



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, March 6, 2019

7:00 PM

Council Chambers

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 Lobner

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 15 - 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 Bob Baker, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt, Alderperson Keir Dvorachek and Mayor Timothy Hanna

Excused: 1 - Alderperson Christine Williams

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

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

The following departments were excused:

*Human Resources
Information Technology
Library
Utilities*

F. PUBLIC PARTICIPATION

No one signed up to speak during public participation

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[19-0298](#)

Common Council Meeting Minutes of February 20, 2019

Attachments: [CC Minutes 2-20-19.pdf](#)**Aldersperson Baranowski moved, seconded by Aldersperson Croatt, that the Minutes be approved. Roll Call. Motion carried by the following vote:****Aye:** 14 - 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 Bob Baker, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek**Excused:** 1 - Aldersperson Christine Williams**Abstained:** 1 - Mayor Timothy Hanna**H. BUSINESS PRESENTED BY THE MAYOR**[19-0300](#)

CPR Life-saver recognition of Luke Benrud

*This presentation will occur at the March 20th Common Council meeting.***I. PUBLIC HEARINGS**[19-0101](#)

Public Hearing, Rezoning #1-19, Spartan Drive at Meade Street

Attachments: [Public Hearing Notice_RZ #-19.pdf](#)*The public hearing was held, no one spoke during the hearing.*[19-0107](#)

Public Hearing, Rezoning #2-19, Lucht Annex

Attachments: [RZ #2-19 Public Hearing Notice.pdf](#)*The public hearing was held, no one spoke during the hearing.*[19-0160](#)

Public Hearing, Rezoing #4-19, FRNSA Visitors Center

Attachments: [RZ #4-19 Notice of Public Hearing .pdf](#)*The public hearing was held, no one spoke during the hearing.***J. SPECIAL RESOLUTIONS**

K. ESTABLISH ORDER OF THE DAY

[19-0275](#)

Request to approve purchase of equipment for the Fox Cities Exhibition Center and approve the following related 2018 Budget adjustment:

Community Development Capital Projects Fund

Equipment	+\$75,000
Fund Balance	- \$75,000

to fund the purchase of equipment for the Fox Cities Exhibition Center

Attachments: [Memo Re FFE for the FCEC.pdf](#)
[Critical needs for the FCEC in order of urgency.pdf](#)
[FCEC Fully Executed MA.pdf](#)

Alderson Lobner moved, seconded by Alderson Martin, that the Purchase of Equipment be approved. Roll Call. Motion carried by the following vote:

Aye: 10 - Alderson Vered Meltzer, Alderson Joe Martin, Alderson Rachel Raasch, Alderson Kathleen Plank, Alderson Matt Reed, Alderson Bob Baker, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Chris Croatt and Alderson Keir Dvorachek

Nay: 3 - Alderson Curt Konetzke, Alderson Ed Baranowski and Alderson Cathy Spears

Excused: 1 - Alderson Christine Williams

Abstained: 2 - Alderson William Siebers and Mayor Timothy Hanna

[19-0272](#)

Request to approve payment of outstanding vonBriesen invoices

Alderson Croatt moved, seconded by Alderson Lobner, that the Payment of vonBriesen Invoices be approved. Roll Call. Motion carried by the following vote:

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

Nay: 1 - Alderson Curt Konetzke

Excused: 1 - Alderson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[19-0299](#)

The Common Council will go into closed session according to State Statute §19.85(1)(e) for the purpose of discussing the investment of public funds and real estate negotiations where competitive or bargaining reasons require a closed session concerning the Bluff Site Development and reconvene into open session.

Aldersperson Plank moved, seconded by Aldersperson Baranowski, that the Common Council convene into Closed Session at 7:32 p.m. Roll Call. Motion carried by the following vote:

Aye: 14 - 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 Bob Baker, Aldersperson Patti Coenen, Aldersperson Cathy Spears, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

Excused: 1 - Aldersperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[19-0271](#)

Request to approve the Relocation Order for the Bluff Site parking ramp tie backs

Attachments: [Mosaic - Relocation Order.pdf](#)

Motion by Baranowski, seconded by Plank to reconvene into open session.

Roll Call. Motion Carried 14/0 and at 7:40 p.m. the Council reconvened in open session.

No action was taken in closed session.

Aldersperson Baranowski moved, seconded by Aldersperson Croatt, that the Relocation Order 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 Bob Baker, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

Excused: 1 - Aldersperson Christine Williams

Abstained: 2 - Aldersperson Cathy Spears and Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 14 - 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 Bob Baker, Alderperson Patti Coenen, Alderperson Cathy Spears, Alderperson Kyle Lobner, Alderperson Chris Croatt and Alderperson Keir Dvorachek

Excused: 1 - Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[19-0256](#)

Secondhand Jewelry License Renewal application of Expert Jewelry Repair, 636 W. College Ave, contingent upon approval from all departments.

Attachments: [Expert Jewelry Repair - S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[19-0159](#)

Request to approve Rezoning #1-19 for the Spartan Drive at Meade Street Annexation, formerly part of Town of Grand Chute, located on North Meade Street, between E. Edgewood Drive and E. Broadway Drive (Tax Id #31-6-6100-60, formerly part of Grand Chute Tax Id #101006800 and part of #101006802), including to the centerline of the adjacent Meade Street right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to P-I Public Institutional District

Attachments: [StaffReport_SpartanDrMeadeSt_Rezoning_For02-12-19.pdf](#)

This Report Action Item was approved.

[19-0162](#)

Request to approve Rezoning #2-19 for the Lucht (E. Broadway Drive) Annexation, formerly part of Town of Grand Chute, located on East Broadway Drive, north of Plamann Park, between N. Meade Street and N. Ballard Road (Tax Id #31-1-9313-00, formerly Grand Chute Tax Id #101001800), including to the centerline of the adjacent Broadway Drive right-of-way, as shown on the attached maps, from Temporary AG Agricultural District to R-1B Single-Family District

Attachments: [StaffReport_LuchtAnnex_Rezoning_For02-12-19.pdf](#)

This Report Action Item was approved.

[19-0166](#)

Request to approve Rezoning #4-19 for the subject parcels located on South Lawe Street and East Newberry Street (Tax Id #31-4-0296-01, #31-4-0296-02, #31-4-0296-03, and #31-4-0296-04), including to the centerline of the adjacent railroad line and canal, the adjacent one-half (1/2) right-of-way of South Lawe Street, and all of the adjacent East Newberry Street right-of-way, as shown on the attached maps, from PD/C-2 Planned Development General Commercial District #9-10, M-2 General Industrial District, R-2 Two-Family District, R-1B Single-Family District, and P-I Public Institutional District to CBD Central Business District

Attachments: [StaffReport_FRNSAVisitorsCenter_Rezoning_For02-12-19.pdf](#)
[LetterOpposingRezoning#4-19 Mason 3-6-19.pdf](#)

This Report Action Item was approved.

[19-0247](#)

Request to approve Special Use Permit #1-19 for a cafe/restaurant with alcohol sales and service located at 608 North Lawe Street (Tax Id #31-1-0257-00), 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 and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport Moonwater Cafe SUP For02-26-19.pdf](#)

This Report Action Item was approved.

[19-0249](#)

Request to approve Special Use Permit #2-19 for an expanded tavern/restaurant and outdoor area with alcohol sales and service located at 201 South Walnut Street (Tax Id #31-3-0847-00 and #31-3-0848-00), 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 and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_McGuinnessIrishPub_SUP_For02-26-19.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[19-0259](#)

Action: Request Approval of Updated Aquatic Programs Fees and Charges Policy

Attachments: [Aquatic Fees and Charges Policy Memo \(2.25.19\).doc](#)
[2019 Aquatic Programs Fees and Charges - REDLINE.docx](#)
[2019 Aquatic Programs Fees and Charges - CLEAN.docx](#)

This Report Action Item was approved.

[19-0264](#)

Action: Request Approval of the Houdini Plaza Rental and Fee Schedule Policy

Attachments: [2019 Houdini Plaza Memo.doc](#)
[2019 Houdini Plaza Rental & Fee Schedule Policy - Redline Version.docx](#)
[2019 Houdini Plaza Rental & Fee Schedule Policy - Clean.docx](#)

This Report Action Item was approved.

[19-0265](#)

Action: Request Approval of the Jones Park Rental and Fee Schedule Policy

Attachments: [2019 Jones Park Policy.doc](#)
[2019 Jones Park Rental & Fee Schedule Policy-Clean.docx](#)

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE

[19-0267](#)

Request to award Unit B-19 Asphalt Paving to Vinton Construction in the amount of \$1,459,946 with a 5% contingency of \$73,000 for a project total not to exceed \$1,532,946

Attachments: [Award of Contract Unit B-19.pdf](#)

This Report Action Item was approved.

[19-0268](#)

Request to award Unit X-19 Prospect Avenue Sewer & Water Reconstruction to Dorner, Inc in the amount of \$2,546,184 with a 2.8% contingency of \$72,057 for a project total not to exceed \$2,618,241

Attachments: [Award of Contract Unit X-19.pdf](#)

This Report Action Item was approved.

[19-0269](#)

Request to approve rescission or refund of personal property taxes

Attachments: [PP tax rescissions for Finance Committee 02-19-19.pdf](#)

This Report Action Item was approved.

[19-0270](#)

Request to award the WWTP Entrance Road and Gate Upgrades project contract to Sommers Construction Co, Inc in the amount of \$326,917 with a contingency of 12% for a project total not to exceed \$366,147

Attachments: [WWTP Entrance Road and Gate.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[19-0283](#)

Approval to single source and award 2019J Stormwater Consulting Services Contract for Phase 1 Final Design and Construction documents and 2019 Construction Related Services (CRS) for Spartan Drive with Brown and Caldwell (BC) in an amount not to exceed \$146,740.

Attachments: [2019J Spartan Phase I final design BC Award Memo.pdf](#)

This Report Action Item was approved.

[19-0284](#)

Approval to single source and award 2019K Stormwater Consulting Services Contract for development of the Stormwater Management Plan and Design for Oneida and Lawrence Streets with McMahon Associates in an amount not to exceed \$42,000.

Attachments: [2019K Oneida St swmp Award Memo.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

[19-0174](#) Accept STP-Urban Project Funds I.D. #4984-02-00 for \$300,225 to Purchase One Bus

Attachments: [STP URBAN Agreement 01-19.pdf](#)

This Report Action Item was approved.

[19-0175](#) Authorization to award a three-year contract with two one-year options to Running Inc. for the provision of Paratransit (ADA and Ancillary) Services

Attachments: [FCTC Running contract memo.pdf](#)

This Report Action Item was approved.

[19-0176](#) Approve Addendum to Fox Valley Technical College Student Pass Contract

Attachments: [2019 FVTC Addendum.pdf](#)
[2015 FVTC Contract.pdf](#)

This Report Action Item was approved.

[19-0250](#) Approve changes to Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program Management and Coordination Plan

Attachments: [5310 Plan Update Approval memo to FCTC.pdf](#)
[VT-ECWRP MOU.pdf](#)
[Appleton MPO 5310 Management Coordination Plan Revised 2-19-19.pdf](#)

This Report Action Item was approved.

10. MINUTES OF THE BOARD OF HEALTH

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[19-0279](#) Ordinances 6-19 to 34-19

Attachments: [Ordinances Going to Council 3-6-19.pdf](#)

This Report Action Item was approved.

- 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

The Closed Session Item was moved up under 'Establish Order of the Day' without any objections.

T. ADJOURN

Alderson Baranowski moved, seconded by Alderson Coenen, that the meeting be adjourned at 7:50 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderson William Siebers, Alderson Vered Meltzer, Alderson Curt Konezke, Alderson Joe Martin, Alderson Ed Baranowski, Alderson Rachel Raasch, Alderson Kathleen Plank, Alderson Matt Reed, Alderson Bob Baker, Alderson Patti Coenen, Alderson Cathy Spears, Alderson Kyle Lobner, Alderson Chris Croatt, Alderson Keir Dvorachek and Mayor Timothy Hanna

Excused: 1 - Alderson Christine Williams

Kami Lynch, City Clerk