



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, April 6, 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 given by Alderperson Croatt.

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 13 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Mayor Timothy Hanna, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Margret Mann, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

Excused: 2 - Alderperson Ed Baranowski and Alderperson Patti Coenen

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Clerk Lynch, City Attorney Walsh, Deputy City Attorney Behrens, Director of Community and Economic Development Harkness, Director of Finance Saucerman, Battalion Chief Hockett, Health Officer Eggebrecht, Director of Human Resources Behnke, Director of Information Technology Fox, Asst. Library Director, Saecker, 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 spoke regarding Item 16-193 Renaming the Fox River Properties to the Ellen Kort Peace Park:

Denise Krueger, 5224 N Gillet St.

Jayne Bleick Baehman, N349 Breezewood Dr.

Cindy Kort, 405 S Olde Oneida St. #203

Alex Schultz, 716 W Front St.

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[16-518](#) Common Council Meeting Minutes of March 16, 2016

Attachments: [CC Minutes 3-16-16.pdf](#)

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

Aye: 12 - Aldersperson Chris Croatt, Aldersperson Greg Dannecker, Aldersperson Joe Martin, Aldersperson Cathy Spears, Aldersperson Christine Williams, Aldersperson Vered Meltzer, Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konezke, Aldersperson Margret Mann, Aldersperson Kyle Lobner and Aldersperson Jeffrey Jirschele

Excused: 2 - Aldersperson Ed Baranowski and Aldersperson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[16-315](#) Presentation of Autism Awareness Month and World Autism Awareness Day Proclamation

[16-316](#) Presentation of the Fox Cities Performing Arts Center Report to the Community

[16-481](#) Reappointment of Barbara Luedtke to the Police & Fire Commission

Attachments: [COMMITTEE REAPPOINTMENT PFC Barbara Luedtke 040616.pdf](#)

Aldersperson Konezke moved, seconded by Aldersperson Meltzer, that the Appointment be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Aldersperson Chris Croatt, Aldersperson Greg Dannecker, Aldersperson Joe Martin, Aldersperson Cathy Spears, Aldersperson Christine Williams, Aldersperson Vered Meltzer, Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konezke, Aldersperson Margret Mann, Aldersperson Kyle Lobner and Aldersperson Jeffrey Jirschele

Excused: 2 - Aldersperson Ed Baranowski and Aldersperson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

[16-487](#) Presentation of National Library Week Proclamation

[16-509](#) Presentation of Appleton Area School District Volunteer Tutoring Day Proclamation

I. PUBLIC HEARINGS

[16-440](#) Public Hearing Notice Rezoning #2-16

Attachments: [Public Hearing RZ - .pdf](#)

The public hearing was held. The following individuals spoke at the hearing:

Kerry Wiitanen, 1601 E Harding Dr.

Pat Busha, 2400 S Telulah Ave.

Tim Wiitanen, 1601 E Harding Dr.

Alex Oberthaler, National Management, LLC

Tom Wood, Harris & Associates

Carol Damsheuser, 2418 S Telulah Ave

Ann Brooks, 2406 S Telulah Ave

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[16-334](#) Request to approve Rezoning #2-16 for 1611 & 1621 Schaefer Circle and 1645 E. Harding Drive, including to the centerline of the adjacent right-of-way, as shown on the attached maps, from PD/R-3 Planned Development Multi-Family District to R-3 Multi-Family District

Attachments: [StaffReport_VirginiaVillageApts_Rezoning_For04-11-16.pdf](#)

This Report Action Item was referred to the City Plan Commission due back on 4/11/2016.

[16-193](#) Requesting Approval of Resolution #1-R-16, Renaming the Fox River Properties to the Ellen Kort Peace Park
Alderspersons Mann, Meltzer, Martin & Williams (held from 2-8-16 P & R Committee Meeting)

Attachments: [Resolution #1-R-16 Ellen Kort Peace Park \(2-8-16\).docx](#)

Aldersperson Konezke moved, seconded by Aldersperson Mann, that the Resolution be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Aldersperson Chris Croatt, Aldersperson Greg Dannecker, Aldersperson Joe Martin, Aldersperson Cathy Spears, Aldersperson Christine Williams, Aldersperson Vered Meltzer, Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konezke, Aldersperson Margret Mann, Aldersperson Kyle Lobner and Aldersperson Jeffrey Jirschele

Excused: 2 - Aldersperson Ed Baranowski and Aldersperson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

[16-442](#)

Action Item: Award Lutz Park Trail and Yacht Club Site Design and Engineering to Corre, Inc. for a contract amount of \$31,572.80

Attachments: [Lutz Park Trail Comm Memo \(3-21-16\).doc](#)

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

Aye: 12 - Alderson Chris Croatt, Alderson Greg Dannecker, Alderson Joe Martin, Alderson Cathy Spears, Alderson Christine Williams, Alderson Vered Meltzer, Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Margret Mann, Alderson Kyle Lobner and Alderson Jeffrey Jirschele

Excused: 2 - Alderson Ed Baranowski and Alderson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Alderson Croatt moved, seconded by Alderson Martin, that the balance of the agenda be approved. Roll Call. Motion carried by the following vote:

Balance of the action items on the agenda.

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

Aye: 12 - Alderson Chris Croatt, Alderson Greg Dannecker, Alderson Joe Martin, Alderson Cathy Spears, Mayor Timothy Hanna, Alderson Vered Meltzer, Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Margret Mann, Alderson Kyle Lobner and Alderson Jeffrey Jirschele

Excused: 2 - Alderson Ed Baranowski and Alderson Patti Coenen

Abstained: 1 - Alderson Christine Williams

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[16-426](#)

Request from Chad Willems, 1318 S. Telulah Avenue, to have his sidewalk snow removal bill of \$75 waived.

Attachments: [Chad Willems.pdf](#)

The recommendation for denial of the waiver was approved.

[16-428](#)

Request from Appleton Downtown, Inc. for Street Occupancy Permits for College Avenue (600 W. College Avenue to 300 E. College Avenue as follows:

- a. June 4th-July 2nd-"Fiber Rain" in the beautification strip area only.
- b. July 15th-"Chalk on the Town" 1:00 p.m.-9:00 p.m. in the sidewalk area only.
- c. August 19th-"Paint on the Town" 1:00 p.m.-9:00 p.m. in the beautification strip area only.

Attachments: [ADI-Art on the Town.pdf](#)

This Report Action Item was approved.

[16-450](#)

Approved parking changes on N. Gillett Street (Summer St to Wisconsin Ave) for a Six-Month Trial Period.

Attachments: [Parking changes on N. Gillett Street.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

3. MINUTES OF THE CITY PLAN COMMISSION

[16-425](#)

Request to approve the Plach Annexation as shown on the attached maps, located at 5630 N. Ballard Road currently in the Town of Grand Chute, subject to the stipulation in the attached staff report

Attachments: [StaffReport_Plach_Annexation_For03-21-16.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[16-421](#)***"Critical Timing Issue"***

Request to award Scarlet Oak Lift Station Improvements Project bid and alternate bids #2 and #4 to August Winter & Sons, Inc. in the amount of \$139,471 with a contingency of \$10,460 for a project total not to exceed \$149,931 (item also appears on the Utilities Committee agenda as an informational item).

Attachments: [Scarlet Oak LS Improvements Bid Award A W.pdf](#)

This Report Action Item was approved.

[16-401](#)

Request to approve the following 2015 Budget adjustments:

Community Development Block Grant (CDBG) Fund

Federal Grants	+\$65,445
Block Grant Payments	+\$65,445

to record additional CDBG funds awarded in 2015 and related expenditures.

Continuum of Care (CoC) Grant Fund

State Grants	+\$23,475
Grant Payments	+\$23,475

to record additional CoC funds awarded in 2015 and related expenditures.

Emergency Shelter Grant (ESG) Fund

State Grants	+\$44,182
Grant Payments	+\$44,182

to record additional ESG funds awarded in 2015 and related expenditures.

Room Tax Fund

Room Taxes Received	+\$98,359
Fund Balance	+\$33,081
Room Tax Payments to FCCVB	+\$88,992
Transfer to General Fund	+\$42,448

to record additional room taxes received in 2015 and related payment to the FCCVB. Also record the transfer of fund balance accumulated from prior years (representing the City's 5% administrative fee) to the general fund.

New Subdivision Fund

Reimbursement from Developer	+\$736,684
Street Construction	+\$715,158
Sidewalk Construction	+\$21,526

to record developer funded improvements in the Emerald Valley and Clearwater Creek subdivisions.

TIF #5 Fund

Fund Balance	+\$442,471
Payments to Other Taxing Jurisdictions	+\$436,271
Audit Fees	+ \$6,200

to record final payments to the other taxing jurisdictions and audit fee related to the closeout of TIF #5.

Attachments: [2015 Final Budget Adjustments.pdf](#)

This Report Action Item was approved.

[16-404](#)

Request to approve the 2015-2016 Budget appropriations:

1. Items not under contract -\$4,586,223
2. Special consideration -\$609,038

Attachments: [2015-16 carryover - Not Under Contract.pdf](#)

[2015-16 carryover - Special Consideration.pdf](#)

This Report Action Item was approved.

[16-407](#)

Request to approve Finance Committee Report 1-P-16 for Sanitary Sewer, Storm Sewer and Laterals.

Attachments: [Report 1-P-16.pdf](#)

This Report Action Item was approved.

[16-409](#)

Request to award Unit C-16 Sidewalk Sawcutting to ASTI Sawing, Inc. in an amount not to exceed \$30,000.

Attachments: [Award of Contract C-16.pdf](#)

This Report Action Item was approved.

[16-472](#)

Request to approve the City of Appleton entering into a three year contract with ThedaCare for healthcare services to be provided at the newly established employee health clinic contingent upon the subsequent approval of the facility location expenses when a clinic location is determined.

Attachments: [ThedaCare clinic contract memo.pdf](#)

[Medical clinic powerpoint presentation 3-22-16.pdf](#)

[Medical Clinic ThedaCare powerpoint 3-22-16.pdf](#)

This Report Action Item was approved.

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

7. **MINUTES OF THE UTILITIES COMMITTEE**

[16-418](#)

Award Compost Marketing Research Services contract to R. Alexander Associates in the amount of \$15,000 with a 7% contingency of \$1,050 for a project total not to exceed \$16,050.

Attachments: [Compost Marketing RAA.pdf](#)

This Report Action Item was approved.

[16-422](#)

Preliminary Resolution 1-P-16 for Sanitary Sewer, Storm Sewer, Sanitary Laterals & Storm Laterals be adopted and refer the matter to the Finance Committee to determine the assessment rate.

Attachments: [Resolution 1-P-16.pdf](#)

This Report Action Item was approved.

8. **MINUTES OF THE HUMAN RESOURCES 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**

[16-521](#)

Ordinance 42-16

Attachments: [Ordinances going to Council 4-6-16.pdf](#)

The Ordinance was approved.

P. **LICENSE APPLICATIONS AND COMMUNICATIONS REFERRED TO COMMITTEES OF JURISDICTION**

Q. RESOLUTIONS SUBMITTED BY ALDERPERSONS REFERRED TO COMMITTEES OF JURISDICTION

*Resolution #5-R-16
Alderson Plank*

WHEREAS, the City of Appleton has previously enacted Appleton city ordinance 3-15 which commands owner(s) or caretaker(s) of any animal to confine, restrain or maintain control over the animal so that the unprovoked animal does not run at large, attack or injure any person or domesticated animal,

WHEREAS, the City of Appleton has not required animal owners and/or caretakers to place their animals on a leash, so long as the owner and/or caretaker is able to maintain control over the animal. However, as a result, unleashed animals have proven to be disobedient when permitted to run unleashed and, on occasion have caused unprovoked attacks to humans and other animals.

THEREFORE BE IT RESOLVED that the City conduct a review of the current Animal Ordinance to modify and clarify language and definitions which result in more specific and safe leashing and restraint measures.

Referred to the Board of Health

R. OTHER COUNCIL BUSINESS

S. CLOSED SESSION

[16-519](#)

The Common Council will go into closed session according to State Statute §19.85(1)(e) for the purpose of discussions regarding deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session concerning the extension of utility service and then reconvene into open session.

Alderson Lobner moved, seconded by Alderson Konetzke, that the Common Council convene into closed session at 8:18 p.m. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderson Chris Croatt, Alderson Greg Dannecker, Alderson Joe Martin, Alderson Cathy Spears, Alderson Christine Williams, Alderson Vered Meltzer, Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konetzke, Alderson Margret Mann, Alderson Kyle Lobner and Alderson Jeffrey Jirschele

Excused: 2 - Alderson Ed Baranowski and Alderson Patti Coenen

Abstained: 1 - Mayor Timothy Hanna

T. ADJOURN

*Motion by Spears, seconded by Martin to Reconvene into open session at 8:57 p.m.
Motion carried 12/0.*

Alderson Spears moved, seconded by Alderson Croatt, that the meeting be adjourned at 8:58 p.m. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderperson Chris Croatt, Alderperson Greg Dannecker, Alderperson Joe Martin, Alderperson Cathy Spears, Mayor Timothy Hanna, Alderperson Christine Williams, Alderperson Vered Meltzer, Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Margret Mann, Alderperson Kyle Lobner and Alderperson Jeffrey Jirschele

Excused: 2 - Alderperson Ed Baranowski and Alderperson Patti Coenen

Kami Lynch, City Clerk