



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, April 1, 2015

7:00 PM

Council Chambers

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A. CALL TO ORDER

*Meeting called to order at 7:00 PM.*

B. INVOCATION

*Offered by Alderperson Dannecker.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 15 - 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

**Excused:** 1 - Alderperson Patti Coenen

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, Health Officer Eggebrecht, Director of Parks, Recreation and Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Information Technology Fox, Director of Utilities Shaw, Valley Transit General Manager Wetter, Deputy Finance Director Rogers, Deputy Fire Chief Reece, Deputy Library Director Saecker.*

*EXCUSED: Director of Human Resources Behnke, Fire Chief Vander Wyst, Finance Director Saucerman, Library Director Rortvedt.*

F. PUBLIC PARTICIPATION

*Name - Address - Topic*

*Chris Fleischman - 1412 N. Owaissa Street - Widen Driveway*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[15-509](#) Common Council Meeting Minutes from March 18, 2015.

**Attachments:** [CC Minutes 03-18-2015.pdf](#)

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

**Aye:** 14 - Alderson Croatt, Alderson Dannecker, Alderson Garb, Alderson Jirschele, Alderson Konetzke, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Spears, Alderson Stueck, Alderson Trauger, Alderson Dalton, Alderson Williams and Alderson Meltzer

**Excused:** 1 - Alderson Coenen

**Abstained:** 1 - Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[15-451](#) Presentation of National Library Week Proclamation.  
Presentation of Library Volunteer of the Year Award.  
Fox Cities Reads Author Visit.  
Fox Cities Book Festival April 20-26.

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

[15-421](#) Initial Resolution for Street Vacation - North Douglas Street, Part 2.

**Attachments:** [CC 04-01-2015 - Initial Resolution - North Douglas St Part 2.pdf](#)

**Alderson Dannecker moved, seconded by Alderson Lobner, that the Initial Resolution be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Alderson Croatt, Alderson Dannecker, Alderson Garb, Alderson Jirschele, Alderson Konetzke, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Spears, Alderson Stueck, Alderson Trauger, Alderson Dalton and Alderson Meltzer

**Nay:** 1 - Alderson Williams

**Excused:** 1 - Alderson Coenen

**Abstained:** 1 - Mayor Hanna

K. ESTABLISH ORDER OF THE DAY

[15-449](#)

Review of General Policy Statement on Beer/Liquor Licensing.

**Attachments:** [Review of General Policy Statement on Beer Liquor Licensing Memo.pdf](#)  
[LIQUOR LICENSE POLICY - REV.pdf](#)

*Referred back by Alderperson Lobner.*

**This Report Action Item was referred to the Safety and Licensing Committee**

[15-477](#)

Request from Tom Purdy for a permanent street occupancy permit to install private subdivision signage in the Apple Hill Boulevard street right-of-way.

**Attachments:** [Applehill Blvd Private signage.pdf](#)

*Referred back by Alderperson Dannecker.*

**This Report Action Item was referred to the Municipal Services Committee**

[15-482](#)

Request from Chris Fleischman for a variance to Municipal Code, Section 19-91 Front Yard Parking, for the property at 1412 N. Owaissa Street.

**Attachments:** [1412 N. Owaissa St. Variance Request.pdf](#)

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

**Aye:** 14 - 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

**Excused:** 1 - Alderperson Coenen

**Abstained:** 1 - Mayor Hanna

[15-485](#)

Request from Mr. Anthony Ruys, 2001 E. Glendale Avenue, for a refund of his 2013 special assessment payment for concrete pavement on Glendale Avenue in the amount of \$ 4,819.20

**Attachments:** [Assessment appeal - 2001 E. Glendale Avenue.pdf](#)

*Moved by Alderperson Croatt, seconded by Alderperson Spears, to hold the item at Council. Voice vote taken. Motion failed. Alderperson Croatt requested a separate vote on the item.*

**Alderperson Croatt moved, seconded by Alderperson Spears, that the Report Action Item be denied. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Alderperson Dannecker, Alderperson Garb, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton, Alderperson Williams and Alderperson Meltzer

**Nay:** 2 - Alderperson Croatt and Alderperson Jirschele

**Excused:** 1 - Alderperson Coenen

**Abstained:** 1 - Mayor Hanna

[15-519](#)

Consolidated Action:  
Item 15-441 - City Plan  
Item 15-478 - Municipal Services

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

**Aye:** 13 - Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton and Alderperson Meltzer

**Nay:** 1 - Alderperson Williams

**Excused:** 1 - Alderperson Coenen

**Abstained:** 1 - Mayor Hanna

L. COMMITTEE REPORTS

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

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

**Aye:** 14 - 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

**Excused:** 1 - Alderperson Coenen

**Abstained:** 1 - Mayor Hanna

1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[15-433](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 03-26-2015 S&L.pdf](#)

This Report Action Item was approved.

[15-435](#) Operator's License application of Charney J. Kuusisto, 3222 N. Lawe Street.

This Report Action Item was approved.

[15-434](#) Secondhand Article License application for Heid Music, Kristin J. Masarik, Person in Charge, 308 E. College Ave, contingent upon approvals from all departments.

This Report Action Item was approved.

[15-447](#) Secondhand Article License application of Endless Treasures, Kathy A. Schumann, Applicant, 211 N. Richmond Street, contingent upon approvals from all departments.

This Report Action Item was approved.

[15-506](#) Class "B" Beer License application of Pho House LLC, d/b/a Pho House, Txongpaul Xiong, Agent, 621 W. Northland Ave., Suite D, contingent upon approvals from all departments.

This Report Action Item was approved.

[15-448](#) Request to Over Hire in the Position of Firefighter.

**Attachments:** [Request to Over Hire in the Position of Firefighter.pdf](#)

This Report Action Item was approved.

[15-507](#) Fire Department Proposed Reclassification of Position.

**Attachments:** [Fire Department Proposed Reclassification of Position.pdf](#)

This Report Action Item was approved.

## 2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[15-478](#)

Approve Douglas Street Vacation between Badger Avenue and Winnebago Street.

**Attachments:** [Douglas Street Vacation.pdf](#)

This Report Action Item was approved.

[15-479](#)

Approve Inter-Governmental Agreement with Outagamie County for the John Street (CTH KK) Banta Court to Matthias Street Reconstruction Project.

**Attachments:** [Intergovernmental Agreement for John Street.pdf](#)

This Report Action Item was approved.

[15-480](#)

Approve State/Municipal Agreement for the US10/Oneida Street Interchange Project.

**Attachments:** [State-Municipal Agreement US10-Oneida Street Interchange Project.pdf](#)

This Report Action Item was approved.

[15-481](#)

Award 2015 Land Acquisition Services for John Street and Northland Avenue pond to Vogels Buckman Appraisal Group in an amount not to exceed \$12,450.

**Attachments:** [Award 2015 Land Acquisition Services John St & Northland Ave.pdf](#)

This Report Action Item was approved.

### 3. MINUTES OF THE CITY PLAN COMMISSION

[15-441](#)

Request to approve the street discontinuance to vacate a portion of North Douglas Street public right-of-way between N. Badger Avenue and W. Winnebago Street, as shown on the attached map and legal description, pending approval by the Municipal Services Committee, and adopt the Initial Resolution

**Attachments:** [N Douglas Street Vacation Part 2 Staff Review.pdf](#)

This Report Action Item was approved.

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

### 5. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[15-438](#) Request to approve the Community Development Block Grant (CDBG) 2015 Annual Action Plan

**Attachments:** [Action Plan - Public Hearing Notice.pdf](#)  
[AAPDraft.pdf](#)

This Report Action Item was approved.

[15-450](#) Request to approve Habitat for Humanity's request for the City of Appleton's support as a collaborative partner for the Rock the Block Program

**Attachments:** [Rock the Block Grant Memo.pdf](#)  
[Grant Tracking Form.pdf](#)

This Report Action Item was approved.

## 6. MINUTES OF THE UTILITIES COMMITTEE

[15-452](#) Anticipated Award of Unit F-15, Sanitary and Storm Sewer Cleaning & Televising.

**Attachments:** [Unit F-15.pdf](#)

This Report Action Item was approved.

[15-456](#) Award purchase of Chlorination/Dechlorination Chemical Feed Equipment to William/Reid LTD, LLC in the amount of \$57,700 plus a 5% contingency of \$2,885 for a total not to exceed of \$60,585.

**Attachments:** [Chlorination/Dechlorination Chemical Feed Equipment Purchase Award.pdf](#)

This Report Action Item was approved.

## 7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION

## 8. MINUTES OF THE BOARD OF HEALTH

[15-513](#) Noise Variance Request - DPW John Street Project

**Attachments:** [Noise Variance Request - DPW John St Project.pdf](#)

This Report Action Item was approved.

[15-514](#) Noise Variance Request - Oneida St, Fox River Bridge Project

**Attachments:** [Noise Variance Request - Oneida St, Fox River Bridge Project.pdf](#)

This Report Action Item was approved.

[15-515](#) Noise Variance Request - Fox River House

**Attachments:** [Noise Variance Request - Fox River House.pdf](#)

This Report Action Item was approved.

[15-516](#) Noise Variance Request - St. Therese

**Attachments:** [Noise Variance Request - St. Therese.pdf](#)

This Report Action Item was approved.

[15-527](#) Noise Variance Request - USH10/441 47 Interchange

**Attachments:** [Noise Variance Request - USH10-441 47 Interchange.pdf](#)

*This item was previously approved by council in November 2014.*

This Report Action Item was approved.

## 9. MINUTES OF THE HUMAN RESOURCES COMMITTEE

[15-462](#) Request to approve table of organization changes for Public Works as follows:

- \* Shift 3.0 fte Laborers to 2.0 fte Stormwater Operator I's and 1.0 fte Street Operator I
- \* Shift 1.0 fte Laborer to 1.0 fte Operations Crew Leader
- \* Shift 1.0 fte Water Operator II to 1.0 fte PM Shift Crew Leader
- \* Shift 1.0 fte Laborer to 1.0 fte Arborist

**Attachments:** [Public Works TO change 3-23-15.pdf](#)

This Report Action Item was approved.



[15-464](#) Request to approve Fire Department reorganization to eliminate 1.0 fte Fire Inspector union position and add 1.0 fte Battalion Chief position.

**Attachments:** [Fire Reorganization - March 2015.pdf](#)  
[Fire Attachment A - Department Staffing Timeline.pdf](#)  
[Fire Attachment B - Table of Organization - Current.pdf](#)  
[Fire Attachment C - Table of Organization - Proposed.pdf](#)

This Report Action Item was approved.

[15-489](#) Request to Over Hire the position of Firefighter.

**Attachments:** [Request to Over Hire in the Position of Firefighter - March 2015.pdf](#)

This Report Action Item was approved.

## 10. MINUTES OF THE FINANCE COMMITTEE

[15-468](#) Request to approve the 2014-2015 Budget appropriations:  
1. Items not under contract -\$5,868,430  
2. Special consideration -\$514,661

**Attachments:** [Consolidated 14-15 carryover - not under contract \(amended\).pdf](#)  
[Consolidated 14-15 carryover - special consideration.pdf](#)

This Report Action Item was approved.

[15-470](#) Request to approve awarding City Park Playground Resilient Surface Project to Team REIL, Inc. in the amount of \$106,932.20 with a contingency of \$5,345.00 for a contract total not to exceed \$112,277.20

**Attachments:** [Park Playground surface project 3-25-15.pdf](#)

This Report Action Item was approved.

[15-487](#) Request to approve awarding Unit C-15 Sidewalk Sawcutting to ASTI Sawing, Inc. in an amount not to exceed \$30,000.00

**Attachments:** [Award of Contract C-15.pdf](#)

This Report Action Item was approved.

[15-502](#) Request to award sole source contract to Taser International for body cameras and Taser's under a 5 year contract in the amount not to exceed \$98,605 in year one.

**Attachments:** [Taser Finance Memo 3-19-15.pdf](#)

**This Report Action Item was approved.**

[15-503](#) Request to approve the following 2015 Budget adjustment:

**General Fund - Police Dept**

Other Contracts - MDC security & token maintenance	-\$18,850
Equipment - Computer analysis equipment	-\$8,000
Equipment - Body cameras & tasers	\$26,850

To transfer funds from other areas to help fund "Officer Safety Program" body cameras and tasers

**This Report Action Item was approved.**

M. CONSOLIDATED ACTION ITEMS

[15-528](#) Consolidated Action:  
Item 15-507 - Safety & Licensing  
Item 15-464 - Human Resources

**This Report Action Item was approved.**

[15-529](#) Consolidated Action:  
Item 15-448 - Safety & Licensing  
Item 15-489 - Human Resources

**This Report Action Item was approved.**

O. ITEMS HELD

P. ORDINANCES

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

## R. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

### *BOARD OF HEALTH*

*#5-R-15 – Trauger/Meltzer/Konetzke/Martin/Williams/Dalton/Coenen*

*Weight of the Fox Valley (WOTFV)*

*“Whereas, The WOTFV serves the (Calumet, Outagamie, Winnebago) tri-county region with a vision of communities that together achieve and maintain a healthy weight at every age.*

*Whereas, Obesity is a medical term in which excess body fat has accumulated to the extent that it may have a negative effect on health, leading to reduced life expectancy and/or increased health problems.*

*Whereas, Over 60% of Fox Valley residents are overweight or obese.*

*Whereas, The rate of Wisconsin residents who are obese has more than doubled in the last 24 years to 30%.*

*Whereas, Obesity-related conditions include heart disease, stroke, diabetes, high blood pressure, sleep apnea, liver disease, lung disease, arthritis, gout, certain types of cancer and also can impact mental health.*

*Whereas, The economic cost of obesity in Wisconsin is estimated to be \$3.1 billion per year and going up.*

*Whereas, Physical activity can improve health by lowering the risk for diseases associated with obesity. Physical activity can help with weight control, and improve academic achievement in students.*

*Whereas, Access to walking and biking trails has increasingly become a daily mode of transportation and has shown to increase physical activity.*

*Whereas, The East Central Wisconsin Regional Planning Commission Bicycle and Pedestrian Plan seeks to increase physical activity and enhance safe and convenient walk and bike routes to destinations via well interconnected multimodal transportation network.*

*Now therefore, be it resolved, that as community leaders we commit to battling this epidemic.*

*1. Support the efforts of Weight of the Fox Valley.*

*2. Support the policy and program recommendations found in the Appleton (Fox Cities) Transportation Management Area and Oshkosh Metropolitan Planning Organization Bicycle and Pedestrian Plan prepared with support from the East Central Wisconsin Regional Planning Commission.”*

## S. OTHER COUNCIL BUSINESS

T. ADJOURN

*Meeting adjourned at 7:45 PM.*

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

**Aye:** 15 - 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

**Excused:** 1 - Alderson Coenen

Dawn A. Collins, City Clerk