



# City of Appleton

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

## Meeting Minutes - Final Common Council

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Wednesday, January 7, 2015

7:00 PM

Council Chambers

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A. CALL TO ORDER

*Meeting was called to order at 7 pm.*

B. INVOCATION

*Offered by Alderperson Meltzer.*

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

**Present:** 16 - 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 Cathy Spears, Alderperson Peter Stueck, Mayor Timothy Hanna, Alderperson Tim Trauger, Alderperson Polly Dalton, Alderperson Christine Williams and Alderperson Vered Meltzer

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

*PRESENT: City Clerk Collins, City Attorney Walsh, Deputy City Attorney Behrens, Community and Economic Development Director Harkness, Finance Director Saucerman, Battalion Chief Kroll, Health Officer Eggebrecht, Director of Parks, Recreation and Facilities Gazza, Police Chief Thomas, Director of Public Works Vandehey, Director of Information Technology Fox, Valley Transit General Manager Wetter, Library Director Rortvedt, Communications Specialist Doran.*

*EXCUSED: Director of Human Resources Behnke, Director of Utilities Shaw.*

## F. PUBLIC PARTICIPATION

*Name - Address - Topic*

*Jeff Johnson - 401 E South Island St - Rezoning*

*Laura Leimer - 720 E Washington St - Land Purchase*

*Carl Rowe - 1226 Southfield Dr - John's Towing*

*Josh Dukelow - 809 E Hancock St - Rezoning*

*Ryan Graff - 1425 Memorial Dr - John's Towing*

*Eric Jacobson - 1624 E Calumet St - Positive Ventures LLC*

*Howard Piotrowski - 430 E South Island St - Rezoning*

*Andy Dumke - 2030 Menominee Dr - Woolen Mills*

*Jennifer Stephany - 3033 E Canary St - Woolen Mills/Exhibition Center*

*Pam Seidl - 3433 W College - Exhibition Center*

## G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[15-008](#)

Common Council Meeting Minutes from December 17, 2014.

**Attachments:** [CC Minutes 12-17-2014.pdf](#)

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

**Aye:** 15 - Aldersperson Coenen, Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Plank, Aldersperson Spears, Aldersperson Stueck, Aldersperson Trauger, Aldersperson Dalton, Aldersperson Williams and Aldersperson Meltzer

**Abstained:** 1 - Mayor Hanna

## H. BUSINESS PRESENTED BY THE MAYOR

## I. PUBLIC HEARINGS

[15-014](#)

Public Hearing - Text Amendment to Chapter 23 Zoning Ordinance - Signs.

**Attachments:** [CC 01-07-2015 PH - Text Amendment - Sign Ordinance.pdf](#)

**APPEARANCES:**

*Jim Marks, Tony Conrad, Brad Bautigam, Josh Dukelow, Adrienne Palm, Jennifer Stephany, Patti Coenen.*

## J. SPECIAL RESOLUTIONS

## K. ESTABLISH ORDER OF THE DAY

[14-1992](#)

**\*\*CRITICAL TIMING\*\*** R/B Coenen 12-17-14 Request to approve PD Rezoning #10-14 for Woolen Mills Lofts at 218 E. South Island Street (Tax Id #31-4-0266-00) and part of Tax Id #31-4-0270-01 from M-2 General Industrial District to PD/R-3 Planned Development Multifamily District.

**Attachments:** [StaffReport RZ#10-14 #2.pdf](#)

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

**Aye:** 6 - Aldersperson Croatt, Aldersperson Konetzke, Aldersperson Martin, Aldersperson Stueck, Aldersperson Trauger and Aldersperson Meltzer

**Nay:** 9 - Aldersperson Coenen, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Lobner, Aldersperson Plank, Aldersperson Spears, Aldersperson Dalton and Aldersperson Williams

**Abstained:** 1 - Mayor Hanna

[14-2052](#)

Request to approve the proposed text amendments to Article XIV Signs of Chapter 23 of the Municipal Code as identified in the attached memorandum

**Attachments:** [Memo Text Amendments Article XIV Signs.pdf](#)

*Public Hearing held 01/07/2015.*

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

**Aye:** 13 - Aldersperson Croatt, Aldersperson Dannecker, Aldersperson Garb, Aldersperson Jirschele, Aldersperson Konetzke, Aldersperson Lobner, Aldersperson Martin, Aldersperson Plank, Aldersperson Spears, Aldersperson Trauger, Aldersperson Dalton, Aldersperson Williams and Aldersperson Meltzer

**Nay:** 1 - Aldersperson Stueck

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

14-2022

Approve Purchase Agreement between Outagamie County and City of Appleton for Proposed Exhibition Center site.

**Attachments:** [Purchase Agreement Amended 12-12-2014 Per Council Direction.pdf](#)  
[cc 12032014 Res No 17--2014-15SIGNED.pdf](#)  
[cc 12032014 Res No 18--2011-12 Signed.pdf](#)  
[cc 12032014 cow ARA Advisory Committee Creation CLEAN Draft 4.docx](#)  
[Revised Updated Council MEMO-KH-Update 12-11.docx](#)  
[Expenses.pdf](#)

*Moved by Alderperson Plank, seconded by Martin, to call the question. Vote taken. Ayes - 14; Noes - 1 (Stueck). Motion carried.*

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

**Aye:** 6 - Alderperson Jirschele, Alderperson Konetzke, Alderperson Martin, Alderperson Stueck, Alderperson Trauger and Alderperson Williams

**Nay:** 8 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Lobner, Alderperson Plank, Alderperson Dalton and Alderperson Meltzer

**Abstained:** 2 - Alderperson Spears and Mayor Hanna

14-2099

R/B - COENEN - Review Appleton Police Department's decision to remove John's Repair and Towing LLC from the department's rotating call list for failure to comply with Sec. 9-746.

**Attachments:** [John's Repair and Towing.pdf](#)

*A yes vote will ratify/support the action the Police Department took.*

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

**Aye:** 9 - Alderperson Coenen, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Lobner, Alderperson Plank, Alderperson Spears, Alderperson Dalton and Alderperson Williams

**Nay:** 6 - Alderperson Croatt, Alderperson Konetzke, Alderperson Martin, Alderperson Stueck, Alderperson Trauger and Alderperson Meltzer

**Abstained:** 1 - Mayor Hanna

## L. COMMITTEE REPORTS

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

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

**Aye:** 15 - Alderperson Coenen, Alderperson Croatt, Alderperson Dannecker, Alderperson Garb, Alderperson Jirschele, Alderperson Konetzke, Alderperson Lobner, Alderperson Martin, Alderperson Plank, Alderperson Spears, Alderperson Stueck, Alderperson Trauger, Alderperson Dalton, Alderperson Williams and Alderperson Meltzer

**Abstained:** 1 - Mayor Hanna

## 1. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[14-2141](#) Class "A" Beer License application of FKG Oil Co., d/b/a MotoMart, Teresa M. Kosiec, Agent, 320 S. Kensington Dr., contingent upon approvals from all departments.

**This Report Action Item was approved.**

[14-2145](#) Class "A" Beer License application of FKG Oil Co., d/b/a MotoMart, Teresa M. Kosiec, Agent, 2838 N. Ballard Rd., contingent upon approvals from all departments.

**This Report Action Item was approved.**

[14-2152](#) "Class B" Beer/Liquor License application of Lue Lee & Mai Lee, d/b/a Shadows, 211 S. Walter Ave., contingent upon approvals from all departments.

**This Report Action Item was approved.**

[14-2147](#) Secondhand Article License Renewal application of Tina Marie's Unique Boutique, Tina Marie Ahrens, Applicant, 206 E. College Ave., contingent upon approvals from all departments.

**This Report Action Item was approved.**

[14-2148](#) Secondhand Jewelry License Renewal application of AE Jewelers, Inc., Corinne M. Meyer, Applicant, 3545 E. Calumet St., contingent upon approval from all departments.

**This Report Action Item was approved.**

[14-2149](#) Secondhand Article License Renewal application of Mattress Plus, Ervin J. Klesmit, Applicant, 118 E. Wisconsin Ave., contingent upon approvals from all departments.

**This Report Action Item was approved.**

[15-007](#) Secondhand Article License Renewal application of Replay Toys, Chris L. Freimuth, Applicant, 1131 N. Badger Ave., contingent upon approvals from all departments.

**This Report Action Item was approved.**

[14-2150](#) Secondhand Jewelry License Renewal application of Scanlan Jeweler, Judy A. Scanlan, Applicant, 2031 E. Calumet St., contingent upon approvals from all departments.

**This Report Action Item was approved.**

[15-010](#) Secondhand Article License Renewal application of The Attique Resale, James A. Boylan, Applicant, 415 N. Oneida St., contingent upon approvals from all departments.

**This Report Action Item was approved.**

[15-011](#) Pawnbroker License application of JGB, LLC, d/b/a Mr. Money, Gregory A. Baer, Applicant, 1933B N Richmond St., contingent upon approvals from all departments.

**This Report Action Item was approved.**

[15-009](#) Change of Premise Description - "Class B" Beer/Liquor License of Santino LLC, d/b/a Houdini's Escape, Linda M. Mischler, Agent, 1216 S. Oneida St., contingent upon approvals from all departments.

**This Report Action Item was approved.**

- 2. **MINUTES OF THE MUNICIPAL SERVICES COMMITTEE**
- 3. **MINUTES OF THE CITY PLAN COMMISSION**
- 4. **MINUTES OF THE PARKS AND RECREATION COMMITTEE**
- 5. **MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

[14-2153](#)

Request to approve the Offer to Purchase - Lots 1 & 2, Northeast Industrial Park Plat 4 - Farrell Investments, LLC and Variance to Declaration of Covenants and Restrictions Regarding Repurchase Rights

**Attachments:** [Farrell Supply OTP Memo 12-17-14.pdf](#)

This Report Action Item was approved.

- 6. **MINUTES OF THE UTILITIES COMMITTEE**
- 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**
- M. CONSOLIDATED ACTION ITEMS
- O. ITEMS HELD
- P. ORDINANCES

[15-028](#)

Ordinance 78-14 through 102-14 Amending Section 19

**Attachments:** [Ordinances going to 01-07-2015 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

*ATTORNEY'S OFFICE / 2015 ORGANIZATIONAL MEETING*

*#1-R-15 – Martin*

*"WHEREAS, with the reduction in the amount of elected alderpersons sitting on the City of Appleton Common Council; and*

*WHEREAS, professional business obligations sometimes require travel on the first and third Wednesday of each month; and*

*WHEREAS, personal commitments will sometimes overlay and cause for an alderperson to be excused from the City of Appleton Common Council meeting; and*

*WHEREAS, the Mayor or his/her designate will grant all absents from the City of Appleton council meeting.*

*NOW THEREFORE BE IT RESOLVED, the City of Appleton Attorney's office is directed to prepare a process that would allow through state statute an alderperson elected to the Appleton City Council to be able to vote electronically in their approved absent from the council meeting."*

S. OTHER COUNCIL BUSINESS

[15-013](#)

Approve the carryover of \$2,750,619 for land purchase and site development along with the related general obligation debt financing as approved in the 2014 Budget.

**Attachments:** [CC 01-07-2015 CIP Attachment.pdf](#)

*Mayor Hanna withdrew this item from the agenda.*

T. ADJOURN

*Meeting adjourned at 8:55 pm.*

**Alderson Konetzke moved, seconded by Alderson Croatt, that the meeting be adjourned. Roll Call. Motion carried by the following vote:**

**Aye:** 16 - Alderson Coenen, Alderson Croatt, Alderson Dannecker, Alderson Garb, Alderson Jirschele, Alderson Konetzke, Alderson Lobner, Alderson Martin, Alderson Plank, Alderson Spears, Alderson Stueck, Mayor Hanna, Alderson Trauger, Alderson Dalton, Alderson Williams and Alderson Meltzer

Dawn A. Collins, City Clerk