



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, February 4, 2015

7:00 PM

Council Chambers

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A. CALL TO ORDER

*Meeting called to order at 7:05 pm.*

B. INVOCATION

*Offered by Alderperson Trauger.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 15 - 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 Peter Stueck, Mayor Timothy Hanna, Alderperson Tim Trauger, Alderperson Polly Dalton, Alderperson Christine Williams and Alderperson Vered Meltzer

**Excused:** 1 - Alderperson Cathy Spears

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 VanderWyst, Health Officer Eggebrecht, Director of Parks, Recreation & Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Utilities Shaw.*

*EXCUSED: Director of Human Resources Behnke, Director of Information Technology Fox, Valley Transit General Manager Wetter, Library Director Rortvedt.*

F. PUBLIC PARTICIPATION

*Name - Address - Topic*

*Jim Thaldorf - 200 E Fernwood Lane - Naming New Bandstand*

*Ryan Farmer - 1619 N Birchwood Avenue - Taxicab License*

*Hashiem Spoke - W5506 Cty Hwy A - Bartending License*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[15-175](#) Common Council Meeting Minutes from January 21, 2015.

**Attachments:** [CC Minutes 01-21-2015.pdf](#)

**Alderson Martin moved, seconded by Alderson Trauger, that the Meeting Minutes be approved. Roll Call. Motion carried by the following vote:**

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

**Excused:** 1 - Alderson Spears

**Abstained:** 1 - Mayor Hanna

H. BUSINESS PRESENTED BY THE MAYOR

I. PUBLIC HEARINGS

[15-176](#) Public Hearing - Rezoning #11-14 - Second Addition to Emerald Valley Estates.

**Attachments:** [CC 02-04-2015 - PH Rezoning #11-14.pdf](#)

*Appearances:*  
*Jeff Schultz, M&E-Engineer*  
*Ron VanHandel*

[15-177](#) Public Hearing - Rezoning #12-14 - 302, 306 and 324 North Morrison Street and 225 East Harris Street.

**Attachments:** [CC 02-04-2015 - PH Rezoning #12-14.pdf](#)

*No person spoke for or against this item.*

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[15-033](#) Operator's License application of Hashiem L. Spoke, 119 N. Rankin Street.

**Attachments:** [Hashiem Spoke Attachments.pdf](#)

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

[15-127](#)

Action: Name Pierce Park Pavilion Outside Stage Area in Honor of Ivan "Ike" Spangenberg

**Attachments:** [Memo-Naming of Pierce Park Pavilion Stage.docx](#)

**Aldersperson Croatt moved, seconded by Aldersperson Lobner, that the Report Action Item 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 Stueck, Aldersperson Trauger, Aldersperson Dalton, Aldersperson Williams and Aldersperson Meltzer

**Excused:** 1 - Aldersperson Spears

**Abstained:** 1 - Mayor Hanna

[15-114](#)

Taxicab Driver's License application of Ryan Farmer, 1619 N. Birchwood Avenue.

*Original motion by Aldersperson Lobner, seconded by Aldersperson Coenen, that the item be approved. Mayor Hanna stated an Aye vote denies the license, a Nay vote approves the license. Vote taken - Ayes: 5 (Croatt, Dannecker, Garb, Jirschele, Lobner) Noes: 8 (Coenen, Konetzke, Martin, Plank, Stueck, Dalton, Williams, Meltzer) Abstain: 1 (Trauger). Motion failed. Council questioned the vote result. Moved by Aldersperson Konetzke, seconded by Aldersperson Plank, to reconsider Item 15-114. Motion carried 11-3. Item reconsidered. License denied.*

**Aldersperson Croatt moved, seconded by Aldersperson Lobner, that the license application be denied. Roll Call. Motion carried by the following vote:**

**Aye:** 8 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Plank and Aldersperson Williams

**Nay:** 5 - Aldersperson Coenen, Aldersperson Martin, Aldersperson Stueck, Aldersperson Dalton and Aldersperson Meltzer

**Excused:** 1 - Aldersperson Spears

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

[15-043](#)

Request to approve Rezoning #11-14 for Second Addition to Emerald Valley (south of Calmes Drive/part of Parcel #31-1-7600-00) from AG Agricultural District to R-1B Single-Family District as shown on the attached maps

**Attachments:** [Rezoning #11-14 Staff Review.pdf](#)

*Public Hearing held on 02/04/2015.*

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

**Aye:** 12 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Stueck, Alderperson Trauger and Alderperson Williams

**Nay:** 2 - Alderperson Dalton and Alderperson Meltzer

**Excused:** 1 - Alderperson Spears

**Abstained:** 1 - Mayor Hanna

[15-190](#)

Consolidated Action: Vacate a portion of North Douglas Street between N Badger Ave and W Commercial St.  
Item 15-123 - City Plan Commission  
Item 15-147 - Municipal Services Committee

**Alderperson Martin moved, seconded by Alderperson Dalton, 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:** 1 - Alderperson Williams

**Excused:** 1 - Alderperson Spears

**Abstained:** 1 - Mayor Hanna

[15-128](#)

Action: Authorization to Sell Fermented Malt Beverages at Reid Golf Course and Extend Alcohol Hours to 9:00 AM

**Attachments:** [Memo-Reid-Sale of Alcohol.doc](#)

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

**Aye:** 12 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Konetzke, Alderperson Martin, Alderperson Plank, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton and Alderperson Meltzer

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

**Excused:** 1 - Alderperson Spears

**Abstained:** 1 - Mayor Hanna

[15-056](#)

Resolution introduced by Alderpersons Croatt and Jirschele at the December 17, 2014 Common Council meeting relating to the recently adopted wheel tax:

#33-R-14 - Croatt/Jirschele

“Whereas...the continuous maintaining of the infrastructure within the city limits is critical to long term growth, financial stability, and overall sustainability of services for citizens.

And Whereas...the Common Council recently adopted a new means of funding street reconstruction projects and the action taken replaced an existing funding mechanism that was in place for decades.

And Whereas...the previous funding mechanism, special assessments levied to impacted property owners, was intact for 2014 and previous years and it was deemed a financial burden for many thus spurring the discussion to make changes to the funding mechanism.

And Whereas...the property owners that were assessed for street projects in 2014 and previous years incurred large special assessment bills for the streets reconstructed in front of their properties and may also be contributing to the new funding program via the wheel tax beginning on January 1st, 2015.

And Whereas...the adoption of the wheel tax essentially provides no direct relief to those that were assessed in 2014 and actually penalizes those property owners by having them pay the special assessment in 2014 and the new wheel tax beginning in 2015.

Therefore be it Resolved...the City of Appleton Finance and Public Works Departments explore any and all options to provide assistance, financial or other, to those that were recently assessed based on the funding mechanism that was in place prior to the wheel tax being adopted by the Common Council. Any and all options are to be presented to the Finance Committee for thorough review, discussion and possible action.”

*Notwithstanding vote. Motion failed 11-3.*

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

**Aye:** 3 - Aldersperson Croatt, Aldersperson Jirschele and Aldersperson Stueck

**Nay:** 11 - Alderperson Coenen, Alderperson Dannecker, Alderperson Garb, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Trauger, Alderperson Dalton, Alderperson Williams and Alderperson Meltzer

**Excused:** 1 - Alderperson Spears

**Abstained:** 1 - Mayor Hanna

L. COMMITTEE REPORTS

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

**Alderperson Konetzke moved, Alderperson Coenen seconded, to approve the balance of the report. The motion carried by the following vote:**

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

**Excused:** 1 - Alderperson Spears

**Abstained:** 1 - Mayor Hanna

1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[15-134](#) "Class B" Beer/Liquor License application of MIP LLC, d/b/a McGuinness Irish Pub, Christopher A. Meyer, Agent, 201 S. Walnut Street, contingent upon approvals from all departments.

**This Report Action Item was approved.**

[15-138](#) Request to Single Source Purchase Emergency Preemption Equipment.

**Attachments:** [Request to Single Source Purchase Emergency Preemption Equipment - 01-16-15.pdf](#)

**This Report Action Item was approved.**

[15-139](#) Approve Amending Chapter 9 Language Relating to Appeal of a License.

**Attachments:** [M-SL-ord-mailing.pdf](#)

**This Report Action Item was approved.**

## 2. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[15-145](#) Request from Lydia Schmalz & Jennifer Brahm for an exception to the Parking Ramp Usage Policy for the second annual Top Shelf Official Meet.

**Attachments:** [Req. from Lydia Schmalz & Jennifer Brahm for an exception to the Parking Ramp Usage Policy.pdf](#)

**This Report Action Item was approved.**

[15-147](#) Approve Douglas Street Vacation between Badger Avenue and Commercial Street.

**Attachments:** [Approve Douglas Street vacation between Badger Avenue and Commercial Street.pdf](#)

**This Report Action Item was approved.**

[15-173](#) Award consulting engineering services for additional design related to the Mason Street/Northland Avenue intersection to GHD, Inc. in an amount not to exceed \$9,775. GHD, Inc. is already under contract with Wisconsin Department of Transportation for the STH 47/CTH OO portion of this project.

**Attachments:** [Award consulting engrg svcs for addl design related to the Mason St-Northland Ave Inter.pdf](#)

**This Report Action Item was approved.**

## 3. MINUTES OF THE CITY PLAN COMMISSION

[15-046](#) Request to approve Rezoning #12-14 to rezone 302, 306 North Morrison Street and 225 East Harris Street (Parcel #31-2-0466-00) and 324 North Morrison Street (Parcel #31-2-0466-01) from P-I Public-Institutional District to PD/P-I Planned Development Public-Institutional District including to the centerline of adjacent right-of-way as shown on the attached maps and subject to the attached two conditions

**Attachments:** [Rezoning #12-14 Staff Review.pdf](#)

*Public Hearing held on 02/04/2015.*

**This Report Action Item was approved.**

[15-123](#) Request to approve the street discontinuance to vacate a portion of North Douglas Street public right-of-way between N. Badger Avenue and W. Commercial Street, as shown on the attached map and legal description, pending approval by the Municipal Services Committee, and adopt the Initial Resolution

**Attachments:** [N Douglas Street Vacation Staff Revieww.pdf](#)

This Report Action Item was approved.

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

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

**6. MINUTES OF THE UTILITIES COMMITTEE**

[15-137](#) Approve the Design Concept of a One Million Gallon Composite Style Water Tower.

**Attachments:** [Design Concept of Glendale Water Tank.pdf](#)

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**

[15-153](#) Request to single source purchase Emergency Pre-emption Equipment.

**Attachments:** [Request to Single Source Purchase Emergency Preemption Equipment - 01-16-15.doc](#)

This Report Action Item was approved.

[15-155](#) Request approval of the consulting contract between Liesch Associates and the City of Appleton for technical support regarding claims against the City of Appleton related to the Fox River Cleanup.

This Report Action Item was approved.



[15-156](#)

Request to approve the following 2014 Budget adjustment:

**General Fund - Council Budget**

Other Contracts/Obligations - Granicus System	+\$13,000
Reserve for Contingencies - TWC Fund	- \$13,000

to provide funding for Granicus voting system support costs (2/3 vote required).

**Attachments:**     [Granicus Budget Adjustment Memo 2014.pdf](#)

**This Report Action Item was approved.**

[15-160](#)

Request to Award Unit O-15 Sanitary and Storm Sewer CIPP Lining to Visu-Sewer, Inc. in the amount of \$78,273 with a 5.1% contingency of \$4,000 for a project total not to exceed \$82,273.

**Attachments:**     [Award of Contract O-15.pdf](#)

**This Report Action Item was approved.**

[15-162](#)

Request from Clearwater Creek Development, Inc. to postpone the proposed 2015 concrete paving of Haymeadow Avenue, Bluewater Way and Midsummer Drive in the 1st Addition to Clearwater Creek Subdivision.

**Attachments:**     [Proposed postponement of new concrete paving.pdf](#)

**This Report Action Item was approved.**

M. CONSOLIDATED ACTION ITEMS

[15-189](#)

Consolidated Action: Request to Single Source Purchase Emergency Preemption Equipment.  
Item 15-153 - Finance Committee  
Item 15-138 - Safety & Licensing Committee

**This Report Action Item was approved.**

O. ITEMS HELD

P. ORDINANCES

[15-181](#)

Ordinance 6-15.

**Attachments:** [Ordinance going to 02-04-2015 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 8:06 pm.*

**Alderson Stueck moved that the meeting be adjourned. 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 Stueck, Mayor Hanna, Alderson Trauger, Alderson Dalton, Alderson Williams and Alderson Meltzer

**Excused:** 1 - Alderson Spears

Dawn A. Collins, City Clerk