



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, January 7, 2015

7:00 PM

Council Chambers

A. CALL TO ORDER

Meeting was called to order at 7 pm.

B. INVOCATION

Offered by Alderperson Meltzer.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 16 - Alderperson Patti Coenen, Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Sarah Garb, Alderperson Jeffrey Jirschele, Alderperson Curt Konetzke, Alderperson Kyle Lobner, Alderperson Joe Martin, Alderperson Kathleen Plank, Alderperson Cathy Spears, Alderperson Peter Stueck, Mayor Timothy Hanna, Alderperson Tim Trauger, Alderperson Polly Dalton, Alderperson Christine Williams and Alderperson Vered Meltzer

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

PRESENT: City Clerk Collins, City Attorney Walsh, Deputy City Attorney Behrens, Community and Economic Development Director Harkness, Finance Director Saucerman, Battalion Chief Kroll, Health Officer Eggebrecht, Director of Parks, Recreation and Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Information Technology Fox, Valley Transit General Manager Wetter, Library Director Rortvedt, Communications Specialist Doran.

EXCUSED: Director of Human Resources Behnke, Director of Utilities Shaw.

F. PUBLIC PARTICIPATION

Name - Address - Topic

Jeff Johnson - 401 E South Island St - Rezoning

Laura Leimer - 720 E Washington St - Land Purchase

Carl Rowe - 1226 Southfield Dr - John's Towing

Josh Dukelow - 809 E Hancock St - Rezoning

Ryan Graff - 1425 Memorial Dr - John's Towing

Eric Jacobson - 1624 E Calumet St - Positive Ventures LLC

Howard Piotrowski - 430 E South Island St - Rezoning

Andy Dumke - 2030 Menominee Dr - Woolen Mills

Jennifer Stephany - 3033 E Canary St - Woolen Mills/Exhibition Center

Pam Seidl - 3433 W College - Exhibition Center

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

15-008 Common Council Meeting Minutes from December 17, 2014.

Attachments: [CC Minutes 12-17-2014.pdf](#)

Aldersperson Williams moved, seconded by Aldersperson Martin, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 15 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Plank, Aldersperson Spears, Aldersperson Stueck, Aldersperson Trauger, Aldersperson Dalton, Aldersperson Williams and Aldersperson Meltzer

Abstained: 1 - Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

I. PUBLIC HEARINGS

15-014 Public Hearing - Text Amendment to Chapter 23 Zoning Ordinance - Signs.

Attachments: [CC 01-07-2015 PH - Text Amendment - Sign Ordinance.pdf](#)

APPEARANCES:

Jim Marks, Tony Conrad, Brad Bautigam, Josh Dukelow, Adrienne Palm, Jennifer Stephany, Patti Coenen.

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

14-1992 ****CRITICAL TIMING**** R/B Coenen 12-17-14 Request to approve PD Rezoning #10-14 for Woolen Mills Lofts at 218 E. South Island Street (Tax Id #31-4-0266-00) and part of Tax Id #31-4-0270-01 from M-2 General Industrial District to PD/R-3 Planned Development Multifamily District.

Attachments: [StaffReport RZ#10-14 #2.pdf](#)

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

Aye: 6 - Aldersperson Croatt, Aldersperson Konetzke, Aldersperson Martin, Aldersperson Stueck, Aldersperson Trauger and Aldersperson Meltzer

Nay: 9 - Aldersperson Coenen, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Lobner, Aldersperson Plank, Aldersperson Spears, Aldersperson Dalton and Aldersperson Williams

Abstained: 1 - Mayor Hanna

14-2052 Request to approve the proposed text amendments to Article XIV Signs of Chapter 23 of the Municipal Code as identified in the attached memorandum

Attachments: [Memo Text Amendments Article XIV Signs.pdf](#)

Public Hearing held 01/07/2015.

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

Aye: 13 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Plank, Aldersperson Spears, Aldersperson Trauger, Aldersperson Dalton, Aldersperson Williams and Aldersperson Meltzer

Nay: 1 - Aldersperson Stueck

Abstained: 2 - Aldersperson Coenen and Mayor Hanna

14-2022

Approve Purchase Agreement between Outagamie County and City of Appleton for Proposed Exhibition Center site.

Attachments: [Purchase Agreement Amended 12-12-2014 Per Council Direction.pdf](#)
[cc 12032014 Res No 17--2014-15SIGNED.pdf](#)
[cc 12032014 Res No 18--2011-12 Signed.pdf](#)
[cc 12032014 cow ARA Advisory Committee Creation CLEAN Draft 4.docx](#)
[Revised Updated Council MEMO-KH-Update 12-11.docx](#)
[Expenses.pdf](#)

Moved by Alderperson Plank, seconded by Martin, to call the question. Vote taken. Ayes - 14; Noes - 1 (Stueck). Motion carried.

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

Aye: 6 - Alderperson Jirschele, Alderperson Konetzke, Alderperson Martin, Alderperson Stueck, Alderperson Trauger and Alderperson Williams

Nay: 8 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Lobner, Alderperson Plank, Alderperson Dalton and Alderperson Meltzer

Abstained: 2 - Alderperson Spears and Mayor Hanna

14-2099

R/B - COENEN - Review Appleton Police Department's decision to remove John's Repair and Towing LLC from the department's rotating call list for failure to comply with Sec. 9-746.

Attachments: [John's Repair and Towing.pdf](#)

A yes vote will ratify/support the action the Police Department took.

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

Aye: 9 - Alderperson Coenen, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Lobner, Alderperson Plank, Alderperson Spears, Alderperson Dalton and Alderperson Williams

Nay: 6 - Alderperson Croatt, Alderperson Konetzke, Alderperson Martin, Alderperson Stueck, Alderperson Trauger and Alderperson Meltzer

Abstained: 1 - Mayor Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

Alderperson Konetzke moved, Alderperson Lobner seconded, to approve the report. The motion carried by the following vote:

Aye: 15 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton, Alderperson Williams and Alderperson Meltzer

Abstained: 1 - Mayor Hanna

1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

14-2141 Class "A" Beer License application of FKG Oil Co., d/b/a MotoMart, Teresa M. Kosiec, Agent, 320 S. Kensington Dr., contingent upon approvals from all departments.

This Report Action Item was approved.

14-2145 Class "A" Beer License application of FKG Oil Co., d/b/a MotoMart, Teresa M. Kosiec, Agent, 2838 N. Ballard Rd., contingent upon approvals from all departments.

This Report Action Item was approved.

14-2152 "Class B" Beer/Liquor License application of Lue Lee & Mai Lee, d/b/a Shadows, 211 S. Walter Ave., contingent upon approvals from all departments.

This Report Action Item was approved.

14-2147 Secondhand Article License Renewal application of Tina Marie's Unique Boutique, Tina Marie Ahrens, Applicant, 206 E. College Ave., contingent upon approvals from all departments.

This Report Action Item was approved.

14-2148 Secondhand Jewelry License Renewal application of AE Jewelers, Inc., Corinne M. Meyer, Applicant, 3545 E. Calumet St., contingent upon approval from all departments.

This Report Action Item was approved.

14-2149 Secondhand Article License Renewal application of Mattress Plus, Ervin J. Klesmit, Applicant, 118 E. Wisconsin Ave., contingent upon approvals from all departments.

This Report Action Item was approved.

15-007 Secondhand Article License Renewal application of Replay Toys, Chris L. Freimuth, Applicant, 1131 N. Badger Ave., contingent upon approvals from all departments.

This Report Action Item was approved.

14-2150 Secondhand Jewelry License Renewal application of Scanlan Jeweler, Judy A. Scanlan, Applicant, 2031 E. Calumet St., contingent upon approvals from all departments.

This Report Action Item was approved.

15-010 Secondhand Article License Renewal application of The Attique Resale, James A. Boylan, Applicant, 415 N. Oneida St., contingent upon approvals from all departments.

This Report Action Item was approved.

15-011 Pawnbroker License application of JGB, LLC, d/b/a Mr. Money, Gregory A. Baer, Applicant, 1933B N Richmond St., contingent upon approvals from all departments.

This Report Action Item was approved.

15-009 Change of Premise Description - "Class B" Beer/Liquor License of Santino LLC, d/b/a Houdini's Escape, Linda M. Mischler, Agent, 1216 S. Oneida St., contingent upon approvals from all departments.

This Report Action Item was approved.

- 2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**
- 3. MINUTES OF THE CITY PLAN COMMISSION**
- 4. MINUTES OF THE PARKS AND RECREATION COMMITTEE**
- 5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

14-2153 Request to approve the Offer to Purchase - Lots 1 & 2, Northeast Industrial Park Plat 4 - Farrell Investments, LLC and Variance to Declaration of Covenants and Restrictions Regarding Repurchase Rights

Attachments: [Farrell Supply OTP Memo 12-17-14.pdf](#)

This Report Action Item was approved.

- 6. MINUTES OF THE UTILITIES COMMITTEE**
- 7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**
- 8. MINUTES OF THE BOARD OF HEALTH**
- 9. MINUTES OF THE HUMAN RESOURCES COMMITTEE**
- 10. MINUTES OF THE FINANCE COMMITTEE**
- M. CONSOLIDATED ACTION ITEMS
- O. ITEMS HELD
- P. ORDINANCES

15-028 Ordinance 78-14 through 102-14 Amending Section 19

Attachments: [Ordinances going to 01-07-2015 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

ATTORNEY'S OFFICE / 2015 ORGANIZATIONAL MEETING

#1-R-15 – Martin

"WHEREAS, with the reduction in the amount of elected alderpersons sitting on the City of Appleton Common Council; and

WHEREAS, professional business obligations sometimes require travel on the first and third Wednesday of each month; and

WHEREAS, personal commitments will sometimes overlay and cause for an alderperson to be excused from the City of Appleton Common Council meeting; and

WHEREAS, the Mayor or his/her designate will grant all absents from the City of Appleton council meeting.

NOW THEREFORE BE IT RESOLVED, the City of Appleton Attorney's office is directed to prepare a process that would allow through state statute an alderperson elected to the Appleton City Council to be able to vote electronically in their approved absent from the council meeting."

S. OTHER COUNCIL BUSINESS

15-013

Approve the carryover of \$2,750,619 for land purchase and site development along with the related general obligation debt financing as approved in the 2014 Budget.

Attachments: [CC 01-07-2015 CIP Attachment.pdf](#)

Mayor Hanna withdrew this item from the agenda.

T. ADJOURN

Meeting adjourned at 8:55 pm.

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

Aye: 16 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Garb, Alderson Jirschele, Alderson Konetzke, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Spears, Alderson Stueck, Mayor Hanna, Alderson Trauger, Alderson Dalton, Alderson Williams and Alderson Meltzer

Dawn A. Collins, City Clerk