



# City of Appleton

100 North Appleton Street  
Appleton, WI 54911-4799  
[www.appleton.org](http://www.appleton.org)

## Meeting Minutes - Final Common Council

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Wednesday, December 2, 2015

7:00 PM

Council Chambers

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A. CALL TO ORDER

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

B. INVOCATION

*The Invocation was given by Alderperson Jirschele.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 15 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Mayor Timothy Hanna, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*PRESENT: City Clerk Scofield, Deputy City Clerk Griesbach, City Attorney Walsh, Deputy City Attorney Behrens, Director of Community and Economic Development Harkness, Director of Finance Saucerman, Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Parks, Recreation and Facilities Gazza, Deputy Police Chief Olm, Director of Public Works Vandehey, Valley Transit Assistant General Manager Sandmeier, Library Director Rortvedt, Director of Utilities Shaw.*

F. PUBLIC PARTICIPATION

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[15-1951](#)

Common Council Meeting Minutes of November 18, 2015

**Attachments:** [CC Minutes 11-18-15 REVISED.pdf](#)

**Alderperson Baranowski moved, seconded by Alderperson Croatt, that the Minutes be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

**Abstained:** 1 - Mayor Timothy Hanna

## H. BUSINESS PRESENTED BY THE MAYOR

### [15-1972](#)

Reappointment of Alderperson Joe Martin, Rick Krumwiede, Nicholas Hoffman and Bill Moore to the Bicycle and Pedestrian Advisory Committee

**Attachments:** [CC 12-02-2015 - Bicycle & Ped Advisory Comm Appt.pdf](#)

**Alderperson Baranowski moved, seconded by Alderperson Croatt, that the appointments be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Cathy Spears, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

**Abstained:** 2 - Alderperson Joe Martin and Mayor Timothy Hanna

### [15-1973](#)

Reappointment of Mark Behnke and Monica Stage to the Business Improvement District Board of Directors

**Attachments:** [CC 12-02-2015 - BID & Parade Committee Appts.pdf](#)

**Alderperson Konetzke moved, seconded by Alderperson Croatt, that the appointments be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

**Abstained:** 1 - Mayor Timothy Hanna

### [15-1974](#)

Reappointment of Greg Otis to the Parade Committee

**Attachments:** [CC 12-02-2015 - BID & Parade Committee Appts.pdf](#)

**Alderperson Croatt moved, seconded by Alderperson Spears, that the appointment be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

**Abstained:** 1 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[15-1952](#)

#15-R-15/Lobner

WHEREAS school bus drivers are tasked with the critically important challenge of keeping children safe during their trips to and from school.

AND WHEREAS that requirement includes the period of time where students are loading and unloading from buses.

AND WHEREAS State Statute 349.21 authorizes municipalities to "provide for the use of flashing red or amber warning lights by school bus operators in a residence or business district when pupils or other authorized passengers are to be loaded or unloaded at a location at which there are no traffic signals and such persons must cross the street or highway before being loaded or after being unloaded."

AND WHEREAS said provision is a prudent step to encourage safe driving near buses.

THEREFORE BE IT RESOLVED that the City of Appleton shall enact an ordinance in accordance with the above-listed statute allowing the use of flashing lights.

*A notwithstanding vote was taken. After the vote, Resolution 15-R-15 was denied.*

**Alderperson Plank moved, seconded by Alderperson Martin, that the Report Action Item be approved. Roll Call. Motion failed by the following vote:**

**Aye:** 4 - Alderperson Vered Meltzer, Alderperson Margret Mann, Alderperson Patti Coenen and Alderperson Kyle Lobner

**Nay:** 10 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Christine Williams, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski and Alderperson Jeffrey Jirschele

**Abstained:** 1 - Mayor Timothy Hanna

## L. COMMITTEE REPORTS

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

**Alderperson Martin moved, Alderperson Baranowski seconded, to approve the report. The motion carried by the following vote:**

**Aye:** 14 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

**Absent:** 1 - Polly Dalton

**Abstained:** 1 - Mayor Timothy Hanna

## 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

### [15-1958](#)

Operator's Licenses

**Attachments:** [Operator's Licenses for 12-2-2015 S&L.pdf](#)

### [15-1960](#)

Taxi Cab Driver's License application of David D. Brown, W2961 County Road S, Freedom.

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

### [15-1905](#)

"Class B" Beer/Liquor License application of Dairyland Brewing Co LLC, d/b/a Dairyland Brew Pub, Dorri M. Schmidt, Agent, 1216 E. Wisconsin Ave., contingent upon approval from all departments.

**Attachments:** [Memo Dairyland Brewing SUP Needed.pdf](#)

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

[15-1956](#)

Secondhand Article License Renewal application of The Exclusive Company, J.A. Giombetti, Applicant, 770 W. Northland Ave., contingent upon approval from all departments.

**This Report Action Item was approved.**

[15-1957](#)

Secondhand Article License Renewal application of Scanlan Jewelers, Judy A. Scanlan, Applicant, 2031 E. Calumet St., contingent upon approval from all departments.

**This Report Action Item was approved.**

[15-1964](#)

Secondhand Article License Renewal application of Tina Marie's Unique Boutique, Tina M. Ahrens, Applicant, 206 E. College Avenue, contingent upon approval from all departments.

**This Report Action Item was approved.**

[15-1965](#)

Secondhand Jewelry License Renewal application of Krieger Jewelers, Jamie L. Boyce, Applicant, 934 W. Northland Ave., contingent upon approval from all departments.

**This Report Action Item was approved.**

[15-1953](#)

#16-R-15/Lobner

WHEREAS secondhand dealers allow our residents access to necessities, clothing, entertainment and more that they might not be able to find or afford elsewhere.

AND WHEREAS the City of Appleton currently requires secondhand dealers to hold purchased items for a minimum of 21 days before allowing them to be resold.

AND WHEREAS Wisconsin State Statute 134.71 allows municipalities to reduce that holding period to seven days if daily reports of purchased items are submitted electronically.

AND WHEREAS municipalities both within the Fox Valley and around the state have reduced their waiting period to seven days, putting current and prospective secondhand businesses in the City of Appleton at a potential competitive disadvantage.

THEREFORE BE IT RESOLVED that the City of Appleton shall adopt electronic reporting of secondhand purchases and reduce the holding period to seven days, pursuant to State Statute 134.71.

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

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

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

[15-1946](#)

Action Item: Transfer of Prospect Building to Appleton Area School District

**Attachments:** [2015 Transfer of Prospect Building to Appleton Area School District.pdf](#)

**This Report Action Item was approved.**

**5. MINUTES OF THE FINANCE COMMITTEE**

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

[15-1950](#)

Request to approve a variance to the Deed Restrictions, Item 1.B and 3 for the Northeast Industrial Park, allowing for a 19' rear yard setback and 10' west side yard setback, and waiving the decorative masonry requirement for the proposed front portion of the building addition for Aluma Cast Foundry, Inc. at 3200 E. Pershing Street

**Attachments:**     [Aluma Cast Variance Memo 11-23-15.pdf](#)  
[Alumacast 11-23-15 Ex 1.pdf](#)  
[Alumacast 11-23-15 Ex 2.pdf](#)  
[NEIP H.pdf](#)

This Report Action Item was approved.

- 7.     **MINUTES OF THE UTILITIES COMMITTEE**
- 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**
- O.    **ITEMS HELD**
- P.    **ORDINANCES**

[15-1966](#)

Ordinances 103-15 thru 106-15

**Attachments:**     [Ordinances going to 12-02-2015 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*

*#17-R-15/Martin*

*RESOLUTION- Public Art in Street right-of-way*

*WHEREAS, Sec. 23-507. Signs in the right-of-way. No signs shall be placed upon any street right-of-way*

*WHEREAS, Public art is something that is created with imagination and skill and that is beautiful or that expresses important ideas or feelings*

*WHEREAS, The city has approved murals, works created by artists: paintings, sculptures, etc.*

*NOW THEREFORE BE IT RESOLVED, The City of Appleton Attorney's office is directed to prepare a new ordinance that would allow commercial companies and foundations to attach their names to public art. In a way that is not obtrusive or offensive in the street right-of-way.*

S. OTHER COUNCIL BUSINESS

*It is anticipated that there will be an Organizational Meeting of the Common Council on December 16th.*

T. ADJOURN

*The Meeting adjourned at 7:27 p.m.*

**Alderson Konetzke moved, seconded by Alderson Plank, that the meeting be adjourned. Roll Call. Motion carried by the following vote:**

**Aye:** 15 - Alderson Chris Croatt, Alderson Greg Dannecker, Alderson Joe Martin, Alderson Cathy Spears, Mayor Timothy Hanna, Alderson Christine Williams, Alderson Vered Meltzer, Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Margret Mann, Alderson Patti Coenen, Alderson Kyle Lobner and Alderson Jeffrey Jirschele

Kami Scofield, City Clerk