



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, November 15, 2017

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Council President Croatt at 7:00 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Meltzer

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Chris Croatt, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 3 - Alderperson Greg Dannecker, Alderperson Christine Williams and Mayor Timothy Hanna

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Community & Economic Development Harkness, Health Officer Eggebrecht, Library Director Rortvedt, Director of Parks, Recreation & Facilities Gazza, Police Chief Thomas, Deputy Director of Public Works Buetow, Valley Transit General Manager Mc Donald

The following were excused:

Director of Finance Saucerman

Fire Chief Vander Wyst

Director of Human Resources Matz

Information Technology Director Fox

Director of Utilities Shaw

F. PUBLIC PARTICIPATION

The following spoke during Public Participation:

Pat Exarhos, N4298 Meade Street Re: Item 17-1724

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[17-1836](#)

November 1, 2017 Common Council meeting minutes

Attachments: [CC Minutes 11-1-17.pdf](#)

Alderson Konetzke moved, seconded by Alderson Meltzer, that the Minutes be approved. Roll Call. Motion carried by the following vote:

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

Excused: 3 - Alderson Greg Dannecker, Alderson Christine Williams and Mayor Timothy Hanna

Abstained: 1 - Alderson Bob Baker

[17-1838](#)

November 8, 2017 Common Council Budget Adoption minutes

Attachments: [CC Minutes 11-8-17 Budget Adoption.pdf](#)

Alderson Baranowski moved, seconded by Alderson Coenen, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Cathy Spears, Alderson Chris Croatt, Alderson Keir Dvorachek and Alderson Bob Baker

Excused: 3 - Alderson Greg Dannecker, Alderson Christine Williams and Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

I. PUBLIC HEARINGS

[17-1694](#)

Public Hearing - Official Map Amendment to delete stormwater pond at Kensington Drive and Express Court

Attachments: [Public Hearing - Delete Stormwater Pond_Kensington.pdf](#)

No one spoke during the Public Hearing

[17-1840](#)

Public Hearing on Special Resolution 5-P-17; Northland Avenue Frontage Road & Sidewalk

Attachments: [5-P-17 Northland Ave Public Hearing Notice.pdf](#)

*The following spoke during the public hearing:
Steven Lee, 1207 W Northland Ave*

J. SPECIAL RESOLUTIONS

[17-1715](#) Resolution 5-P-17 Northland Ave Frontage Road and Sidewalk Construction

Attachments: [5-P-17 Northland Ave Frontage Rd Sidewalk Final Resolution.pdf](#)

Aldersperson Baranowski moved, seconded by Aldersperson Lobner, that the Resolution be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Cathy Spears, Aldersperson Chris Croatt, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

Excused: 3 - Aldersperson Greg Dannecker, Aldersperson Christine Williams and Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

[17-1837](#) CONSOLIDATED ACTION ITEMS:
[17-1754](#) Municipal Services Committee - recommended for approval
[17-1716](#) Board of Health - recommended for approval
[17-1740](#) Community & Economic Development Committee - recommended for denial

Each of the consolidated action items were referred back to the respective Committees by Aldersperson Coenen.

[17-1739](#) Request to approve 2018-2019PY Community Development Block Grant (CDBG) Community Partner Allocation Recommendations

Attachments: [Alloc Recs Memo to CEDC 11-8-17.pdf](#)
[2018 CDBG Simple Summary of Recommendations.pdf](#)
[2018 CDBG Summary of Recommendations.pdf](#)
[2018 CDBG Advisory Board Membership.pdf](#)

Aldersperson Baranowski moved, seconded by Aldersperson Lobner, that the CDGB Allocation Recommendations be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Cathy Spears, Aldersperson Chris Croatt, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

Excused: 3 - Aldersperson Greg Dannecker, Aldersperson Christine Williams and Mayor Timothy Hanna

[17-1724](#)

Request for Proposal - Mixed Use Library Project

Attachments: [ApprovedLibraryRFP\(withdatechange11-3-2017\).pdf](#)

Alderson Lobner moved, seconded by Alderson Baranowski, that the Request for Proposals be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Cathy Spears, Alderson Chris Croatt, Alderson Keir Dvorachek and Alderson Bob Baker

Excused: 3 - Alderson Greg Dannecker, Alderson Christine Williams and Mayor Timothy Hanna

[17-1664](#)

Request to enter into intergovernmental Agreement with Appleton Area School District to borrow short term cash in an amount not to exceed \$17,500,000 from time to time as needed. The note shall be dated as of date of issuance, shall bear interest at the rate of 2% above the average Federal Funds rate from its dated date until paid; and shall mature no later than June 30, 2018. Interest on the note shall be paid at maturity or redemption.

Attachments: [2017-2018 Mater Note Agreement.pdf](#)
[AASD 2017-2018 Bond Council Letter.pdf](#)

Alderson Baranowski moved, seconded by Alderson Martin, that the Intergovernmental Agreement be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Cathy Spears, Alderson Chris Croatt, Alderson Keir Dvorachek and Alderson Bob Baker

Excused: 3 - Alderson Greg Dannecker, Alderson Christine Williams and Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Chris Croatt, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 3 - Alderperson Greg Dannecker, Alderperson Christine Williams and Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[17-589](#)

Approve Intergovernmental Agreement with the Town of Grand Chute for Lanser Lane and the Green Grove Plat contingent upon Council approved budget adjustment.

Attachments: [Lanser Lane-Green Grove Plat.pdf](#)

This Report Action Item was approved

[17-1755](#)

Request from Appleton Downtown Inc. to purchase one day hang tags at a rate of \$3 plus tax per day for 31 Saturdays of indoor Famers Market valid until 2:00 p.m. Council approved rate is \$5 plus tax per day.

Attachments: [ADI reduce price of hang tags.pdf](#)

This Report Action Item was approved.

[17-1756](#)

Request to not plant a replacement tree at 1424 N. Racine Street as part of the 2017 Fall Tree Planting Program.

Attachments: [Photo-1424 N Racine St.pdf](#)

This Report Action Item was approved.

[17-1759](#)

Approval to delay RFP process for one year and negotiate the 2018 Materials Testing Contract (M-18) with the OMNNI Associates, Inc. without an RFP process.

Attachments: [2018 Materials Testing Contract M-18.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[17-1684](#)

Resolution #22-R-17; Resolution regarding The Social Station and Alcohol Consumption

Attachments: [Resolution #22-R-17 Social Station.pdf](#)
[22-R-17; Alcohol Consumption on the Social Station MEMO to SL_.pdf](#)

This item was held in Committee. No action was taken on the item.

This Report Action Item was held

[17-1798](#)

Operator's Licenses

Attachments: [Operator's Licenses for 11-15-2017 S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[17-1676](#)

Request to approve Amendment to the City of Appleton Official Map to remove lands previously identified for a future stormwater pond generally located at the northeast corner of Kensington Drive and Express Court (part of Tax Id #31-4-5568-00) as shown on the attached maps

Attachments: [StaffReport KensingtonDrExpressCt OfficialMapAmendment For10-24-17.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[17-1854](#)

Approve purchase of 1434 E. Northland Ave for \$140,000 and 1424 E. Northland Ave for \$100,000

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE

[17-1725](#)

Request to approve payment to von Briesen & Roper, S.C. for real estate services performed under the "Hourly Services" provision of the Phase III agreement related to the construction of the Fox Cities Exhibition Center and approve the following related 2017 Budget adjustment:

Exhibition Center Capital Projects Fund

Consulting Services	+\$384
Debt Proceeds/Room Tax	+\$384

to provide funding for real estate services related to the construction of the Fox Cities Exhibition Center.

Attachments: [von Briesen 10-10-17 Bill Phase III.pdf](#)

This Report Action Item was approved.

[17-1775](#)

Request the approval of Guaranteed Maximum Price Amendment to Miron Construction for the Fox Cities Exhibition Center for a total contract not to exceed \$29,287,381.

Attachments: [2017 Expo Center GMP_.pdf](#)

This Report Action Item was approved.

[17-1777](#)

Request to reject bid from Miron Construction, The Boldt Company, and Radtke Contractors, Inc for the Jones Park Renovation Phase I Project.

Attachments: [2017 Jones Park Renovation Phase I \(Reject Bids2\).pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[17-1736](#)

Request to approve Substantial Amendment to 2017PY NAMI Fox Valley Community Development Block Grant (CDBG) Contract

Attachments: [NAMI ReAllocation Recs Memo to CEDC.pdf](#)

This Report Action Item was approved.

[17-1738](#)

Request to approve Substantial Amendments to the Community Development Block Grant (CDBG) Citizen Participation Plan (CPP) incorporating the Affirmatively Furthering Fair Housing (AFFH) mandate

Attachments: [CPP Amendment CEDC memo.pdf](#)
[Citizen Participation Plan- draft with markups.pdf](#)
[Citizen Participation Plan- Final 10-6-17.pdf](#)
[HUD CPD AFFH Memo.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[17-1746](#)

Approve Memorandum of Agreement with Wisconsin Department of Transportation for WIS 441/Oneida Street Stormwater Pond.

Attachments: [Util Memo Memorandum of Understanding 441 Pond Approval 11-01-2017 final.pdf](#)
[FINAL WIS 441 Pond #5 MOA.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

[17-1754](#)

Approve Article V of Chapter 7 of the Municipal Code relating to Health in All Policies.

Attachments: [Article V of Chapter 7 of the Municipal Code.pdf](#)

This Report Action Item was referred to the Municipal Services Committee

[17-1716](#)

Health in All Policies Ordinance

Attachments: [HiAP Ordinance-Official Form.pdf](#)

This Report Action Item was referred to the Board of Health

[17-1740](#)

Health in All Policies Ordinance

Attachments: [HiAP Ordinance - Official Form \(Clean\) - 10-31-2017.pdf](#)

This Report Action Item was referred to the Community & Economic Development Committee

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

R. OTHER COUNCIL BUSINESS

[17-1833](#)

Convene into Committee of the Whole

Aldersperson Lobner moved, seconded by Aldersperson Plank, that the Council suspend the Rules to convene into Committee of the Whole acting as the Valley Transit Commission. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Cathy Spears, Aldersperson Chris Croatt, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

Excused: 3 - Aldersperson Greg Dannecker, Aldersperson Christine Williams and Mayor Timothy Hanna

[17-1766](#)

Approval to award HVAC Replacement Project Contract to Energy Control and Design

Attachments: [2017 Valley Transit HVAC replacement award.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Konetzke, that the Contract be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Cathy Spears, Aldersperson Chris Croatt, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

Excused: 3 - Alderperson Greg Dannecker, Alderperson Christine Williams and Mayor Timothy Hanna

[17-1834](#)

Reconvene to Common Council

Alderperson Konetzke moved, seconded by Alderperson Dvorachek, that they reconvene to the Common Council. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Chris Croatt, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 3 - Alderperson Greg Dannecker, Alderperson Christine Williams and Mayor Timothy Hanna

[17-1835](#)

Report of the Committee of the Whole

Alderperson Baranowski moved, seconded by Alderperson Baker, that the Report of the Committee of the Whole 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 Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Chris Croatt, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 3 - Alderperson Greg Dannecker, Alderperson Christine Williams and Mayor Timothy Hanna

S. ADJOURN

Alderperson Baranowski moved, seconded by Alderperson Martin, that the meeting be adjourned at 7:25 p.m. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Chris Croatt, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 3 - Alderperson Greg Dannecker, Alderperson Christine Williams and Mayor Timothy Hanna

Kami Lynch, City Clerk