



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, October 16, 2013

7:00 pm

Council Chambers

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A. CALL TO ORDER

*The meeting was called to order at 7:11 p.m.*

B. INVOCATION

*Aldersperson Martin offered the invocation.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 14 - Aldersperson Patti Coenen, Aldersperson Greg Dannecker, Aldersperson Jeffrey Jirschele, Aldersperson John Robin Hill, Aldersperson Curt Konetzke, Aldersperson Kyle Lobner, Aldersperson Joe Martin, Aldersperson Kole Oswald, Aldersperson Kathleen Plank, Aldersperson Michael Smith, Aldersperson Cathy Spears, Aldersperson Peter Stueck, Mayor Timothy Hanna and Aldersperson Tim Trauger

**Excused:** 2 - Aldersperson Chris Croatt and Aldersperson Sarah Garb

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

**PRESENT:** City Clerk Peterson, City Attorney Walsh, Deputy City Attorney Totzke, Finance Director Remiker, Health Officer Eggebrecht, Director of Parks, Recreation and Facilities Gazza, Police Chief Helein, Director of Public Works Vandehey, Director of Information Technology Fox, Director of Utilities Shaw, Valley Transit General Manager Wetter, Library Director Rortvedt.

**EXCUSED:** Community and Economic Development Director Harkness, Interim Fire Chief Vander Wyst, Director of Human Resources Behnke

F. PUBLIC PARTICIPATION

*Name - Address - Topic*

*Brandon Abrahamzon, 511 North Superior Street, Apt. #3, Safety & Licensing Committee #13-1462 Operator's License.*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[13-1498](#)

Approve October 2, 2013 Council Meeting Minutes.

**Aldersperson Konetzke moved, seconded by Aldersperson Coenen, that the minutes be approved. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson Coenen, Aldersperson Dannecker, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

**Excused:** 3 - Aldersperson Croatt, Aldersperson Garb and Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[13-1499](#)

Appointment: Appleton Redevelopment Authority - Reappointment of Curt Detjen and James Van Dyke.

**Attachments:** [CC 10-16-2013 - Committee Reappointments.pdf](#)

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

**Aye:** 13 - Aldersperson Coenen, Aldersperson Dannecker, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

**Excused:** 3 - Aldersperson Croatt, Aldersperson Garb and Mayor Hanna

I. PUBLIC HEARINGS

*None.*

J. SPECIAL RESOLUTIONS

*None.*

K. ESTABLISH ORDER OF THE DAY

[13-1444](#)

R/B-Smith-Proposed modifications to Municipal Code Section 16-10 Snow and Ice Removal.

**Attachments:** [Amendment Municipal Code 16-10.pdf](#)

*Referred back by Aldersperson Smith*

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

[13-1462](#)

R/B-Oswald-Operator's License application of Brandon D. Abrahamzon, 511 N. Wisconsin Avenue.

*Referred back by Alderperson Oswald*

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

[13-1304](#)

Operator's License application of Marsha L. Anthony, 532 N. Meade Street.

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

**Aye:** 6 - Alderperson Hill, Alderperson Lobner, Alderperson Oswald, Alderperson Smith, Alderperson Stueck and Alderperson Trauger

**Nay:** 7 - Alderperson Coenen, Alderperson Dannecker, Alderperson Jirschele, Alderperson Konetzke, Alderperson Martin, Alderperson Plank and Alderperson Spears

**Excused:** 3 - Alderperson Croatt, Alderperson Garb and Mayor Hanna

[13-1461](#)

Operator's License application of Raul Ramirez Banales, 721 N. Appleton Street, Apt. A.

*Oswald requested vote be notwithstanding the recommendation by the Safety & Licensing Committee meaning an aye vote approves the license and a nay vote does not.*

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

**Aye:** 9 - Alderperson Coenen, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Spears and Alderperson Stueck

**Nay:** 4 - Alderperson Dannecker, Alderperson Plank, Alderperson Smith and Alderperson Trauger

**Excused:** 3 - Alderperson Croatt, Alderperson Garb and Mayor Hanna

[13-1368](#)

Approve Alternative 10C in the West Wisconsin Drainage Study.

**Attachments:** [West Wisc Study Approval Request Alt.docx](#)  
[Phase 3 - Results Comparison\\_Combined-100yr.pdf](#)  
[SW costs requested by Ald Martin.pdf](#)

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

**Aye:** 11 - Alderperson Coenen, Alderperson Dannecker, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Smith, Alderperson Spears, Alderperson Stueck and Alderperson Trauger

**Nay:** 2 - Alderperson Oswald and Alderperson Plank

**Excused:** 3 - Alderperson Croatt, Alderperson Garb and Mayor Hanna

[13-1119](#)

R/B - Smith - Glendale Avenue from Ballard Road to Roemer Road be reconstructed with concrete pavement and curb and gutter to a width of 48' from back of curb to back of curb, which is 1' narrower than the existing street width. The newly reconstructed Glendale Avenue would include an 8' parking lane along the north side of the street, a 3' buffer area between the parking lane and bike lane, a 5' wide bike lane along the north side of the street, two 12.5' travel lanes, and a 6' wide bike lane along the south side of the street. Parking would be removed from the south side of Glendale Avenue within the proposed project limits. New Sidewalks would be constructed to the right-of-way line along both sides of Glendale Avenue within the project limits. Approved by a vote of Aye-2/Dannecker, Oswald; Nay-1/Martin.

Amendment #1 at 9/4/13 Council: Strike "north" in all cases, replace with "south", and vice versa. This amendment will move the proposed parking lane from the north to the south side of the street. Approved by a vote of Aye-10; Nay-5.

Amendment #2 at 9/4/13 Council: In the last sentence, strike "both sides" and replace with "the north side". This removes the proposed sidewalk from the south side of the road. Approved by a vote of Aye-8; Nay-7.

**Attachments:** [Glendale Ave drawings.pdf](#)

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

**Aye:** 13 - Alderperson Coenen, Alderperson Dannecker, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Smith, Alderperson Spears, Alderperson Stueck and Alderperson Trauger

**Excused:** 3 - Alderperson Croatt, Alderperson Garb and Mayor Hanna

## L. COMMITTEE REPORTS

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

**Alderperson Smith moved, Alderperson Spears seconded, to approve the balance of action items on the agenda. The motion carried by the following vote:**

**Aye:** 13 - Alderperson Coenen, Alderperson Dannecker, Alderperson Jirschele, Alderperson Hill, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Oswald, Alderperson Plank, Alderperson Smith, Alderperson Spears, Alderperson Stueck and Alderperson Trauger

**Excused:** 3 - Alderperson Croatt, Alderperson Garb and Mayor Hanna

**1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE**

[13-1449](#) The Taxicab Driver's License application of Mark A. Tessen, 1513 Henry Street, Neenah.

**This Report Action Item was approved.**

[13-1453](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 10-10-13 S & L.pdf](#)

**This Report Action Item was approved.**

[13-1457](#) Operator's license applications contingent upon completion of the Responsible Beverage Service Course  
Crystal L. Figueroa, 1420 Silvercrest Drive

**This Report Action item was approved.**

[13-1465](#) Police Department request to enter an agreement for Fox Valley Mutual Aid.

**Attachments:** [S&L 10-10-2013 2013 Fox Cities Mutual Aid Agreement - 2013 Final \(Council\).docx](#)

**This Report Action Item was approved.**

[13-1450](#) Request to amend license premises description for "Class B" Beer/Liquor license of Appleton Moose Lodge, at 1216 E Wisconsin Avenue to read as follows: current description with the addition of outside sale/consumption for October 19th from 10:00 am until 9:00 pm only, for a BBQ party - contingent upon departmental approvals.

**This Report Action Item was approved.**

[13-1451](#) Special Class "B" Beer License application of Buddha Buddies Club, Steve A. Newcombe, Person in Charge, 1700 E Wisconsin Avenue, October 20, 2013 contingent upon departmental approvals.

**This Report Action Item was approved.**

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

[13-1291](#) All properties within the Glendale Avenue (Ballard to Roemer) Reconstruction Project that will not have sidewalks installed as part of the project, be required to either remove all signage, parking, etc. from the street right-of-way or apply for a permanent street occupancy permit through the Municipal Services Committee.

**This Report Action Item was approved.**

[13-1464](#)

Appleton St-Proposed traffic ordinance changes related to recently completed Houdini Plaza Project & Mid-Block Crosswalk Improvement.

**Attachments:** [Appleton St-traffic changes.pdf](#)

This Report Action Item was approved.

- 3. **MINUTES OF THE CITY PLAN COMMISSION**
- 4. **MINUTES OF THE PARKS AND RECREATION COMMITTEE**
- 5. **MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**
- 6. **MINUTES OF THE UTILITIES COMMITTEE**

[13-1441](#)

Award Appleton WWTP ACCU Replacement to August Winter & Sons, Inc. for a contract amount of \$62,150 and a contingency of \$3,000 for a contract total not to exceed \$65,150.

**Attachments:** [WWTP ACCU Replacement.docx](#)

This Report Action Item was approved.

- 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**

[13-1433](#)

Request to approve the following 2013 Budget Adjustment:

General Fund - Unclassifieds	
Infrastructure - Streets	+\$121,797
Infrastructure- Sidewalks	+\$ 17,488
General Fund - Public Works	
Infrastructure - Streets	- \$139,285

To transfer funds available from positive bid variance from the additional concrete street construction projects granted in May 2013 to pay for subdivision concrete street special assessments levied to the general fund (city park properties adjacent to the street projects completed in the subdivision fund). These special assessments were inadvertently missed in the 2013 Budget. (2/3 vote required)

**This Report Action Item was approved.**

M. CONSOLIDATED ACTION ITEMS

O. ITEMS HELD

P. ORDINANCES

[13-1500](#)

Ordinances #84-13 through #90-13.

**This Report Action Item was approved.**

Q. LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION

R. RESOLUTIONS SUBMITTED BY ALDPERSONS REFERRED TO COMMITTEES OF JURISDICTION

S. OTHER BUSINESS

[13-1501](#)

The Common Council will meet in closed session to confer with legal counsel concerning strategy to be adopted by the body with respect to litigation in which it is involved or likely to become involved regarding the East High School Underground Stormwater Storage Project and Fox River cleanup pursuant to the exceptions contained in §19.85(1) (g) of the Wisconsin Statutes. The Common Council will then reconvene into an open session and conduct further business.

*Meeting went into Recess*

*Meeting Reconvened*

**Aldersperson Smith moved, seconded by Aldersperson Konetzke, that the Council meet in closed session. Roll Call. Motion carried by the following vote:**

**Aye:** 13 - Aldersperson Coenen, Aldersperson Dannecker, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

**Excused:** 3 - Aldersperson Croatt, Aldersperson Garb and Mayor Hanna

**Aldersperson Lobner moved, seconded by Aldersperson Smith, to reconvene into open session. Upon vote, motion carried unanimously.**

T. ADJOURN

**A motion was made by Aldersperson Michael Smith, seconded by Aldersperson Peter Stueck, that the meeting be adjourned. The motion carried by the following vote:**

**Aye:** 13 - Aldersperson Coenen, Aldersperson Dannecker, Aldersperson Jirschele, Aldersperson Hill, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Oswald, Aldersperson Plank, Aldersperson Smith, Aldersperson Spears, Aldersperson Stueck and Aldersperson Trauger

**Excused:** 3 - Aldersperson Croatt, Aldersperson Garb and Mayor Hanna

CHARLENE M. PETERSON, CMC/WCMC  
City Clerk