



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, June 7, 2017

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 Williams

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Chris Croatt, Mayor Timothy Hanna, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 1 - 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 Vander Wyst, Health Officer Eggebrecht, Director of Information Technology Fox, Library Director Rortvedt, Police Chief Thomas, Director of Public Works Vandehey, & Valley Transit General Manager Mc Donald Director of Human Resources Matz, Director of Parks Recreation & Facilities Gazza, and Director of Utilities Shaw were excused.

F. PUBLIC PARTICIPATION

The following spoke during Public Participation:

*Dennis & Barbara Adams, 2105 N Nicholas St - Item 17-795 Chicken Permit
Don Zuleger, 2331 E Lourdes Dr - Item 17-811 Neighborhood Grant Program
Request*

Mary Williams, 2100 N Douglas St - Item 17-795 Chicken Permit

John Modrzynski, N917 Majestic Pine Circle, Wautoma - Item 17-795 Chicken Permit

Ann Krieg, 712 E Lindbergh St - Item 17-795 Chicken Permit

Menee Hackbarth Monfils, 1226 S Perkins St - Item 17-795 Chicken Permit

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[17-809](#)

Common Council Meeting Minutes of May 17, 2017

Attachments: [CC Minutes 5-17-17.pdf](#)

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

Aye: 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Chris Croatt, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

Excused: 1 - Aldersperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[17-808](#)

Presentation of the Karla Huston Day Proclamation

This Report Action Item was presented

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

K. ESTABLISH ORDER OF THE DAY

[17-811](#)

Request to approve the Neighborhood Grant Program request submitted by the St. Bernadette Parish/Thompson Center on Lourdes Neighborhood

Attachments: [Memo RequestForTNGP StB5-31-17.pdf](#)
[TNGPApplication StBernadetteParish-ThompsonCenteronLourdes 5-25-17.pdf](#)
[StBernadettes TNGP Map.pdf](#)

Aldersperson Martin moved, seconded by Aldersperson Coenen, that the Grant Program Request be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Chris Croatt, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

Excused: 1 - Aldersperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

[17-795](#)

Appeal of Chicken Permit Denial from Mary Williams, 2100 N Douglas St.

Attachments: [Chicken Permit Documents- 2100 N Douglas St.pdf](#)
[Dennis & Barbara Adams- Chicken Appeal Documents Presented.pdf](#)
[Mary Williams- Chicken Appeal Documents Presented.pdf](#)

Aldersperson Lobner moved, seconded by Aldersperson Baker, that the Chicken Permit be approved. Roll Call. Motion failed by the following vote:

Aye: 7 - Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Chris Croatt, Aldersperson Keir Dvorachek and Aldersperson Bob Baker

Nay: 8 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Matt Reed, Aldersperson Greg Dannecker, Aldersperson Christine Williams and Mayor Timothy Hanna

Excused: 1 - Aldersperson Cathy Spears

[17-812](#)

Approve agreement with Sensus regarding water meters.

Attachments: [Sensus Letter to Appleton WI 6-2-17.pdf](#)
[Meter Battery Testing \(6-7-17 Utilities Committee\).pdf](#)

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

Aye: 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Chris Croatt, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 1 - Alderperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

[17-785](#)

Anticipated award for Unit R-17 Chemical Root Foaming of sanitary sewers (bids to be opened on Monday, May 22, 2017).

Attachments: [Unit R-17.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Lobner, that the Contract Award for Unit R-17 be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Chris Croatt, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 1 - Alderperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 14 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Chris Croatt, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 1 - Alderperson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[17-684](#)

Request from Mark Morgan to not have terrace trees planted per the City of Appleton's Tree Planting Policy at 2311 E. Highpond Crossing and instead to:

1. Property owner and City Forester to mutually agree on tree species and locations.
2. Property owner to purchase two trees, City to own and install.
3. City to plant standard trees per Policy in Spring 2018 if no agreement reached by that date.

Attachments: [Mark Morgan-2311 E. Highpond Crossing.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[17-712](#)

Taxi Cab Company Renewal License application of People Movers Inc. Appleton Yellow Taxi Co., Paul O. Davies, 705 W. Wisconsin Avenue, contingent upon approvals from all departments.

This Report Action Item was approved.

[17-713](#)

Farm Market Renewal application for Festival Foods, Kyle Nelson, 1200 W. Northland Avenue, contingent upon approvals from all departments.

This Report Action Item was approved.

[17-715](#)

Taxi Cab Company Renewal License application of A2B Taxi, 1528 N. Ballard Road, #9, Bradley Pingel, contingent upon approvals from all departments.

This Report Action Item was approved.

[17-722](#)

"Class B" Beer/Liquor License Change of Agent of Uncle Jims LLC, Hollyann Strunc, Agent, 317 N. Appleton St., contingent upon approval from the Police Department.

This Report Action Item was approved.

[17-723](#) "Class B" Beer/Liquor License Change of Agent of Apple Hospitality Group LLC, d/b/a Applebee's Neighborhood Grill & Bar, Samantha M. Boda, Agent, 3040 E. College Ave., contingent upon approval from the Police Department.

This Report Action Item was approved.

[17-735](#) Class "A" Beer License - Change of Agent of Kwik Trip #678, Jacqueline D. Dahlke, Agent, 3232 S. Oneida St., contingent upon approval from the Police Department.

This Report Action Item was approved.

[17-743](#) Operator's License application of Michael A. VanPembrook Malott, 3404 N. Whitney Drive.

Attachments: [Michael A. VanPembrook Malott.pdf](#)
[Vanpembrook-Malot Denial.pdf](#)

The recommended denial of the license was approved.

[17-778](#) Operator's Licenses

Attachments: [Operator's Licenses for 5-24-17 S & L.docx](#)

This Report Action Item was approved.

[17-779](#) Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 5-24-17 S & L.docx](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[17-643](#)

Request to approve Special Use Permit #3-17 to conform an existing bar and restaurant and add a new outdoor patio with alcohol sales and consumption located at 2906 East Newberry Street (Tax Id #31-4-4317-00), 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 and approve attached Resolution (2/3 vote required)

Attachments: [StaffReport_SpecialUsePermit #3-17 MT Pockets For 5-23-17.pdf](#)
[PublicCommentLetter#1_MTPockets_SUP.pdf](#)
[PublicCommentLetter#2_MTPockets_SUP.pdf](#)

This Report Action Item was approved.

[17-751](#)

Request to approve Special Use Permit #4-17 to allow alcohol sales and service in conjunction with a woodworking studio located at 109 North Durkee Street (Tax Id #31-2-0325-00), 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 and approve attached Resolution (2/3 vote required)

Attachments: [StaffReport_SpecialUsePermit #4-17 Board&Brush.pdf](#)

This Report Action Item was approved.

[17-753](#)

Request to approve Special Use Permit #5-17 to allow alcohol sales and service in conjunction with an existing restaurant and outdoor patio located at 181 South Riverheath Way (Tax Id #31-4-0828-06), 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 and approve attached Resolution (2/3 vote required)

Attachments: [StaffReport_TempestCoffeeCollective_SUP_For05-23-17.pdf](#)

This Report Action Item was approved.

[17-756](#)

Request to approve the dedication of land for public right-of-way for N. Wayne Street as shown on the attached maps

Attachments: [StaffReport_WayneSt_StreetDedication_For05-23-17.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[17-768](#) Request to award Unit E-17 Miscellaneous Concrete & Street Excavation Repair to Fischer-Ulman Construction, Inc. in the amount of \$505,406 with a 5% contingency of \$25,270 for a project total not to exceed \$530,676.

Attachments: [Award of Contract Unit E-17.pdf](#)

This Report Action Item was approved.

[17-769](#) Request to award Unit J-17 Mini Storm Sewer Construction to Vanco Construction, Inc. in an amount not to exceed \$200,000.

Attachments: [J-17 memo.pdf](#)
[J-17.pdf](#)

This Report Action Item was approved.

[17-782](#) Request to award the 2017 Municipal Services Building lighting upgrades project to Northern Electric, Inc. in the amount of \$55,061 with a contingency of \$10,000 for a project total not to exceed \$65,061.

Attachments: [2017 MSB Lighting Replacement.pdf](#)

This Report Action Item was approved.

[17-790](#) Approval of Gold Cross Agreement to use TRIP to collect unpaid bills.

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[17-807](#) Request to approve the attached Internal Grant Management Policies and Procedures manual for all City of Appleton federal programs

Attachments: [Memo to CEDC- Grant Management Policy.pdf](#)
[Grant Administration Procedures- May 2017 proposed.pdf](#)

This Report Action Item was approved.

[17-810](#)

Request to approve a Temporary Variance to the Deed Restrictions and Covenants, Section 4.E, for Alco Tech (Custom Offsets), Lot 8 in the Southpoint Commerce Park Plat 1, allowing for two (2) expandable building sides (west facing and south facing walls), which shall expire twenty-four (24) months after issuance of a Certificate of Occupancy or the date the property is first occupied, whichever comes first; and, this temporary variance is not transferable, survivable, or assignable

Attachments: [Custom Offsets Variance Memo 5-30-17.pdf](#)
[Custom Offsets Variance Request.pdf](#)
[Southpoint Deed Restrictions.pdf](#)
[Alco Tech Map.pdf](#)
[Elevations from Keller Custom Offsets.pdf](#)

This Report Action Item was approved.

7. **MINUTES OF THE UTILITIES COMMITTEE**
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**

[17-770](#)

Request to approve Intergovernmental Agreement with Outagamie County for the purchase of election equipment in 2018.

Attachments: [C. Appleton Letter.pdf](#)
[IGA C Appleton.pdf](#)

This Report Action Item was approved.

[17-776](#)

Intergovernmental Agreement with Outagamie County for the purchase of election equipment in 2018.

Attachments: [C Appleton Letter.pdf](#)
[IGA C Appleton.pdf](#)

This Report Action Item was approved.

N. ITEMS HELD

O. ORDINANCES

[17-804](#)

Ordinances 32-17 to 40-17

Attachments: [Ordinances going to Council 6-7-17.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

R. OTHER COUNCIL BUSINESS

Motion by Alderperson Croatt, seconded by Alderperson Baranowski to Suspend the Council Rules to Cancel the July 5th 2017 Common Council meeting. Motion carried 14/0.

S. CLOSED SESSION

T. ADJOURN

Alderperson Baranowski moved, seconded by Alderperson Dannecker, that the meeting be adjourned at 8:18 p.m. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Chris Croatt, Mayor Timothy Hanna, Alderperson Keir Dvorachek and Alderperson Bob Baker

Excused: 1 - Alderperson Cathy Spears

Kami Lynch, City Clerk