classifications.

This item is held until the August 19, 2015 meeting.

P. ORDINANCES

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

SAFETY AND LICENSING COMMITTEE/PARKS AND RECREATION COMMITTEE

#11-R-15 ALDERPERSONS: *Jirschele/Martin*

Whereas, City of Appleton Parks are developed and managed for the greatest possible benefit of, and use by, the people of the city, and;

Whereas, alcohol abuse and the dysfunctional behavior associated with such use has become an obstacle to the full enjoyment of our parks by the broader citizenry;

Be it resolved that alcoholic beverages and their consumption be permitted in City of Appleton Parks only by permit as provided through a revised, simple reservation/registration process administered by the Parks, Recreation and Facilities Department and the Appleton Police Department.

FINANCE COMMITTEE

#12-R-15 ALDERPERSONS: *Plank/Lobner/Martin*

Whereas ...

The City made changes to ordinance #9-23 in order to strengthen the consequences for property owners who are delinquent on payments of taxes and fees to the city, by denying the ability to renew various operating licenses for their premises and,

Whereas ...

Tenants of these owners and landlords with delinquent bills have suffered, and could potentially suffer the unintended consequences of not being able to obtain the necessary licensing to continue to conduct business at that rented premises,

Therefor be it resolved that ...

The following language be added to the municipal code:

Tenants paying rent to Property Owners, who are indirectly affected by this ordinance, after notification of their Landlord's delinquent bills, and at the expiration of their current operating license, may be issued a 3 month provisional license for their business on that premises.

And that ...

In order to expedite the process and assist any business owners currently suffering from hardship due to these circumstances, the Finance Committee send a recommendation to the Common Council for consideration at their meeting on August 19.

S. OTHER COUNCIL BUSINESS

[15-1160](#)

#9-R-15 ALDERPERSON: Baranowski

Whereas, Article 11 of the Charter Ordinances of the City of Appleton, defines the structure of elected officials, and whereas, the Mayor and the term of said office is four years effective with the new terms of the office in the year 1968, and whereas, the current term of the Mayor is set to expire in 2016, and whereas, the Common Council of the City of Appleton is required to set the salary for the position of Mayor prior to the statutory date to which candidates for the Mayor are allowed to circulate nomination papers for said office,

Therefore, be it resolved, that the appropriate committee of jurisdiction make a recommendation to the Common Council as to maintaining the current ordinance reflecting the Mayor as an elected official or to move to another structure of government incorporating a City Administrator position in lieu of, or in addition to, a Mayor position. Such recommendation to the Common Council will be made no later than October 07, 2015.

Item 15-282, the request to reconsider Item 15-1160 failed with a vote of 5-6. Therefore, this item was not reconsidered.

T. ADJOURN

Meeting adjourned at 7:34 p.m.

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

Aye: 12 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Martin, Aldersperson Spears, Mayor Hanna, Aldersperson Meltzer, Aldersperson Plank, Aldersperson Siebers, Aldersperson Konetzke, Aldersperson Baranowski, Aldersperson Lobner and Aldersperson Jirschele

Excused: 4 - Aldersperson Dalton, Aldersperson Williams, Aldersperson Mann and Aldersperson Coenen

Jamie L. Sova, Deputy City Clerk