



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, May 17, 2017

7:00 PM

Council Chambers

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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 Meltzer*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt, Mayor Timothy Hanna, Alderperson Bob Baker and Alderperson Keir Dvorachek

**Excused:** 1 - Alderperson Patti Coenen

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*City Clerk Lynch, City Attorney Walsh, Deputy City Attorney Behrens, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Health Officer Eggebrecht, Library Director Rortvedt, Police Chief Thomas, Director of Parks Recreation & Facilities Gazza, Director of Public Works Vandehey, Director of Utilities Shaw, & Valley Transit General Manager Mc Donald Director of Human Resources Matz, Fire Chief Vander Wyst, and Director of Information Technology Fox were excused.*

## F. PUBLIC PARTICIPATION

*The following individuals spoke during public participation:*

*Mary Beth Laux, 303 S Walnut St. - Item 17-397 Noise Variance*

*Garry Kurstman, 703 E Goodall St. - Item 17-662 Snow Removal Fee Waiver*

*Dan Kohl, 711 S Buchanan St. - Item 17-578 Dogs in Parks*

*Coty Van Lannen, 534 N Clark St. - Item 17-559 SUP #1-17*

*Rebecca Herring, 543 N Clark St. - Item 17-559 SUP #1-17*

*Shawn Willard, 600 N Clark St. - Item 17-559 SUP #1-17*

*Noelle Reynolds, 520 N Clark St. - Item 17-559 SUP #1-17*

*Christiana Coakley, 619 N Division St. Apt. 2 - Item 17-578 Dogs in Parks*

*Corey Otis, 1816 Hulke Dr. - Item 17-664 Honorary Street Name*

*Tanya Rabec, 86 N Division St. - Item 17-559 SUP #1-17*

*Amber McGinley, 617 N Clark St. - Item 17-559 SUP #1-17*

*Shannon Kenevan, 908 N Fox St. - Item 17-678 Chicken Run Size*

*Derrick Rohm, 543 N Clark St. - Item 17-559 SUP #1-17*

*Eric Franklin, 543 N Clark St. - Item 17-559 SUP #1-17*

*Mary Williams, 2100 N Douglas St. - Item 17-678 Chicken Run Size*

*Ali Koestner, 1001 S Mason St. - Item 17-578 Dogs in Parks*

*Mendee Monfils, 1226 S Perkins St. - Item 17-678 & Item 17-578*

*Jeff Jirschele, 3319 S Scarlet Oak Ln. - Growth Report*

*Motion by Spears seconded by Lobner to suspend the council rules to allow Mr.*

*Jirschele to speak on the Growth Report which is not an agenda item. Motion carried 13/1 with Ald. Martin voting 'no'.*

## G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[17-724](#)

Common Council Meeting Minutes of the May 3, 2017 meeting.

**Attachments:** [CC Minutes 5-3-17.pdf](#)

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

**Aye:** 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Chris Croatt, Aldersperson Bob Baker and Aldersperson Keir Dvorachek

**Excused:** 1 - Aldersperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

## H. BUSINESS PRESENTED BY THE MAYOR

[17-725](#)

Presentation of A Week to Celebrate Policing Proclamation

**This Report Action Item was presented**

- [17-726](#) Presentation of Police Officer of the Year Award and Citizen Awards  
*Sergeant Gregory Ryan was presented with the Police Officer of the Year Award.*  
**This Report Action Item was presented**
- [17-727](#) Presentation of National Public Works Week Proclamation  
**This Report Action Item was presented**
- [17-728](#) Appointment of Kim Biedermann and David Merry to the Bicycle and Pedestrian Advisory Committee  
**Attachments:** [COMMITTEE APPTS FOR INFO BIKE PED ADVISORY 051717.pdf](#)  
**This Report Action Item was presented**
- [17-729](#) Reappointment of Jan Heifner, Rick Krumwiede, Joe Martin, Bill Moore, Gwen Sargeant and Joe Sargeant to the Bicycle and Pedestrian Advisory Committee  
**Attachments:** [COMMITTEE REAPPTS FOR INFO BIKE PED ADVISORY 051717.pdf](#)  
**This Report Action Item was presented**
- [17-730](#) Reappointment of Karen Harkness, Tony Saucerman and Jay Schumerth to the Fox Cities Area Room Tax Commission  
**Attachments:** [REAPPTS TO ROOM TAX COMMISSION CONFIRMATION 051217.pdf](#)  
**Aldersperson Baranowski moved, seconded by Aldersperson Dannecker, that the Reappointments be approved. Roll Call. Motion carried by the following vote:**  
**Aye:** 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Chris Croatt, Aldersperson Bob Baker and Aldersperson Keir Dvorachek  
**Excused:** 1 - Aldersperson Patti Coenen  
**Abstained:** 1 - Mayor Timothy Hanna
- [17-731](#) Appointment of Stephen Olk to the Appleton Housing Authority Board of Commissioners  
**Attachments:** [APPT TO AHA STEPHEN OLK BIO VACATED TERM 051717.pdf](#)  
**Aldersperson Baranowski moved, seconded by Aldersperson Dannecker, that the Appointment be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt, Alderperson Bob Baker and Alderperson Keir Dvorachek

**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

[17-732](#)

Appointment of Adrienne Palm to the City Plan Commission

**Attachments:** [APPT TO PLAN COMM ADRIENNE PALM BIO VACATED TERM 051717.pdf](#)

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

**Aye:** 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt, Alderperson Bob Baker and Alderperson Keir Dvorachek

**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[17-397](#)

Noise Variance Request - Fox River House

**Attachments:** [Noise Variance Request - Fox River House 5-3-17.pdf](#)

**Alderperson Spears moved, seconded by Alderperson Lobner, that the Noise Variance Request be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 10 - Alderperson Kathleen Plank, Alderperson Curt Konetzke, Alderperson Kyle Lobner, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt, Alderperson Bob Baker and Alderperson Keir Dvorachek

**Nay:** 4 - Alderperson William Siebers, Alderperson Ed Baranowski, Alderperson Matt Reed and Alderperson Greg Dannecker

**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

[17-664](#)

Approve Temporary Honorary Street Name Policy.

**Attachments:**     [Temporary Honorary Street Name Policy.pdf](#)

**Alderson Konetzke moved, seconded by Alderson Baker, that the Honorary Street Name Policy be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Kyle Lobner, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Greg Dannecker, Alderson Christine Williams, Alderson Cathy Spears, Alderson Chris Croatt, Alderson Bob Baker and Alderson Keir Dvorachek

**Excused:** 1 - Alderson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

[17-662](#)

Request from Garry Kunstman, 703 E. Goodall Street, to have his sidewalk snow removal bill of \$75 waived.

**Attachments:**     [703 E Goodall-fee waived.pdf](#)

**Alderson Konetzke moved, seconded by Alderson Lobner, that the Waiver of the Snow Removal Fee be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 8 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Kyle Lobner, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Cathy Spears and Alderson Bob Baker

**Nay:** 6 - Alderson Ed Baranowski, Alderson Matt Reed, Alderson Greg Dannecker, Alderson Christine Williams, Alderson Chris Croatt and Alderson Keir Dvorachek

**Excused:** 1 - Alderson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

[17-684](#)

Request from Mark Morgan to not have terrace trees planted per the City of Appleton's Tree Planting Policy at 2311 E. Highpond Crossing.

**Attachments:**     [Mark Morgan-2311 E. Highpond Crossing.pdf](#)

**Alderson Lobner moved, seconded by Alderson Croatt, that the request be amended to allow Mr. Morgan to plant trees on his own and at his own expense with City Forester Approval. Roll Call. Motion carried by the following vote:**

**Aye:** 10 - Alderson William Siebers, Alderson Curt Konetzke, Alderson Kyle Lobner, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Christine Williams, Alderson Cathy Spears, Alderson Chris Croatt and Alderson Keir Dvorachek

**Nay:** 4 - Alderperson Kathleen Plank, Alderperson Ed Baranowski, Alderperson Greg Dannecker and Alderperson Bob Baker

**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

*Although this item was moved and seconded, after the amendment this item was referred back by Alderperson Konetzke. No vote was taken on the item as amended.*

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

[17-678](#)

Resolution #8-R-17 - Chicken Run Size

**Attachments:**     [Resolution - Chicken Run Size.pdf](#)  
                                  [Chicken Coop Example.pdf](#)

**Alderperson Plank moved, seconded by Alderperson Croatt, that the recommendation from the Board of Health to deny the Resolution regarding the chicken run size be approved.**

**Alderperson Baranowski raised the question of this item violating the Council Rules: Rule 15. One (1) Year Rule.**

**Mayor Hanna ruled that this Resolution did not violate the Council Rules as the original Resolution was determining whether or not to allow chickens and this was not changing the decision to allow them. This Resolution simply offers an adjustment to the Rules that were adopted on the keeping of chickens.**

**Motion by Alderperson Baranowski, seconded by Alderperson Plank to challenge Mayor Hanna's ruling that the chicken run Resolution does not violate the Council Rules. Roll Call. Motion carried 8/6 with Alders: Croatt, Reed, Lobner, Baker, Siebers, and Meltzer voting 'nay'.**

**The Mayor's ruling was overturned and the Resolution modifying the chicken run size was ruled as a violation of Council Rules and therefore not able to be acted upon.**

**Motion by Alderperson Lobner, seconded by Martin to suspend the Council Rules to allow the discussion and vote on the Resolution amending the chicken run size. Roll Call. Motion failed 7/7:**

**Aye- Reed, Dvorachek, Croatt, Lobner, Martin, Siebers, Meltzer**

**Nay- Plank, Baranowski, Konetzke, Dannecker, Williams, Baker, Spears  
(2/3 vote required to suspend the rules)**

[17-559](#)

Request to approve Special Use Permit #1-17 for an automobile sales and display lot, at 524 North Clark Street (Tax Id #31-2-0697-00), 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 (2/3 vote required)

**Attachments:** [StaffReport\\_VLPerformance\\_SUP\\_For05-08-17.pdf](#)  
[PublicCommentLetter\\_Reynolds\\_VLPerformance\\_SUP.pdf](#)  
[PublicCommentLetter\\_McNally\\_VLPerformance\\_SUP.pdf](#)  
[Petition\\_VLPerformance\\_SUP\\_#1-17\\_4-24-17.pdf](#)

*The meeting went into recess at 9:17 p.m.*

*The meeting reconvened at 9:28 p.m.*

**Aldersperson Spears moved, seconded by Aldersperson Konetzke, that the Special Use Permit be amended to limit the hours from 9 a.m. to 9 p.m. Roll Call. Motion failed by the following vote:**

**Aye:** 4 - Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski and Aldersperson Cathy Spears

**Nay:** 10 - Aldersperson Kathleen Plank, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Chris Croatt, Aldersperson Bob Baker and Aldersperson Keir Dvorachek

**Excused:** 1 - Aldersperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

**Aldersperson Konetzke moved, seconded by Aldersperson Martin, that the Special Use Permit be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 12 - Aldersperson Kathleen Plank, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Chris Croatt, Aldersperson Bob Baker and Aldersperson Keir Dvorachek

**Nay:** 2 - Aldersperson William Siebers and Aldersperson Kyle Lobner

**Excused:** 1 - Aldersperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

[17-578](#)

City of Appleton - **Resolution #6-R-17**

April 19, 2017

Submitted by: Alderperson Lobner - District 13

Referred to: Parks & Recreation Committee

WHEREAS Section 3-15 of the Appleton Municipal Code requires that an animal, when off of its owner's premises, shall be restrained so that the unprovoked animal does not run at large or become a public nuisance.

AND WHEREAS Section 3-14 of the Appleton Municipal Code requires the owner or caretaker of an animal to promptly remove and dispose of, in a sanitary manner, any excrement left or deposited by the animal upon public or private property.

AND WHEREAS Section 3-17 of the Appleton Municipal Code requires all incidents occurring in the City in which any animal bites or scratches a person or another animal, or is suspected of such, to be immediately reported to the Police Department by any person having knowledge of such incident.

AND WHEREAS the aforementioned ordinances and others not mentioned have been deemed sufficient for providing humans and pets an opportunity to operate and interact in a safe and sanitary manner in outdoor spaces including sidewalks, trails and other public spaces.

AND WHEREAS the same ordinances would allow an opportunity for humans and pets an opportunity to operate and interact in a safe and sanitary manner in parks if not for Section 13-5, subsection N of the Appleton Municipal Code, which prohibits dogs in all parks except on trails.

THEREFORE BE IT RESOLVED that the City of Appleton shall repeal Municipal Code Section 13-5, subsection N.

**Attachments:**     [5-8-17 Dogs in Parks Document.pdf](#)

**Alderperson Lobner moved, seconded by Alderperson Dvorachek, that the Dogs in Parks regulations be amended to remove the doubling of fines for related violations. Roll Call. Motion failed by the following vote:**

**Aye:** 7 - Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Christine Williams, Alderperson Chris Croatt, Alderperson Bob Baker and Alderperson Keir Dvorachek

**Nay:** 7 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Joe Martin, Alderperson Greg Dannecker and Alderperson Cathy Spears



**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

**Alderperson Lobner moved, seconded by Alderperson Baker, that the Dogs in Parks regulations be amended to strike the restriction on dogs in park pavillions. Roll Call. Motion failed by the following vote:**

**Aye:** 5 - Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Bob Baker and Alderperson Keir Dvorachek

**Nay:** 9 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

**Alderperson Lobner moved, seconded by Alderperson Baker, that the Dogs in Parks regulations be amended to strike limiting dogs to trails/paved areas and replace it with allowing dogs on and near trails/paved areas. Roll Call. Motion failed by the following vote:**

**Aye:** 6 - Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Christine Williams, Alderperson Bob Baker and Alderperson Keir Dvorachek

**Nay:** 8 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Cathy Spears and Alderperson Chris Croatt

**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

**Alderperson Reed moved, seconded by Alderperson Martin, that the Dogs in Parks regulations be amended to strike the Municipal Code reference regarding dog waste, and replace it with 'must be immediately picked up and disposed of at the owner's residence'. Roll Call. Motion failed by the following vote:**

**Aye:** 6 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Ed Baranowski, Alderperson Matt Reed, Alderperson Joe Martin and Alderperson Greg Dannecker

**Nay:** 8 - Alderperson Curt Konezke, Alderperson Kyle Lobner, Alderperson Vered Meltzer, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt, Alderperson Bob Baker and Alderperson Keir Dvorachek

**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

**Alderperson Lobner moved, seconded by Alderperson Baker, that the Resolution and regulations to allow Dogs in Parks be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 8 - Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Chris Croatt, Mayor Timothy Hanna, Alderperson Bob Baker and Alderperson Keir Dvorachek

**Nay:** 7 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Greg Dannecker, Alderperson Christine Williams and Alderperson Cathy Spears

**Excused:** 1 - Alderperson Patti Coenen

[17-549](#)

Request to approve professional services contract with von Briesen & Roper, S.C. for Phase V services related to the financing of the Fox Cities Exhibition Center and approve the related 2017 Budget adjustment below:

**Exhibition Center Capital Projects Fund**

|                        |            |
|------------------------|------------|
| Consulting Services    | +\$462,500 |
| Debt Proceeds/Room Tax | +\$462,500 |

to provide funding for consulting services related to the financing of the Fox Cities Exhibition Center.

**Attachments:** [Memo to Finance Von Briesen Phase V Engagement Letter2.pdf](#)  
[Engagement Agreement - Loan Documents and Closing.PDF](#)  
[FCEC Professional Services Agreement, Phase IV 3-01-2016.pdf](#)

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

**Aye:** 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt, Alderperson Bob Baker and Alderperson Keir Dvorachek

**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

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

**Alderperson Croatt moved, Alderperson Meltzer seconded, to approve the balance of the agenda. The motion carried by the following vote:**

**Aye:** 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt, Alderperson Bob Baker and Alderperson Keir Dvorachek

**Excused:** 1 - Alderperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

## 1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[17-661](#)

Request from Eric Ehmann, 49-51 Valerie Drive, to have his sidewalk snow removal bill of \$75 waived.

**Attachments:** [49-51 Valerie-fee waived.pdf](#)

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

[17-663](#)

Request from Andrew Graf, 1731 N Briarcliff Drive, for a variance to the Street Terrace Policy to install a 10-foot high hedge along the entire front yard within the street right-of-way.

**Attachments:** [1731 N Briarcliff-variance.pdf](#)

**This Report Action Item was approved.**

[17-699](#)

Award "virtual chalking" parking enforcement system to Tannery Creek Systems, Inc. in the amount of \$68,000.

**Attachments:** [Award of virtual chalking.pdf](#)

**This Report Action Item was approved.**

[17-660](#)

Request from Kris Sarver, 1400 E. Amelia Street, to have his sidewalk snow removal bill of \$75 waived.

**Attachments:** [1400 E Amelia-fee waived.pdf](#)

**This Report Action Item was approved.**

[17-683](#) Request from Antojitos Mexicanos Restaurant for a Street Occupancy Permit to set up heater lamps within the College Avenue beautification strip at 204 E. College Avenue.

**Attachments:** [Antjitos Mexicanos Restaurant-heat lamp.pdf](#)

This Report Action Item was approved.

## 2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[17-611](#) Renewal Taxi Cab Company License application of Dynasty Limousine Service LLC, John Wolters, 314 E. Wilson Avenue contingent upon approvals from all departments.

This Report Action Item was approved.

[17-617](#) Renewal Taxi Cab Company License application of Fox Valley Tours, LLC, Justin Garrett, N5605 Valley Creek Road, Fond Du Lac, contingent upon approvals from all departments.

This Report Action Item was approved.

[17-620](#) Farm Market Renewal License application of Long Cheng Marketplace, MaiYoua Thao, 1804 S. Lawe Street, contingent upon approvals from all departments.

This Report Action Item was approved.

[17-658](#) Renewal Mobile Home Park License application of Fox Valley Estates, Scott R. Moore, 4349 Tarnowski Road, Duluth, MN, contingent upon approvals from all departments.

This Report Action Item was approved.

[17-666](#) Class "B" Beer and "Class C" Wine License application of Board and Brush Creative Studio-Green Bay LLC, d/b/a Board and Brush Creative Studio, Katie M. Forman, Agent, 109 N. Durkee St., contingent upon approval from all departments.

**Attachments:** [Board and Brush Creative Studio application.pdf](#)

This Report Action Item was approved.

[17-679](#) Renewal Taxi Cab Company License application of Apple Valley Taxi LLC, James D. Jacobs, 1831 N. Bennett Street, contingent upon approvals from all departments.

This Report Action Item was approved.

[17-680](#) Class "B" Beer and "Class C" Wine License application of The Crafty Woodmaker LLC, d/b/a The Crafty Woodmaker, Katherine E. Wood, Agent, 207 W. College Ave., contingent upon approval from all departments.

**Attachments:** [The Crafty Woodmaker application.pdf](#)

This Report Action Item was approved.

[17-698](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 5-10-17 S & L.pdf](#)

This Report Action Item was approved.

[17-700](#) Renewal Operator Licenses

**Attachments:** [Renewal Operator's Licenses for 5-10-17 S & L.pdf](#)

This Report Action Item was approved.

### 3. MINUTES OF THE CITY PLAN COMMISSION

[17-641](#) Request to approve Special Use Permit #2-17 to allow alcohol sales and consumption located at 207 West College Avenue (Tax Id #31-2-0080-00), 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 required)

**Attachments:** [StaffReport\\_SpecialUsePermit #2-17\\_TheCraftyWoodmaker.pdf](#)

This Report Action Item was approved.

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

[17-668](#) Award the City of Appleton "2017 Kiwanis Playground Equipment Project" contract to Lee Recreation, LLC in an amount not to exceed \$70,000.

**Attachments:** [2017 Kiwanis Playground award.pdf](#)

This Report Action Item was approved.

## 5. MINUTES OF THE FINANCE COMMITTEE

[17-632](#) Request to approve bid packages and project related expenses into the Guaranteed Maximum Price Amendment to Miron Construction for the Fox Cities Exhibition Center for a contract not to exceed \$5,458,967.

**Attachments:** [2017 Expo Center Bid Package #5 .pdf](#)

This Report Action Item was approved.

[17-633](#) Request to reject bids from H.J. Martin & Sons, Inc. and Bernie's Equipment for not meeting the bidding guidelines. In addition, reject bids from Martell Construction which substantially exceeded our budgeted amount. The scope will be reviewed and modified to rebid.

**Attachments:** [2017 Expo Center Bid Package #5 \(002\).pdf](#)

This Report Action Item was approved.

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

[17-646](#) Request to approve the City of Appleton maintain its current selling prices for industrial park land as described in the attached documents

**Attachments:** [Land Value Memo 4-21-17.pdf](#)  
[Southpoint11\\_17.pdf](#)  
[Industrial Land Price Comparison 4-7-17.pdf](#)  
[Sales Ask Price Comparison 4-7-17.pdf](#)  
[Industrial Land Listings 4-18-17.pdf](#)

This Report Action Item was approved.

[17-685](#)

Request to approve the Offer to Purchase from Alco Tech to purchase Lot 8, Plat 1 of Southpoint Commerce Park, consisting of approximately 3.34 acres, at a purchase price of \$150,300 (\$45,000 per acre) and staff be authorized to negotiate and execute a development or like agreement providing City investment in the project of up to 50% of the land purchase amount

**Attachments:**     [Alco Tech Cover Ltr.pdf](#)  
[AlcoTechMemo Lot 8 Plat 1 Southpoint 5-4-17.pdf](#)  
[Alco Tech OTP vacant land updated 05-03-17 .pdf](#)  
[Alco Tech Map.pdf](#)

**This Report Action Item was approved.**

[17-716](#)

**\*\*CRITICAL TIMING\*\*** Request to award Vantage Drive and Milis Drive gas, electric, and lighting project as sole source contract to WE Energies in the amount of \$100,983.17 with a 10% contingency of \$10,098.32 for a project total not to exceed \$111,081.49

**Attachments:**     [Vantage Milis Gas Elec Memo5-10-17.pdf](#)  
[3803259 Vantage Drive Lighting.pdf](#)  
[3850623 Milis Drive Lighting.pdf](#)  
[3802081 Vantage Drive Natural Gas Cost Packet.pdf](#)  
[3948673 Milis Drive Natural Gas Cost Packet.pdf](#)  
[3801595 Vantage Drive Line Extension.pdf](#)  
[3850159 Milis Drive Line Extension.pdf](#)  
[SouthpointGasandElec.pdf](#)

**This Report Action Item was approved.**

## 7. MINUTES OF THE UTILITIES COMMITTEE

[17-637](#)

2016 Pretreatment Streamlining Changes for Wisconsin Industries and Municipal Pretreatment Programs. Amend City of Appleton Sewer Use Ordinance: Chapter 20.

**Attachments:**     [Pretreatment Streamlining Changes.pdf](#)

**This Report Action Item was approved.**

[17-638](#) Recommendation to Sole Source Award a Professional Services Contract to Complete a Gas Utilization Study to Donohue and Associates in the amount of \$24,800.

**Attachments:** [Gas Utilization Study Engineering Award memo 05-02-17 .pdf](#)

This Report Action Item was approved.

[17-681](#) Award the 2017 AWWTP Improvements Project Engineering Phase to Donohue in the amount of \$228,464 with a 15% contingency of \$34,270 for a project total not to exceed \$262,734.

**Attachments:** [2017 AWWTP Improvements Project.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**

[17-452](#) Resolution #4-R-17 Bees on Rooftops

**Attachments:** [Resolution #4-R-17 - Bees on Rooftops.pdf](#)  
[Pl. Commercial and Urban Farm Apiary REQUIREMENTS 5-3-17.pdf](#)  
[Pl. Commercial and Urban Farm Apiary Permit Application 2017.pdf](#)  
[Appleton Code - 3-52 Restricted Species.pdf](#)

This Report Action Item was approved.

**M. CONSOLIDATED ACTION ITEMS**

**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

*City of Appleton – Resolution #11-R-17*

*May 17, 2017*

*Submitted by: Alderperson Siebers – District 1*

*Referred to: Municipal Services Committee*

*Whereas Clark Street is a very narrow residential street,*

*Whereas there are no terraces on North Clark Street and the sidewalks abut right up to the street,*

*Whereas there are families with small children living on North Clark Street,*

*Whereas research has shown that children under 14 are far more likely to be hit by a car on a street with a speed limit for 25 miles per hour or more,*

*Whereas a common complaint of those living on North Clark Street has been the speed of many cars using North Clark Street,*

*And Whereas cities across the United States are starting to lower speed limits in residential neighborhoods for safety reasons.*

*Therefore be it resolved,*

*That the speed limit in the 500 and 600 block of North Clark Street be reduced to 20 mph, if not 15*

*City of Appleton – Resolution #12-R-17*

*May 17, 2017*

*Submitted by: Alderperson Martin – District 4, Alderperson Croatt – District 14, and Alderperson Plank – District 7*

*Referred to: Finance Committee*

*Whereas, the City Attorney is elected by the voters of Appleton,*

*And whereas, it is the responsibility of the City Attorney to uphold the constitution of the State of Wisconsin when performing duties of the job he/she is elected to,*

*And whereas, it is the duty of the Council and Mayor, also elected by the voters, to ensure that the citizens have the legal representation of the Attorney's office in all matters concerning the city,*

*And whereas, it is critical that the City Attorney be in a work environment that enables and prioritizes that responsibility,*

*And whereas, State Statute 62.09 (12) states that, "The attorney shall conduct all the law business in which the city is interested",*

*Therefor be it resolved, the Finance Committee, of which has jurisdiction over the Attorney's office, be charged with creating a policy that reaffirms the City Attorney conducts all legal work when discussing, negotiating, and drafting all agreements and law business the city is a party to, unless special counsel has been retained in circumstances that comply with city policy or State Statute.*

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

[17-733](#)

The Common Council may convene in closed session pursuant to State Statute §19.85(1)(e) for the purpose of deliberating the purchasing of public properties and/or the investing of public funds in certain property located in downtown Appleton. The Common Council will then reconvene in open session.

**Aldersperson Baranowski moved, seconded by Aldersperson Croatt, that the Common Council convene in closed session at 10:28 p.m.. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Chris Croatt, Aldersperson Bob Baker and Aldersperson Keir Dvorachek

**Excused:** 1 - Aldersperson Patti Coenen

**Abstained:** 1 - Mayor Timothy Hanna

## T. ADJOURN

*Motion by Aldersperson Baranowski, seconded by Aldersperson Meltzer to reconvene into open session. Motion carried 14/0 and the meeting reconvened in open session at 11:03 p.m. No action was taken in closed session.*

**Aldersperson Baranowski moved, seconded by Aldersperson Martin, that the meeting be adjourned at 11:04 p.m. Roll Call. Motion carried by the following vote:**

**Aye:** 15 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Chris Croatt, Mayor Timothy Hanna, Aldersperson Bob Baker and Aldersperson Keir Dvorachek

**Excused:** 1 - Aldersperson Patti Coenen

Kami Lynch, City Clerk