



City of Appleton

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

Meeting Minutes - Final Common Council

Monday, August 6, 2018

6:30 PM

Council Chambers

Special - COMMITTEE OF THE WHOLE

A. CALL TO ORDER

The meeting was called to order by Mayor Hannat 6:30 p.m.

B. ROLL CALL OF ALDERPERSONS

Present: 16 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Mayor Timothy Hanna, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

C. COMMITTEE OF THE WHOLE

[18-1150](#)

Suspend the Council Rules and Convene into the Committee of the Whole

Alderperson Lobner moved, seconded by Alderperson Plank, that the Common Council suspend the Rules and convene into the Committee of the Whole. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[18-1154](#)

Approval of the amendment to U.S. Venture Development Agreement (Finance, Municipal Services & Community and Economic Development Committees)

Attachments: [USV - Amendment to Dev Agrm - FINAL - 07-27-2018_2.pdf](#)
[USV - Fully Executed Dev Agrm - 12-17-2017.pdf](#)
[USV - Original Exhibit D to 12-19-2017 Dev Agrm_1.pdf](#)
[USV - COMPARED Document - 07-31-2018.pdf](#)
[USV COW memo 080318.pdf](#)

Amendment 1

Recitals, D. 1. add "with a projected minimum guaranteed" value of \$54.5 million

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

Aye: 15 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Keir Dvorachek, Aldersperson Bob Baker, Aldersperson Rachel Raasch, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Matt Reed, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

Amendment 2

Recitals, D.6. add after \$25 million "which includes the payment for the property of \$1,802,887.99"

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

Aye: 15 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Keir Dvorachek, Aldersperson Bob Baker, Aldersperson Rachel Raasch, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Matt Reed, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

Amendment 3

Article 3, 3.6 Remove the \$200,000 from the development fees to make the total purchase price \$1,602,887.99

Aldersperson Konetzke moved, seconded by Aldersperson Williams, that the Agreement be amended. Roll Call. Motion failed by the following vote:

Aye: 4 - Aldersperson Curt Konetzke, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Nay: 11 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin and Alderperson Matt Reed

Abstained: 1 - Mayor Timothy Hanna

Amendment 4

Recitals, D. 4. Strike "the public will not be allowed access to the property depicted on Exhibit B" and replace it with "as depicted on Exhibit B., the property will be privately owned exclusively by USV"

Alderperson Baranowski moved, seconded by Alderperson Croatt, that the Agreement be amended. 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 Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

Amendment 5

Recitals, D. 6. Add to end of paragraph "acknowledging the necessity for the project to cashflow, and to attempt to prevent the burden of additional taxdollars needed to cover the project, costs for the ramp in excess of \$27 million will be an even cost-share between the City and US Venture".

Alderperson Plank moved, seconded by Alderperson Croatt, that the Agreement be amended. Alderperson Croatt withdrew his seconded. Cathy Spears then seconded the Motion. Roll Call. Motion failed by the following vote:

Nay: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

Amendment 6

Article 2, 2.6 Add a bullet point that states "common elements"

Alderperson Baranowski moved, seconded by Alderperson Croatt, that the Agreement be amended. 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 Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Cathy Spears and Alderperson Chris Croatt

Absent: 1 - Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

Amendment 7

Recitals, J. Remove "J." completely from agreement.

Aldersperson Spears moved, seconded by Aldersperson Williams, that the Agreement be amended. Roll Call. Motion failed by the following vote:

Aye: 3 - Aldersperson Patti Coenen, Aldersperson Kyle Lobner and Aldersperson Cathy Spears

Nay: 12 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Keir Dvorachek, Aldersperson Bob Baker, Aldersperson Rachel Raasch, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Matt Reed, Aldersperson Christine Williams and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

Amendment 8

Article 3, 3.6 Add the word "verifiable" between the words directly and attributable.

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

Aye: 15 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Keir Dvorachek, Aldersperson Bob Baker, Aldersperson Rachel Raasch, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Matt Reed, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

Amendment 9

Article 3, 3.8 add the word "only" between occur and during.

Aldersperson Plank moved, seconded by Aldersperson Baranowski, that the Agreement be amended. Roll Call. Motion failed by the following vote:

Aye: 2 - Aldersperson Bob Baker and Aldersperson Cathy Spears

Nay: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Keir Dvorachek, Aldersperson Rachel Raasch, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Matt Reed, Aldersperson Christine Williams and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

Aldersperson Martin moved, seconded by Aldersperson Plank, that the Compared Development Agreement be approved as amended. 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 Keir Dvorachek, Aldersperson Bob Baker, Aldersperson Rachel Raasch, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Matt Reed, Aldersperson Christine Williams and Aldersperson Chris Croatt

Abstained: 2 - Mayor Timothy Hanna and Alderperson Cathy Spears

D. CLOSED SESSION

[18-1155](#)

The Common Council, acting as the Committee of the Whole, will go into closed session according to State Statute §19.85(1)(e) for the purposes of deliberating or negotiating the purchasing of public properties and the investing of public funds, regarding the U.S. Venture development project and then reconvene into open session.

The Common Council, acting as the Committee of the Whole, did not convene into closed session.

E. RECONVENE

[18-1151](#)

Reconvene to Common Council

Alderperson Baranowski moved, seconded by Alderperson Croatt, to Rise and Report as the Common Council. Roll Call. Motion carried by the following vote:

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

F. ADJOURN

Alderperson Baranowski moved, seconded by Alderperson Baker, that the meeting be adjourned at 7:54 p.m. Roll Call. Motion carried by the following vote:

Aye: 16 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konezke, Alderperson Ed Baranowski, Alderperson Patti Coenen, Alderperson Kyle Lobner, Mayor Timothy Hanna, Alderperson Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Kami Lynch, City Clerk