



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, January 16, 2019

7:00 PM

Council Chambers

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A. CALL TO ORDER

*The meeting was called to order by Mayor Hanna at 7:00 p.m.*

B. INVOCATION

*The Invocation was offered by Alderperson Williams.*

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 Ed Baranowski, Alderperson Rachel Raasch, Alderperson Kathleen Plank, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt, Alderperson Keir Dvorachek and Mayor Timothy Hanna

**Excused:** 2 - Alderperson Bob Baker and Alderperson Patti Coenen

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Finance Saucerman, Fire Chief Hansen, Health Officer Eggebrecht, Library Director Rortvedt, Director of Parks, Recreation & Facilities Gazza, Police Lt. Berkley, Director of Public Works Vandehey, Director of Utilities Shaw, Valley Transit General Manager Mc Donald*

*The following were excused:*

*Community & Economic Development*

*Human Resources*

*Information Technology*

F. PUBLIC PARTICIPATION

*Mark Stein, 2509 N. Locust Street spoke on Item 18-1859, his Operator License Application*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[19-0060](#)

Common Council Meeting Minutes of December 19, 2018

**Attachments:** [CC Minutes 12-19-18.pdf](#)

**Aldersperson Baranowski moved, seconded by Aldersperson Croatt, 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 Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Kathleen Plank, Aldersperson Matt Reed, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

**Excused:** 2 - Aldersperson Bob Baker and Aldersperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

- H. BUSINESS PRESENTED BY THE MAYOR
- I. PUBLIC HEARINGS
- J. SPECIAL RESOLUTIONS
- K. ESTABLISH ORDER OF THE DAY

[18-1859](#)

Operator's License application of Mark S. Stein, 2509 N. Locust Street

**Attachments:** [Mark S. Stein.pdf](#)  
[SL Denial- Stein, 1-9-19.pdf](#)  
[Stein PD Letter 1-9-19.pdf](#)  
[Mark Stein Letters 1-16-2019.pdf](#)  
[Mark Stein Letter -Addl 1-16-19.pdf](#)

*A notwithstanding vote was taken on this item.*

**Aldersperson Lobner moved, seconded by Aldersperson Croatt, that the Operator License be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 9 - Aldersperson William Siebers, Aldersperson Vered Meltzer, Aldersperson Curt Konezke, Aldersperson Joe Martin, Aldersperson Ed Baranowski, Aldersperson Rachel Raasch, Aldersperson Cathy Spears, Aldersperson Kyle Lobner and Aldersperson Keir Dvorachek

**Nay:** 4 - Aldersperson Kathleen Plank, Aldersperson Matt Reed, Aldersperson Christine Williams and Aldersperson Chris Croatt

**Excused:** 2 - Aldersperson Bob Baker and Aldersperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

[19-0030](#)

Request to approve the following 2019 Budget adjustment:

**Public Works Capital Projects Fund**

Capital Outlay - Oneida Street Bridge Project	+\$850,000
Proceeds of General Obligation Debt	+\$850,000

to increase budget to fund the cost of soils management related to the Oneida Street Bridge Project (2/3 vote required)

**Attachments:**     [Budget Adjustment for Oneida Bridge Soils Management.pdf](#)

**Alderson Plank moved, seconded by Alderson Croatt, that the Item be amended to strike the current item and replace it with the following:**

**To transfer funds from the Downtown Development CIP to the Bridge Improvement CIP for the estimated cost of soils management related to the Oneida Bridge/Rocky Bleier Run/Jones Park Parking Lot Project.**

**Roll Call. Motion to amend carried by the following vote:**

**Aye:** 11 - Alderson Vered Meltzer, Alderson Curt Konezke, Alderson Joe Martin, Alderson Ed Baranowski, Alderson Rachel Raasch, Alderson Kathleen Plank, Alderson Matt Reed, Alderson Christine Williams, Alderson Cathy Spears, Alderson Chris Croatt and Alderson Keir Dvorachek

**Nay:** 2 - Alderson William Siebers and Alderson Kyle Lobner

**Excused:** 2 - Alderson Bob Baker and Alderson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

**Alderson Plank moved, seconded by Alderson Croatt, that the Budget Adjustment be approved as amended. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderson Vered Meltzer, Alderson Curt Konezke, Alderson Joe Martin, Alderson Ed Baranowski, Alderson Rachel Raasch, Alderson Kathleen Plank, Alderson Matt Reed, Alderson Christine Williams, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Keir Dvorachek

**Nay:** 1 - Alderson William Siebers

**Excused:** 2 - Alderson Bob Baker and Alderson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

## L. COMMITTEE REPORTS

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

**Alderson Baranowski moved, Alderson Konezke 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 Ed Baranowski, Alderperson Rachel Raasch, Alderperson Kathleen Plank, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Keir Dvorachek

**Excused:** 2 - Alderperson Bob Baker and Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

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

[19-0007](#) Approve Resolution #13-R-18 Interstate 41 Public Safety Resolution.

**Attachments:** [Resolution #13-R-18.pdf](#)

This Report Action Item was approved.

[19-0010](#) Approve Inter Governmental Agreement for French Road Traffic and Planning Study from STH 96 to CTH JJ.

**Attachments:** [French Road Traffic.pdf](#)

This Report Action Item was approved

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

[19-0016](#) Operator's License application of Benjamin Lasfalk, 516 Nicolet Blvd.

**Attachments:** [Benjamin D. Lasfalk.pdf](#)  
[SL Denial-Lasfalk 1-9-19.pdf](#)  
[B. Lasfalk Recommendation Letter.pdf](#)  
[Lasfalk PD Denial Letter 1-9-19.pdf](#)

This Report Action Item was approved.

[18-1863](#) Pawnbroker License Renewal application of JGB LLC d/b/a Mister Money, Gregory A. Baer, Applicant, 1933B N. Richmond St., contingent upon approval from all departments.

This Report Action Item was approved.

[19-0017](#) Secondhand Article License Renewal application of Scott A. Gonnering, d/b/a Scooter G Sports, 129 E. College Ave., contingent upon approval from all departments.

**This Report Action Item was approved.**

[19-0018](#) Secondhand Article License Renewal application of James A. Boylan, d/b/a The Attique Resale, 415 N. Oneida St., contingent upon approval from all departments.

**This Report Action Item was approved.**

[19-0019](#) Secondhand Article License Renewal application of Dean M. Vandenhoy, d/b/a Richmond Resale, LLC, 204 N. Richmond St., contingent upon approval from all departments.

**This Report Action Item was approved.**

[19-0052](#) "Class A" Liquor and Class "A" Beer License Application from Pedro Juarez of Lindo Michoacan Mexican Restaurant, LLC, located at 211 N Richmond Street.

**Attachments:** [Lindo Michoacan Class A Application-S&L 1-9-19.pdf](#)

**This Report Action Item was approved.**

[19-0057](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 1-9-19 S & L.pdf](#)

**This Report Action Item was approved.**

[19-0058](#) Affidavit of Correction for Ward Designation of Leona Pond Annexation

**Attachments:** [Memo- Leona Pond Annex. Ward Correction.pdf](#)  
[Leona Pond Annexation Ward Correction.pdf](#)

**This Report Action Item was approved.**

### 3. MINUTES OF THE CITY PLAN COMMISSION

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

[19-0023](#)

Action Item: Request Approval of Updated Athletic Facilities - Rental and Fee Schedule Policy

**Attachments:** [Athletic Facilities - Rental and Fee Schedule Policy Memo.doc](#)  
[2019 Athletic Facilities Policy - REDLINE.pdf](#)  
[2019 Athletic Facilities Policy - CLEAN.pdf](#)

This Report Action Item was approved.

**5. MINUTES OF THE FINANCE COMMITTEE**

[19-0029](#)

Request to award 2017 AWWTP Improvements Project Bid to August Winter and Sons Inc in the amount of \$1,721,500 plus a 10% contingency of \$172,150 for a total cost not to exceed \$1,893,650

**Attachments:** [AWWTP Improvements Bid Award August Winter Sons.pdf](#)

This Report Action Item was approved.

[19-0031](#)

Request to award Unit I-18 Oneida Street Bridge over Jones Park to Pheifer Brothers Construction, Inc in the amount of \$5,460,841 with a 2.3% contingency of \$124,856 for a project total not to exceed \$5,585,697, including the waiver of any bid irregularities and acceptance of the bid from Pheifer Brothers as being in the best interests of the City. This contract award is contingent upon approval of the additional \$850,000 in borrowed funding (via separate approval process)

**Attachments:** [Award of Contract Unit I-18.pdf](#)

This Report Action Item was approved.

[19-0059](#)

Request to approve the following 2019 Budget adjustment:

**Valley Transit**

Capital Outlay - Bus Purchase	+\$3,500,000
Grant Proceeds	+\$2,800,000
Fund Balance - Depreciation Reserve	+ \$700,000

to record purchase of (7) buses funded by an FTA Grant and depreciation reserve (2/3 vote required)

**Attachments:** [Bus Purchase Memo.pdf](#)

This Report Action Item was approved.

**6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE****7. MINUTES OF THE UTILITIES COMMITTEE**[19-0009](#)

Award Sole Source Stormwater Consulting Services Contract 2019G for French Road Urbanization Stormwater Analysis with raSmith in an amount not to exceed \$28,000.

**Attachments:** [2019G raSmith Contract Util Memo 01-08-2019 final.pdf](#)

This Report Action Item was approved.

[19-0051](#)

Award North Edgewood Sanitary Lift Station Design and Related Services to McMahon Associates, Inc. in the amount of \$105,031.00 with a 5% contingency of \$5,249.00 for a project total not to exceed \$110,280.00.

**Attachments:** [North Edgewood Sanitary Lift Station design.pdf](#)

This Report Action Item was approved.

**8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE****9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**[18-1821](#)

Approve the Intermunicipal Agreement with the City of Neenah and the Village of Fox Crossing for the Northern Winnebago Dial A Ride Service for 2019 Contingent on City of Neenah and the Village of Fox Crossing Approval

**Attachments:** [NW Dial-A-Ride - 2019 revised.pdf](#)

This Report Action Item was approved.

[19-0043](#)

Authorization to Purchase Buses and Approve Subsequent Budget Amendment

**Attachments:** [Bus Purchase Memo.pdf](#)

[Letter to FCTC 12.14.2018.pdf](#)

[Capital Assistance Grant DOA.pdf](#)

This Report Action Item was approved.

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

[19-0053](#) AT&T Noise Variance Request

**Attachments:** [AT&T Noise Variance Request.pdf](#)

This Report Action Item was approved.

M. CONSOLIDATED ACTION ITEMS

[19-0061](#) Consolidated Action Items Re: 2019 Budget Adjustment for Bus Purchase:  
**Item 19-0059** Finance Committee  
**Item 19-0043** Fox Cities Transit Commission

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

[19-0070](#) The Common Council may go into closed session according to State Statute §19.85(1)(e) for the purpose of discussing the investment of public funds concerning the Fox Cities Exhibition Center invoices and then will reconvene into open session.

**Alderson Croatt moved, seconded by Alderson Spears, that the Common Council convene into closed session at 7:33 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Curt Konetzke, Alderson Joe Martin, Alderson Rachel Raasch, Alderson Kathleen Plank, Alderson Matt Reed, Alderson Christine Williams, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Keir Dvorachek

**Nay:** 1 - Alderson Ed Baranowski

**Excused:** 2 - Alderson Bob Baker and Alderson Patti Coenen



**Abstained:** 1 - Mayor Timothy Hanna

T. ADJOURN

*Motion by Lobner, seconded by Croatt to reconvene into open session. Roll Call. Motion carried 13/0 and at 8:12 p.m. the Common Council reconvened in open session.*

*No action was taken in Closed Session.*

**Alderman Lobner moved, seconded by Alderman Croatt, that the meeting be adjourned at 8:13 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderman William Siebers, Alderman Vered Meltzer, Alderman Curt Konezke, Alderman Joe Martin, Alderman Ed Baranowski, Alderman Rachel Raasch, Alderman Kathleen Plank, Alderman Matt Reed, Alderman Christine Williams, Alderman Cathy Spears, Alderman Kyle Lobner, Alderman Chris Croatt, Alderman Keir Dvorachek and Mayor Timothy Hanna

**Excused:** 2 - Alderman Bob Baker and Alderman Patti Coenen

Kami Lynch, City Clerk