



# City of Appleton

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

## Meeting Minutes Common Council

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Wednesday, March 4, 2015

7:00 PM

Council Chambers

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A. CALL TO ORDER

*Meeting was called to order at 7:03 PM.*

B. INVOCATION

*Offered by Alderperson Croatt.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

*Alderperson Coenen arrived at 7:41 PM.*

**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, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Human Resources Behnke, 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, Library Director Rortvedt, Communications Specialist Doran.*

## F. PUBLIC PARTICIPATION

*NAME - ADDRESS - TOPIC**Jim Marks - 1125 W Tuckaway - Exhibition Center**Stevie Schmidt - 910 S Midpark - Exhibition Center**Pat Sorenson - 3241 Brooks - Water Charge**Ed Klug - 3422 E Paris - Exhibition Center**Dave Allen - 1920 E Apple Creek - Exhibition Center**Jessica Coleman - 336 W Wisconsin - Operator License**Willie Harrison - 336 W Wisconsin - Operator License**MOTION by Alderperson Martin, seconded by Alderperson Spears, to extend the time. Motion carried.**Jennifer Stephany - ADI - Exhibition Center**Pam Seidl - FCCVB - Exhibition Center**Heidi Supple - 501 W Water - Vulcan Lease**Jay Supple - 501 W Water - Vulcan Lease**Walter Rogland - 1225 W Cedar - Exhibition Center**Curt Detjen - 2525 S Schaefer - Exhibition Center**Margaret LeBruh - 1920 E Apple Creek - Exhibition Center*

## G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

**15-334** Common Council Meeting Minutes from February 18, 2015.**Attachments:** [CC Minutes 02-18-2015.pdf](#)**Alderperson Croatt moved, seconded by Alderperson Martin, that the Meeting Minutes 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

## H. BUSINESS PRESENTED BY THE MAYOR

## I. PUBLIC HEARINGS

**15-235** Public Hearing - French Road Boundary Adjustment.**Attachments:** [CC 03-04-2015 - Public Hearing - French Road Boundary Adjustment.pdf](#)*No person spoke for or against this item.*

**15-322** Public Hearing - Text Amendment, Chapter 23 - Canopy.

**Attachments:** [CC 03-04-2015 - Public Hearing - Text Amendment-Chapter 23.pdf](#)

*No person spoke for or against this item.*

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

**15-291** Action: Approval of 2015-2017 Agreement with the Supple Restaurant Group for Use of Vulcan Heritage Park Patio

**Attachments:** [Memo-Supple Agreement-Vulcan Patio 2-25-15.pdf](#)

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

**Aye:** 15 - Alderson Coenen, 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

**Abstained:** 1 - Mayor Hanna

**15-237** Operator's License application of Jessica M. Coleman, 1415 N. Erb Street.

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

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

**Nay:** 1 - Alderson Jirschele

**Abstained:** 1 - Mayor Hanna

**15-276** Request for credit adjustment for water and sewer charges to James Bridges and Patricia Sorenson for 1215 W. Winnebago Street for use accrued during the period of 12/1/14 - 1/29/15.

**Attachments:** [1215 W Winnebago Street Adjustment.pdf](#)

*Request denied.*

**Aldersperson Konetzke moved, seconded by Aldersperson Plank, that the recommendation to deny be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 14 - 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 and Aldersperson Meltzer

**Abstained:** 2 - Mayor Hanna and Aldersperson Williams

**15-302** #3-R-15 - Coenen/Martin

**"WHEREAS,** The City of Appleton Staff created a Master Plan for Jones Park and Fox River Properties in 2006,

**AND WHEREAS,** In said Master Plan, the land formerly known as the Appleton Water Treatment Plant on Water Street is recommended to become a park,

**THEREFORE, BE IT RESOLVED,** that the City of Appleton move the land formerly know as the Appleton Water Treatment Plant on Water Street to the Parks and Recreation Department."

**Aldersperson Croatt moved, seconded by Aldersperson Dalton, that the Report Action Item 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

**15-286** Request from Appleton Sign for a permanent street occupancy permit to install a sign that extends into the College Avenue street right-of-way 8.5 feet. Guidelines used for administrative approval is maximum projection of 4 feet into the street right-of-way.

**Attachments:** [Request from Appleton Sign.pdf](#)

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

**15-350** Suspend the Rules to go into Committee of the Whole

**Aldersperson Konetzke moved, seconded by Aldersperson Martin, that the rules be suspended. 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

**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](#)  
[Mayor Memo Next Steps 1 22 15.pdf](#)  
[Suggested Agenda Items & People Involved.pdf](#)

*Amend Consideration Item 1 of the Purchase Agreement to read 'paid to seller for sum of \$900,000 for the property, which is the appraised value of the property.'*

**Aldersperson Croatt moved, seconded by Aldersperson Plank, that the Report Action Item be amended. Roll Call. Motion failed by the following vote:**

**Aye:** 2 - Aldersperson Croatt and Aldersperson Dannecker

**Nay:** 12 - Aldersperson Coenen, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Plank, Aldersperson Stueck, Aldersperson Trauger, Aldersperson Dalton, Aldersperson Williams and Aldersperson Meltzer

**Abstained:** 2 - Aldersperson Spears and Mayor Hanna

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

**Aye:** 10 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Jirschele, Aldersperson Konetzke, Aldersperson Martin, Aldersperson Plank, Aldersperson Stueck, Aldersperson Trauger, Aldersperson Williams and Aldersperson Meltzer

**Nay:** 4 - Aldersperson Dannecker, Aldersperson Garb, Aldersperson Lobner and Aldersperson Dalton

**Abstained:** 2 - Aldersperson Spears and Mayor Hanna

**15-351** Reconvene to Common Council

*Moved by Alderperson Stueck, seconded by Alderperson Croatt, to rise and report / reconvene. Voice vote taken. Motion carried.*

**15-352** Report of Committee of the Whole

**Alderperson Plank moved, seconded by Alderperson Trauger, that the Report be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 10 - Alderperson Coenen, Alderperson Croatt, Alderperson Jirschele, Alderperson Konetzke, Alderperson Martin, Alderperson Plank, Alderperson Stueck, Alderperson Trauger, Alderperson Williams and Alderperson Meltzer

**Nay:** 4 - Alderperson Dannecker, Alderperson Garb, Alderperson Lobner and Alderperson Dalton

**Abstained:** 2 - Alderperson Spears and Mayor Hanna

**15-308** Request to approve additional spending authority of \$10,000 from the Lutz park Special Revenue Fund.

**Attachments:** [Memo-Lutz Park-Additonal Spending Authority 2-25-15.pdf](#)

**Alderperson Lobner moved, seconded by Alderperson Martin, that the Report Action Item be approved. Roll Call. 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

**15-316** Approve parking ordinance changes on Badger Avenue associated with the Badger Avenue Reconstruction Project.

**Attachments:** [Approve parking ordinance changes on Badger Avenue.pdf](#)

**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 Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton and Alderperson Meltzer

**Nay:** 2 - Alderperson Spears and Alderperson Williams

**Abstained:** 1 - Mayor Hanna

## L. COMMITTEE REPORTS

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

**Aldersperson Martin moved, Aldersperson Trauger seconded, to approve the report. The 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

## 1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

**15-236** Secondhand Article License application of Tiffani's Bridal & Consignment, Tiffani R. Ebben, Person in Charge, 1314 W. College Ave. Unit 6, contingent upon approvals from all departments.

**This Report Action Item was approved.**

**15-243** Class "B" Beer and Class "C" Wine License application of Vers Venture LLC, d/b/a Mr. Brews Taphouse, Tammy L. Verhagen, Agent, 201 S. RiverHeath Way, Suite 1100, contingent upon approvals from all departments.

**This Report Action Item was approved.**

**15-245** Secondhand Article Dealer License Renewal application of Appleton Appliance Parts, Robert H. Caston, Person in Charge, 136 N. State St., contingent upon approval from all departments.

**This Report Action Item was approved.**

**15-269** Operator's Licenses

**Attachments:** [Operator's Licenses for 02-26-2015 S&L.pdf](#)

**This Report Action Item was approved.**

**15-284** Request to Adjust Retail Alcohol License Fees

**Attachments:** [M-S&L-Retail Lic Fees 2015.pdf](#)  
[fee.pdf](#)

**This Report Action Item was approved.**

**15-300** Farmer's Market License application of Appleton Downtown Inc., Djuanna Hugdahl, College Avenue, Appleton Street, Drew Street, Houdini Plaza and South Oneida Street, Saturdays June 20, 2015 through October 31, 2015 contingent upon approvals from all departments.

**This Report Action Item was approved.**

**15-335** Request for extension on liquor license granted to Social Ventures LLC, Kathryn M. Peotter, Agent.

**This Report Action Item was approved.**

## **2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**

**15-285** Approve proposed Ordinance changes to Chapters 4-341 to 4-420 pertaining to the State Electrical Code.

**Attachments:** [Proposed Ordinance Change to Chapters 4-341 to 4-420.pdf](#)

**This Report Action Item was approved.**

**15-288** Award 2015 Aerial Imagery/LiDAR Contract to Quantum Spatial in an amount not to exceed \$50,000.

**Attachments:** [Award 2015 Aerial Imagery-LiDAR Contract.pdf](#)

**This Report Action Item was approved.**

**15-311** Approve parking ordinance changes on Matthias Street near the former St. Bernadette's School.

**Attachments:** [Parking changes on Matthias Street.pdf](#)

**This Report Action Item was approved.**



- 15-317** Approve traffic related ordinance changes associated with the Ashbury Drive/Ballard Road Intersection Improvement Project.

**Attachments:** [Approve traffic related ordinance changes-Ashbury Dr-Ballard Rd.pdf](#)

This Report Action Item was approved.

- 15-318** Approve parking ordinance changes on Glendale Avenue associated with the Glendale Avenue Reconstruction Project.

**Attachments:** [Approve parking ordinance changes on Glendale Ave.pdf](#)

This Report Action Item was approved.

### 3. MINUTES OF THE CITY PLAN COMMISSION

- 15-204** Request to approve the proposed text amendments to repeal the definition of "Canopy" in Sections 23-22 and 23-504 of the Zoning Ordinance and create the definition of "Canopy" in Section 23-22 as identified in the attached staff report

**Attachments:** [ZO Text Amendment Canopy Staff Report.pdf](#)

*Public Hearing held on March 4, 2015.*

This Report Action Item was approved.

- 15-313** Request to approve the Resolution authorizing the preparation and filing of a Project Plan Modification to Appleton Redevelopment Project Plan No. 21 that reflects the current zoning of the plan area

**Attachments:** [Union Square Apartments - Redev Project Plan 21 Amendment - Memo with Signed Doc.pdf](#)

This Report Action Item was approved.

- 15-314** Request to approve the Second Addition to Emerald Valley Preliminary Plat subject to the attached conditions

**Attachments:** [2nd Add Emerald Valley Pre Plat Staff Review.pdf](#)

This Report Action Item was approved.

- 15-315** Request to approve the municipal boundary line between the City of Appleton and the Village of Little Chute be adjusted to reflect the boundary line shown on the attached map identified as Exhibit pursuant to the Intergovernmental Cooperation Agreement and the attached stipulation

**Attachments:** [Municipal Boundary Line Adjust Staff Review.pdf](#)

*Public Hearing held on March 4, 2015.*

**This Report Action Item was approved.**

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

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

- 15-239** **\*\*CRITICAL TIMING\*\*** Request to approve the allocation of 2015 Community Development Block Grant funding as described in the attached memorandum

**Attachments:** [AdditionalAwardMemo.pdf](#)

**This Report Action Item was approved.**

**6. MINUTES OF THE UTILITIES COMMITTEE**

**7. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

- 15-327** Approval of Valley Transit Strategic Plan

**Attachments:** [Strategic Plan Summary-Draft-021915-spreads.pdf](#)

**This Report Action Item was approved.**

**8. MINUTES OF THE BOARD OF HEALTH**

**9. MINUTES OF THE HUMAN RESOURCES COMMITTEE**

**10. MINUTES OF THE FINANCE COMMITTEE**

- 15-264** Request approval of Resolution for Reauthorization of Self Insurance for Worker's Compensation.

Attachments: [Self Insurance-Work Comp Resolution 02-10-15.pdf](#)

This Report Action Item was approved.

- 15-296** Request to approve acquisition of property on Northland Avenue for stormwater detention pond (also appears on Utilities Committee agenda as an informational item).

Attachments: [Acquisition of Northland Pond Property 03-23-15.pdf](#)

This Report Action Item was approved.

- 15-307** Request to approve the following 2014 Budget adjustment:

**General Fund - Fire Department**

State Aids	+\$40,995
Wages - Overtime	+\$40,995

to record reimbursements received throughout the year for training programs (2/3 vote required).

This Report Action Item was approved.

- 15-319** Request to approve claim for unlawful personal property tax for Lenz Studio, parcel number 31-1-1795-00, and refund \$380.74.

Attachments: [Lenz Studio.pdf](#)

This Report Action Item was approved.

- 15-320** Request to approve claim for unlawful personal property tax for Lee DDS, David Blong, parcel number 31-6-2465-00, and cancel the tax bill.

Attachments: [Lee DDS.pdf](#)

This Report Action Item was approved.

**15-321** Request to approve the following 2014 Budget adjustment:

**DPW Capital Projects Fund**

Infrastructure Construction	+\$150.735
Other Reimbursements	+\$150,735

to accurately reflect the total/final reimbursement from the Town of Grand Chute for the Meade Street paving project.

**Attachments:** [Meade Street Paving Project.pdf](#)

**This Report Action Item was approved.**

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

**15-345** Ordinances 11-15 and 12-15.

**Attachments:** [Ordinances going to 03-04-2015 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

S. OTHER COUNCIL BUSINESS

T. ADJOURN

*Meeting adjourned at 9:10 PM.*

**A motion was made by Alderperson Peter Stueck, seconded by Alderperson Curt Konetzke, that the meeting be adjourned. The motion carried by the following vote:**

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

Dawn A. Collins, City Clerk