



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, September 7, 2016

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 Meltzer

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Alderperson Croatt arrived at 7:14 p.m.

Present: 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Chris Croatt and Mayor Timothy Hanna

Excused: 2 - Alderperson Kyle Lobner and Alderperson Cathy Spears

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, Fire Chief VanderWyst
Health Office Eggebrecht, Human Resources Director Behnke
Library Director Rortvedt, Director of Parks, Recreation, & Facilities Gazza
Police Chief Thomas, Director of Public Works Vandehey,
Director of Utilities Shaw, Valley Transit Asst. General Manager Sandmeier*

F. PUBLIC PARTICIPATION

The following individuals spoke in favor of Item 16-1335 Approve recommended Scenario #4 in the Railroad Quiet Zone Report:

Kate Lenz, 117 E Harris St

Jennifer Smith, 831 W Spencer St

Andrea Smith, 922 W 3rd St

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[16-1374](#)

Common Council Meeting Minutes of August 17, 2016

Attachments: [CC Minutes 8-17-16.pdf](#)**Alderson Konetzke moved, seconded by Alderson Martin, that the Minutes be approved. Roll Call. Motion carried by the following vote:****Aye:** 12 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Margret Mann, Alderson Patti Coenen, Alderson Jeffrey Jirschele, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Greg Dannecker and Alderson Christine Williams**Excused:** 3 - Alderson Kyle Lobner, Alderson Cathy Spears and Alderson Chris Croatt**Abstained:** 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[16-1362](#)

Appointment of Patricia Exarhos to the Library Board

Attachments: [COMM APPT FOR INFO LIBRARY 090216.pdf](#)*The appointment was presented. As this is a mayoral appointment, no Council action is required.*[16-1363](#)

Reappointment of Travis Parish and Chuck Rundquist to the Fox Cities Transit Commission

Attachments: [COMM REAPPTS FOR INFOR TRANSIT 090216.pdf](#)*The appointments were presented. As these are mayoral appointments, no action by Council is required.*[16-1373](#)

Valley Transit General Manager Position Recommendation

Attachments: [VT GM Appointment.pdf](#)**Alderson Baranowski moved, seconded by Alderson Coenen, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:****Aye:** 12 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Margret Mann, Alderson Patti Coenen, Alderson Jeffrey Jirschele, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Greg Dannecker and Alderson Christine Williams**Excused:** 3 - Alderson Kyle Lobner, Alderson Cathy Spears and Alderson Chris Croatt**Abstained:** 1 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

[16-1356](#) Public Hearing for Resolution 5-P-16, Sanitary Lateral

Attachments: [5-P-16 Public Hearing Notice.pdf](#)

The Public Hearing was held. No person spoke regarding this item.

J. SPECIAL RESOLUTIONS

[16-1364](#) Final Resolution 5-P-16 for a Sanitary Lateral

Attachments: [5-P-16 Sanitary Lateral Final Resolution.pdf](#)

Alderson Konetzke moved, seconded by Alderson Baranowski, that the Resolution be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Margret Mann, Alderson Patti Coenen, Alderson Jeffrey Jirschele, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Greg Dannecker and Alderson Christine Williams

Excused: 3 - Alderson Kyle Lobner, Alderson Cathy Spears and Alderson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[16-1350](#) A Resolution authorizing and providing for the sale and issuance of \$19,625,000 General Obligation Promissory Notes, Series 2016, and all related details.

Attachments: [Award Resolution - Appleton 2016 G O Promissory Notes.pdf](#)
[Final Award Resolution - Appleton 2016 G O Promissory Notes \(002\).pdf](#)

Alderson Martin moved, seconded by Alderson Konetzke that the Council Rules be suspended to allow Brad Viegut from Robert W. Baird to speak regarding the 2016 borrowing items and Special Resolutions. Motion carried 13/0.

Alderson Baranowski moved, seconded by Alderson Coenen, that the Report Action Item be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Margret Mann, Alderson Patti Coenen, Alderson Jeffrey Jirschele, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Greg Dannecker, Alderson Christine Williams and Alderson Chris Croatt

Excused: 2 - Alderson Kyle Lobner and Alderson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

[16-1351](#)

A Resolution authorizing and providing for the sale and issuance of ~~\$15,515,000~~ \$14,935,000 Storm Water System Revenue Bonds, Series 2016, and all related details.

Attachments: [Award Resolution - Appleton 2016 Storm Water System Rev Ref Bonds.pdf](#)
[Final Award Resolution - Appleton 2016 Storm Water System Rev Ref Bonds.pdf](#)

Aldersperson Plank moved, seconded by Aldersperson Baranowski, that the Resolution be amended to the amount of \$14,935,000. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams and Aldersperson Chris Croatt

Excused: 2 - Aldersperson Kyle Lobner and Aldersperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

Aldersperson Baranowski moved, seconded by Aldersperson Konezke, that the Report Action Item be approved as amended to \$14,935,000. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams and Aldersperson Chris Croatt

Excused: 2 - Aldersperson Kyle Lobner and Aldersperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

[16-1352](#)

A Resolution authorizing and providing for the sale and issuance of ~~\$24,190,000~~ \$23,830,00 Water System Revenue Bonds, Series 2016, and all related details.

Attachments: [Award Resolution - Appleton 2016 Water System Rev Ref Bonds.pdf](#)
[Final Award Resolution - Appleton 2016 Water System Rev Ref Bonds.pdf](#)

Aldersperson Dannecker moved, seconded by Aldersperson Plank, that the Resolution be amended to the amount of \$23,830,000. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams and Alderperson Chris Croatt

Excused: 2 - Alderperson Kyle Lobner and Alderperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

Alderperson Baranowski moved, seconded by Alderperson Croatt that the Resolution be approved as amended in the amount of \$23,830,000. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams and Alderperson Chris Croatt

Excused: 2 - Alderperson Kyle Lobner and Alderperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

[16-1335](#)

Approve recommended Scenario #4 in the Railroad Quiet Zone Report.

- Attachments:** [Email from Deann Brosman.pdf](#)
 [Railroad Quiet Zone-Bruce Hamachek.pdf](#)
 [Appleton Quiet Zone Final.pdf](#)

Alderperson Martin moved, seconded by Alderperson Siebers to allow a member of the public to speak on an item outside the Public Participation period. Motion carried 13/0.

Jeff McCloughlin, Mananger of the Richmond Terrace Condominiums located at 400 N Richmond St. spoke regarding item 16-1335 Approve recommended Scenario #4 in the Railroad Quiet Zone Report.

Alderperson Konetzke moved, seconded by Alderperson Jirschele, that Scenario #4 in the Railroad Quiet Zone Report be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams and Alderperson Chris Croatt

Excused: 2 - Alderperson Kyle Lobner and Alderperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konezke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams and Aldersperson Chris Croatt

Excused: 2 - Aldersperson Kyle Lobner and Aldersperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[16-1278](#)

Request from Tim Lutz, 2013 S. Jefferson Street, for a variance to the City's Building Addressing Policy that states "Accessory buildings will not be allowed to have distinct official addresses."

Attachments: [Tim Lutz-2013 S. Jefferson Street.pdf](#)
[Application for Home Occupation.pdf](#)

This Report Action Item was approved.

[16-1337](#)

Request from Justin Long to waive his \$160 Weed Administration Fee for the empty lot across from 917 S. Daybreak Drive.

Attachments: [Vacant lot-Daybreak Drive.pdf](#)

This Report Action Item was approved.

[16-1338](#)

Request from Lynn Driessen to waive her second \$50 Weed Administration Fee for 312 E. Calumet Street.

Attachments: [312 E. Calumet Street.pdf](#)

This Report Action Item was approved.

[16-1342](#) Approve Bike Lane Retrofit Project on John Street (Matthias Street to Calumet Street)

Attachments: [Addition of bike lanes on John St.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[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 Report Action Item was approved.

[16-1313](#) "Class B" Beer/Liquor License application of Mr. Taco Authentic Mexican Cuisine Corporation, d/b/a Mr. Taco, Jennifer Almeida Sandoval, Agent, 106 S. State St., contingent upon approval from all departments.

This Report Action Item was approved.

[16-1323](#) Operator's Licenses

Attachments: [Operator's Licenses for 8-24-16 S & L.pdf](#)

This Report Action Item was approved.

[16-1341](#) "Class B" Beer/Liquor License change of premise description of Appleton Elks Club, James B. Marks, Agent, 1103 West College Avenue for an event on September 10, 2016, contingent upon approval from all departments.

Attachments: [Appleton Elks Lodge Change of Description.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[16-1232](#)

Request to approve the dedication of land for public right-of-way generally located south of E. Werner Road and west of N. Ballard Road, part of Tax ID #31-1-9300-01, as shown on the attached maps

Attachments: [StaffReport_StreetDedication_SouthofWernerRd.pdf](#)

This Report Action Item was approved.

[16-1321](#)

Request to approve Special Use Permit #4-16 for a brewpub and restaurant with outdoor seating with alcohol sales and service at 1216 E. Wisconsin Avenue, 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_DairylandBrewing_SpecialUsePermit#4-16.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[16-1332](#)

Award Unit N-16, Sewer Spot Repairs, Protruding Tap & Mineral Deposit Removal to Great Lakes TV & Seal, Inc. in an amount not to exceed \$152,950.

Attachments: [Unit N-16.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

M. CONSOLIDATED ACTION ITEMS

N. ITEMS HELD

O. ORDINANCES

[16-1358](#)

Ordinance 56-16

Attachments: [Ordinance going to Council 09-07-16.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

*Resolution 10-R-16
Submitted by Alderperson Plank*

*Be it Resolved:
All meetings of the Exhibition Center Advisory Committee to ARA
Be recorded by at least audio and at best audio and video
and be made available on the City's website and Clerk's office*

This was referred to the Office of the Mayor

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

[16-1372](#)

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 as well as pursuant to State Statute §19.85(1)(g) for the purpose of conferring with legal counsel regarding pending litigation concerning the Town of Harrison and the Village of Harrison, and then will reconvene in open session.

Aldersperson Baranowski moved, seconded by Aldersperson Martin, that the Common Council convene in Closed Session at 7:45 p.m. Roll Call. Motion carried by the following vote:

Aye: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams and Aldersperson Chris Croatt

Excused: 2 - Aldersperson Kyle Lobner and Aldersperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

T. ADJOURN

Motion by Alderperson Coenen, seconded by Alderperson Baranowski to reconvene in Open Session. Motion carried 13/0. The meeting reconvened in open session at 9:06 p.m.

Alderperson Baranowski moved, seconded by Alderperson Croatt, that the meeting be adjourned at 9:07 p.m. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Chris Croatt and Mayor Timothy Hanna

Excused: 2 - Alderperson Kyle Lobner and Alderperson Cathy Spears

Kami Lynch, City Clerk