



# 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 21, 2018

7:00 PM

Council Chambers

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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 Spears.*

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 Cathy Spears, Alderperson Chris Croatt, Mayor Timothy Hanna and Alderperson Keir Dvorachek

**Excused:** 1 - Alderperson Bob Baker

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*City Attorney Walsh, Deputy City Attorney Behrens, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Vander Wyst, Health Officer Eggebrecht, Director of Human Resources Matz, Director of Information Technology Fox, Library Director Rortvedt, Director of Parks, Recreation & Facilities Gazza, Director of Public Works Vandehey, Valley Transit General Manager Mc Donald*

*The following departments were excused:*

*Utilities*

F. PUBLIC PARTICIPATION

*The following spoke regarding Item 18-0166 Fox River House Noise Variance Request:*

- Elizabeth Laux, 303 S Walnut St.*
- Linda Muldoon, 406 W Fifth St.*
- Rebecca Barm, 321 S Memorial Dr.*
- Elizabeth Schaff, 523 W 8th St.*
- Ronna Swift, 230 W Seymour St.*
- C Beth Pierce, 415 S Olde Oneida St.*
- Sarah Rosin, 628 S Mueller St.*
- Cory Chisel, 2305 E. Hammond Ave*
- Doug Nelson, 125 E McArthur St.*
- Walt Lontkowski, 350 Elm St. Neenah*
- Cindy Carter, 1102 N Superior St.*
- Michelle Eilers, 1008 W Franklin St.*
- Jason Burgett, 416 N Durkee St.*
- Jennifer Stephany, Appleton Downtown Inc.*
- Forrest Bricco, 902 E Franklin St.*
- Pattie Coenen, 410 W Prospect Ave.*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[18-0220](#)

Common Council Meeting Minutes of February 7, 2018

**Attachments:** [CC Minutes 2-7-18.pdf](#)

**Aldersperson Baranowski moved, seconded by Aldersperson Croatt, 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 Cathy Spears, Aldersperson Chris Croatt and Aldersperson Keir Dvorachek

**Excused:** 1 - Aldersperson Bob Baker

**Abstained:** 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[18-0222](#)

Appointment to the Fox Cities Transit Commission

**Attachments:** [FCTC Appointment Letter 2-21-18.pdf](#)

**Aldersperson Konetzke moved, seconded by Aldersperson Croatt, that the appointment 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 Cathy Spears, Alderperson Chris Croatt and Alderperson Keir Dvorachek

**Excused:** 1 - Alderperson Bob Baker

**Abstained:** 1 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

J. SPECIAL RESOLUTIONS

[18-0219](#)

Resolution Authorizing the Execution and Delivery of Documents related to the Fox Cities Exhibition Center project

**Attachments:** [Appleton RDA 2018 FCEC - Municipal Authorizing Resolution \(Appleton\).pdf](#)  
[Appleton RDA 2018 FCEC - Amended and Restated Cooperation Agreement.pdf](#)  
[Appleton RDA 2018 FCEC 1st Amend. to AR Room Tax Commission and Tourism Zone Agreement.pdf](#)  
[Appleton RDA 2018 FCEC- Pledge and Security Agreement.pdf](#)

*Without objection, consideration of this item was moved to the end of the meeting.*

**Alderperson Baranowski moved, seconded by Alderperson Croatt, that the Resolution be held until the next Common Council meeting on March 7, 2018.**

**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 Cathy Spears, Alderperson Chris Croatt and Alderperson Keir Dvorachek

**Excused:** 1 - Alderperson Bob Baker

**Abstained:** 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

[18-0156](#)

Request to approve the Leona Pond Annexation, a portion of 2136 E. Wisconsin Avenue currently in the Town of Grand Chute, as shown on the attached maps, subject to the stipulations in the attached staff report

**Attachments:** [StaffReport Leona Pond Annexation For02-13-18.pdf](#)

**Alderperson Dannecker moved, seconded by Alderperson Williams, that the Annexation be held until the next Council meeting on March 7, 2018. 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 Cathy Spears, Alderperson Chris Croatt and Alderperson Keir Dvorachek

**Excused:** 1 - Alderperson Bob Baker

**Abstained:** 1 - Mayor Timothy Hanna

[18-0175](#)

A Resolution authorizing the Department of Public Works to enter an Urban Nonpoint Source & Storm Water Management Program Grant agreement with the Wisconsin Department of Natural Resources for construction of the Leona Street Stormwater Pond.

**Attachments:** [Leona St Pond UNPSSW Grant Resolution Memo for 02-13-2018 Util Cmte FINAL.pdf](#)  
[Gov Responsibility Resolution Appleton Leona Pond final.pdf](#)

**This Resolution was referred back to the Utilities Committee by Alderperson Dannecker**

[18-0166](#)

Fox River House Noise Variance Request

**Attachments:** [Fox River House Noise Variance Request.pdf](#)  
[Fox River House Noise Variance Email.pdf](#)  
[Fox River House Noise Variance Email \(2\).pdf](#)

**The Noise Variance Request was referred back to the Board of Health by Alderperson Plank for their next regular meeting on March 14, 2018.**

## L. COMMITTEE REPORTS

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

**Alderperson Baranowski moved, Alderperson Croatt 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 Cathy Spears, Alderperson Chris Croatt and Alderperson Keir Dvorachek

**Excused:** 1 - Alderperson Bob Baker

**Abstained:** 1 - Mayor Timothy Hanna

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

[18-0191](#) Install All-Way Stop Control at the Carpenter Street/Roeland Avenue Intersection.

**Attachments:** [Carpenter Street-Roeland Avenue intersection.pdf](#)

This Report Action Item was approved

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

[18-0140](#) Operator's License application of Michael S. Eisch, 607 W. 7th Street.

**Attachments:** [Michael S. Eisch.pdf](#)  
[SL Denial 2-14-18.pdf](#)

This Report Action Item was approved.

[18-0143](#) Reserve "Class B" Beer/Liquor License application of Lou's Brew Cafe and Lounge, Inc. d/b/a Lou's Brew, Laura A. Loukidis, Agent, 233 E. College Ave., contingent upon approval from all departments.

**Attachments:** [Lous Brew application.pdf](#)

This Report Action Item was approved.

[18-0146](#) Pawnbroker License Renewal application of JGB LLC d/b/a Mister Money, Gregory A. Baer, Applicant, 1933B N. Richmond St., contingent upon approval from all departments.

This Report Action Item was approved.

[18-0148](#) "Class B" Beer/Liquor License application of THBJ Investments, LLC d/b/a Mill Creek Tavern, Bruce A. Hawley, Agent, 417 W. College Ave., contingent upon approval from all departments.

**Attachments:** [Mill Creek Tavern application.pdf](#)

This Report Action Item was approved.

[18-0195](#) Special Class "B" Beer/Wine License application of Appleton Downtown Inc, Jennifer L. Stephany, Person in Charge, for Summer Concerts in Houdini Plaza, June 7, 2018 through August 30, 2018, contingent upon approval from all departments.

**Attachments:** [ADI-Summer Concert.pdf](#)

**This Report Action Item was approved.**

[18-0196](#) Special Class "B" Beer/Wine License application of Appleton Downtown Inc, Jennifer L. Stephany, Person in Charge, for Oktoberfest, College Avenue from Richmond Street to Lawe Street, September 29, 2018, contingent upon approval from all departments.

**Attachments:** [ADI-Oktoberfest.pdf](#)

**This Report Action Item was approved.**

[18-0158](#) Operator's Licenses

**Attachments:** [Operator's Licenses for 2-14-18 S&L.pdf](#)

**This Report Action Item was approved.**

[18-0181](#) Reserve "Class B" Beer/Liquor License application of Player 2 LLC, d/b/a Player 2 Arcade Bar, Robert K. Sager II, Agent, 215 E. College Ave., contingent upon approval from all departments.

**Attachments:** [Player 2 Arcade Bar application.pdf](#)

**This Report Action Item was approved.**

### **3. MINUTES OF THE CITY PLAN COMMISSION**

[18-0154](#) Request to approve the Applewood Properties, LLC/Ronald Viaene Annexation, located at 1712 E. Edgewood Drive currently in the Town of Grand Chute, as shown on the attached maps, subject to the stipulation in the attached staff report

**Attachments:** [StaffReport\\_Viaene\\_Annexation\\_For02-13-18.pdf](#)

**This Report Action Item was approved.**

[18-0155](#)

Request to approve the North Edgewood Estates Annexation, located east of N. French Road between E. Edgewood Drive and E. Broadway Drive currently in the Town of Grand Chute, as shown on the attached maps, subject to the stipulation in the attached staff report

**Attachments:** [StaffReport\\_NorthEdgewoodEstates\\_Annexation\\_For02-13-18.pdf](#)

This Report Action Item was approved.

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

#### 5. MINUTES OF THE FINANCE COMMITTEE

[18-0179](#)

Request to approve the following 2018 Budget adjustment:

Sanitary Sewer Reconstruction	- \$100,000
Lift Station/Forcemain Design	+\$100,000

to provide funding for sanitary sewer lift station and forcemain design per North Edgewood Estate Development Agreement.

**Attachments:** [North Edgewood Estates.pdf](#)

This Report Action Item was approved.

[18-0198](#)

Request to approve reimbursement to Developer of \$10,000 of sanitary sewer and watermain connection fees once eight (8) homes have been constructed in the Creekside Estates Development.

**Attachments:** [Creekside Estates.pdf](#)

This Report Action Item was approved.

[18-0200](#)

Request to award contract to Chet Wesenberg Architect, LLC for design and engineering services for the Municipal Services Building locker room renovation project for a contract of \$43,315 and a contingency of 7% for a contract not to exceed \$46,347.

**Attachments:** [2017 MSB Locker Room Remodel Consultant Selection.pdf](#)

This Report Action Item was approved.

[18-0202](#)

Request to award the Fire Station #5 2018 Roof Replacement project contract to Kaschak Roofing, Inc in the amount of \$114,900 with a contingency of 10% for a project total not to exceed \$126,390.

**Attachments:** [2018 Fire Station 5 Roof Replacement .pdf](#)

This Report Action Item was approved.

[18-0203](#)

Request to award Unit W-18 Sewer & Water Main Reconstruction No. 2 to Kruczek Construction, Inc in the amount of \$1,323,323 with a 5% contingency of \$66,166 for a project total not to exceed \$1,389,489.

**Attachments:** [Award of Contract Unit W-18.pdf](#)

This Report Action Item was approved.

[18-0205](#)

Request to approve Resolution for Reauthorization of Self Insurance.

**Attachments:** [Resolution Memo.pdf](#)  
[Resolution for ReAuth of Self Ins.pdf](#)

This Report Action Item was approved.

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

## 7. MINUTES OF THE UTILITIES COMMITTEE

[18-0174](#)

A Resolution authorizing the Department of Public Works to enter a Municipal Flood Control Grant agreement with the Wisconsin Department of Natural Resources for construction of the Leona Street Stormwater Pond.

**Attachments:** [Leona St Pond MFC Grant Resolution Memo for 02-13-2018 Util Cmte FINAL.pdf](#)

This Report Action Item was approved.

## 8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE



[18-0215](#) Request to award Presidio the contract to purchase and implement a NetApp Storage system, backup equipment and software and disaster recovery application. The amount requested is \$500,000 for the project.

**Attachments:** [SAN-DR Memo 2-21-18.pdf](#)

**This Report Action Item was approved.**

[18-0216](#) Request to approve changes to the Department of Public Works table of organization by reducing Laborer by one position, decrease Operator I by one position and increase Operator II by two positions.

**Attachments:** [DPW reorganization 2-21-18.pdf](#)

**This Report Action Item was approved.**

**9. MINUTES OF THE FOX CITIES TRANSIT COMMISSION**

**10. MINUTES OF THE BOARD OF HEALTH**

**M. CONSOLIDATED ACTION ITEMS**

**N. ITEMS HELD**

**O. ORDINANCES**

[18-0218](#) Ordinances 19-18 to 25-18

**Attachments:** [Ordinances going to Council 2-21-18.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**

**S. CLOSED SESSION**

[18-0233](#)

The Common Council will go into closed session according to State Statute §19.85(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 funding for the construction of the Exhibition Center and then reconvene into open session.

**Alderson Baranowski moved, seconded by Alderson Dvorachek, that the Common Council convene into closed session at 7:55 p.m. Roll Call. Motion carried by the following vote:**

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

**Excused:** 1 - Alderson Bob Baker

**Abstained:** 1 - Mayor Timothy Hanna

## T. ADJOURN

*Alderson Baranowski moved, seconded by Alderson Croatt that the Common Council rise and report and reconvene in open session. Roll Call. Motion carried 14/0 and at 8:52 p.m. the Council reconvened in open session. No action was taken in closed session.*

**Alderson Baranowski moved, seconded by Alderson Croatt, that the meeting be adjourned at 8:53 p.m. Roll Call. Motion carried by the following vote:**

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

**Excused:** 1 - Alderson Bob Baker

Kami Lynch, City Clerk