



City of Appleton

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

Meeting Minutes - Final Common Council

Wednesday, July 18, 2018

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 Dvorachek.

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, Mayor Timothy Hanna, 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

Excused: 1 - Alderperson Christine Williams

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

City Attorney Walsh, City Clerk Lynch, Director of Community & Economic Development Harkness, Director of Finance Saucerman, Fire Chief Hansen, Health Officer Eggebrecht, Director of Human Resources Matz, Library Director Rortvedt, Director of Parks, Recreation & Facilities Gazza, Police Lt. Miller, Director of Public Works Vandehey, Director of Utilities Shaw
The following departments were excused:
Valley Transit
Information Technology

F. PUBLIC PARTICIPATION

Rachel Pieper, 3008 E Bona Ave spoke regarding Item 18-0966 Smoking near playground equipment

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[18-1067](#) Approval of Common Council meeting minutes of June 20, 2018

Attachments: [CC Minutes 6-20-18.pdf](#)

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

Aye: 13 - 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 Cathy Spears and Aldersperson Chris Croatt

Excused: 1 - Aldersperson Matt Reed

Absent: 1 - Aldersperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[18-1065](#) Park & Recreation Month Proclamation

The Proclamation was presented

[18-1066](#) Children's Week Proclamation

The Proclamation was presented.

I. PUBLIC HEARINGS

[18-0973](#) Public Hearing - Rezoning #6-18, Appleton Cemetery Association, 1236 E. Pacific Street

Attachments: [Public Hearing Notice_RZ #6-18.pdf](#)

The public hearing was held. No one spoke during the hearing.

J. SPECIAL RESOLUTIONS

[18-1072](#) Municipal Authorizing Resolution for the Grand Chute Sports Facility Project

Attachments: [Grand Chute CDA 2018 Sports Facility - Municipal Authorizing Resolution.pdf](#)

Aldersperson Baranowski moved, seconded by Aldersperson Plank, that the Resolution 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 Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Cathy Spears and Alderperson Chris Croatt

Excused: 1 - Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

[18-0949](#)

Request to approve the Cherryvale Meadows Preliminary Plat as shown on the attached maps and subject to the attached conditions

Attachments: [StaffReport_CherryvaleMeadows_PrePlat_For06-26-18.pdf](#)

Alderperson Plank moved, seconded by Alderperson Konetzke, that the Preliminary Plat 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 Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Cathy Spears and Alderperson Chris Croatt

Excused: 1 - Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[18-0966](#)**Resolution #8-R-18 Smoking in Parks- Playground Equipment**

Submitted by: Rachel Raasch, District 6; Joe Martin, District 4

Date: June 20, 2018

Referred to: Parks & Recreation Committee

Whereas the City of Appleton has adopted a “Health in All” Policy and;

Whereas second hand exposure to cigarette smoke and vapor has been proven to carry health risks, particularly for children and;

Whereas the City of Appleton’s Municipal Code states “It shall be unlawful for any person to smoke or use tobacco products in the following outdoor areas: Within twenty (20) feet from all entry ways of City-owned buildings and structures.”

Now therefore be it resolved to amend section 7-100(d) of the Municipal Code to include prohibiting smoking within twenty (20) feet of playground equipment located within City parks.

Aldersperson Croatt moved, seconded by Aldersperson Baker, that the Resolution be approved as amended in Committee: to amend section 7-100(d) of the Municipal Code to include prohibiting smoking, vaping, and use of all electronic nicotine devices within twenty (20) feet of playground equipment located within City parks and the Appleton skate park in Telulah Park.

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 Cathy Spears and Aldersperson Chris Croatt

Excused: 1 - Aldersperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[18-1026](#)

Request for approval of Resolution Authorizing the Execution and Delivery of Documents relating to the Fox Cities Sports Facility Project

Attachments: [2018 Sports Facility - Municipal Authorizing Resolution \(Appleton\).pdf](#)
[2018 Sports Facility - Cooperation Agreement 6.26.18.pdf](#)
[2018 Sports Facility - Redline Cooperation Agreement 6.26.18.pdf](#)
[2018 Sports Facility - Pledge and Security Agreement.pdf](#)
[2018 Sports Facility - Maximum Price Calc.pdf](#)
[2018 Sports Facility - Bond Term Sheet.pdf](#)
[FW Sports Facility maintenance reserve.msg](#)

Alderson Croatt moved, seconded by Alderson Baranowski, that the authorization of execution and delivery of documents be approved. Roll Call. Motion carried by the following vote:

Aye: 14 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konezke, Alderson Ed Baranowski, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Keir Dvorachek, Alderson Bob Baker, Alderson Rachel Raasch, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Matt Reed, Alderson Cathy Spears and Alderson Chris Croatt

Excused: 1 - Alderson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[18-1027](#)

Request for approval of five-year renewal of banking services with JPMorgan Chase Bank, LLC

Attachments: [Finance Committee Banking Renewal 2018.pdf](#)

Alderson Croatt moved, seconded by Alderson Lobner, that the renewal agreement be approved. Roll Call. Motion carried by the following vote:

Aye: 13 - Alderson Kathleen Plank, Alderson William Siebers, Alderson Curt Konezke, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Keir Dvorachek, Alderson Bob Baker, Alderson Rachel Raasch, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Matt Reed, Alderson Cathy Spears and Alderson Chris Croatt

Excused: 1 - Alderson Christine Williams

Abstained: 2 - Alderson Ed Baranowski and Mayor Timothy Hanna

[18-0954](#)

Request to approve the Art in Public Places Policy of the Appleton Public Art Committee

Attachments: [Arts in Public Places Policy-CEDC Final Draft 062018.pdf](#)
[Appleton Public Art Committee Application.pdf](#)

Aldersperson Baranowski moved, seconded by Aldersperson Martin, that the Policy 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 Keir Dvorachek, Aldersperson Bob Baker, Aldersperson Rachel Raasch, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Matt Reed, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Excused: 1 - Aldersperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[18-0978](#)

"Class B" Beer/Liquor License application of Medley Taverns, LLC d/b/a Fox River House, 211 S. Walnut Street, Steven K. Olson, Agent, contingent upon approval from all departments.

Attachments: [Medley Taverns LLC application.pdf](#)

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

Aye: 13 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Kyle Lobner, Aldersperson Keir Dvorachek, Aldersperson Bob Baker, Aldersperson Rachel Raasch, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Matt Reed, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Excused: 1 - Aldersperson Christine Williams

Abstained: 2 - Aldersperson Patti Coenen and Mayor Timothy Hanna

L. COMMITTEE REPORTS

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

Balance of the action items on the agenda.

Aldersperson Croatt moved, Aldersperson Dvorachek 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 Keir Dvorachek, Alderperson Bob Baker, Alderperson Rachel Raasch, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Matt Reed, Alderperson Cathy Spears and Alderperson Chris Croatt

Excused: 1 - Alderperson Christine Williams

Abstained: 1 - Mayor Timothy Hanna

[18-0976](#)

Resolution #9-R-18 1700 W. Kamps Avenue Parking.

Submitted by: Cathy Spears, District 12

Date: June 20, 2018

Referred to: Municipal Services Committee

Due to a resident's concern;
The newly reconstructed 1700 W. Kamps Ave,
All parking be removed from both sides of the street

This Report Action Item was approved.

[18-0977](#)

Request from Mile of Music to do the following from August 2, 2018 through August 5, 2018:

*Place table and banners in College Avenue beautification strip adjacent to metered stall #CAW402.

*Place two charging stations (7 feet tall) in College Avenue beautification strip adjacent to metered stall #CAW115.

*Place Tundraland tent in College Avenue beautification strip adjacent to metered stall #CAW303.

Attachments: [Request from Mile of Music.pdf](#)

This Report Action Item was approved.

[18-0996](#)

Proposed parking restriction changes on Harris St. & Durkee St. by St. Paul's Lutheran Church. (Follow-Up to Six Month Trial Period)

Attachments: [Parking changes on Harris St & Durkee St.pdf](#)

This Report Action Item was approved.

[18-1017](#) Approve installation of twelve (12) banners on Newberry Street and Riverheath Way.

Attachments: [Banners on Newberry St & Riverheath Way.pdf](#)

This Report Action Item was approved.

[18-1018](#) Approve Amendment No. 4 to Patrick Engineering for the Oneida Street Bridge Project in the amount of \$17,560 for a total revised not to exceed contract of \$607,841.

Attachments: [Amendment No. 4 to Onieda Street Bridge.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[18-1003](#) Taxi Cab Driver's License application of Walter C. Sparks, W6193 Long Court.

Attachments: [Walter C. Sparks.pdf](#)
[SL Denial- Sparks 7-11-18.pdf](#)
[Sparks Denial- Criminal Complaint.pdf](#)

The recommendation to deny the license was approved.

[18-1006](#) Request to implement Central Count for the processing of Absentee Ballots on Election Day

Attachments: [Absentee Central Count Memo 7-2018.pdf](#)
[DRAFT Central Count Ordinance.pdf](#)

This Report Action Item was approved.

[18-0598](#) Resolution #3-R-18 Solicitation Hours

Attachments: [#3-R-18 Solicitation Hours.pdf](#)

This Report Action Item was approved.

[18-0906](#) Reserve "Class B" Beer/Liquor License application, Change of Agent, Player 2 LLC, 215 E. College Ave., Marissa R. Emerson, Agent, contingent upon approval from Police Department.

This Report Action Item was approved.

[18-0926](#)

"Class B" Beer/Liquor License Premise Amendment of Wilder's Bistro, Terrance Wilder, Agent, 2639 S. Oneida St. Suite #1, contingent upon approval from all departments.

Attachments: [Wilder's Bistro application.pdf](#)

This Report Action Item was approved.

[18-0936](#)

"Class B" Beer/Liquor License temporary Premise Amendment application of Dairyland Brew Pub, Dorri Schmidt, Agent, 1216 E. Wisconsin Ave., contingent upon approval from all departments.

Attachments: [Dairyland Brew Pub 2 application.pdf](#)

This Report Action Item was approved.

[18-0943](#)

Class "B" Beer & "Class C" Wine License temporary Premise Amendment of Tempest Coffee Collective, 181 S. Riverheath Way, Ste 1100, Tyler Lonadier, Agent, contingent upon approval from all departments.

Attachments: [Tempest Coffee Collective temp. amendment application.pdf](#)

This Report Action Item was approved.

[18-0959](#)

Taxi Cab Company License Renewal application of Apple Valley Taxi LLC, James D. Jacobs, 1831 N. Bennett Street.

This Report Action Item was approved.

[18-0961](#)

Salvage Dealer License Renewal application of Mach IV Motors LLC, Kara L. Tullberg, Applicant, 600 E. Hancock St., contingent upon approval from all departments.

This Report Action Item was approved.

[18-0964](#)

Switch from IFC 2009 edition to IFC 2015

Attachments: [Memo to go to IFC 2015.pdf](#)

This Report Action Item was approved.

[18-1016](#) "Class B" Beer/Liquor License application of MJ Author's Kitchen, d/b/a Author's Kitchen & Bar, Joshua D. Sickler, Agent, 201 N. Appleton St., contingent upon approval from all departments.

Attachments: [MJ Authors Kitchen application.pdf](#)

This Report Action Item was approved.

[18-1034](#) Operator's Licenses

Attachments: [Operator's Licenses for 07-11-2018 S&L.pdf](#)

This Report Action Item was approved.

[18-1035](#) Renewal Operator's Licenses

Attachments: [Renewal Operator's Licenses for 07-11-2018 S&L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[18-0830](#) Request to approve Rezoning #6-18 to rezone 1236 E. Pacific Street (Tax Id #31-1-1067-00), including to the centerline of the adjacent right-of-way, as shown on the attached maps, from R-1B Single-Family District and C-2 General Commercial District to R-1B Single-Family District

Attachments: [StaffReport_RiversideCemetery_Rezoning_For06-12-18.pdf](#)

This Report Action Item was approved.

[18-0833](#) Request to approve Special Use Permit #2-18 for a non-profit recreational facility within the R-1B Zoning District at 1236 E. Pacific Street (Tax Id #31-1-1067-00), 825 N. Owaissa Street (Tax Id #31-1-1066-00), 903 N. Owaissa Street (Tax Id #31-1-1065-00) and 913 N. Owaissa Street (Tax Id #31-1-1064-00), 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_RiversideCemetery_SUP_For06-12-18.pdf](#)

This Report Action Item was approved.

[18-1012](#)

Request to approve Special Use Permit #5-18 for an outdoor seating area with alcohol sales and consumption located at 218-220 W. College Avenue (Tax Id #31-2-0257-00), 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_220College_SUP_For07-10-18.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

[18-0969](#)

Action: Award the "2018 Mead Pool Coating and Painting Project" to Corcoran Glass & Paint in the amount of \$43,188 with a contingency of \$15,000 for a project total not to exceed \$58,188

Attachments: [2018 Mead Pool Coating and Painting.docx](#)

This Report Action Item was approved.

[18-1008](#)

Action: Request Approval to Increase Area Leased by the Appleton Family Ice Center

Attachments: [AFIC Action Item.pdf](#)

This Report Action Item was approved.

5. MINUTES OF THE FINANCE COMMITTEE

[18-1019](#)

Request to approve Contract Amendment/Change Order No. 1 to Contract 10-18 for Unit O-18 Sanitary Sewer (CIPP) Lining for an emergency repair on the Alley south of Edgemere Drive and east of Kensington Drive in the amount of \$7,800 resulting in no change to the contract contingency. Overall contract increases from \$145,835 to \$154,535.

Attachments: [O-18 Contract Change Order #1.xls.pdf](#)

This Report Action Item was approved.

[18-1028](#)

Request for approval of five-year renewal of investment management services with U.S. Bank

Attachments: [Finance Committee Investment Services Renewal 2018.pdf](#)

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

[18-0952](#)

Award the Fair Housing Service Provider for the 2020-2025 Analysis of Impediments to the Metropolitan Milwaukee Fair Housing Council in an amount not to exceed \$28,000

Attachments: [Memo to CEDC for AI sole source contract 06-12-18.pdf](#)
[2018 Appleton AI Proposal.pdf](#)

This Report Action Item was approved.

7. MINUTES OF THE UTILITIES COMMITTEE

[18-0953](#)

Permit transfer approval from Appvion, Inc., Paperweight Development Corp., PDC Capital Corporation, Appvion Receivables Funding I LLC and APVN Holdings LLC to Appvion Holding Corp. (Appvion Operation, Inc.) - Pretreatment Program Permit No. 18-03.

Attachments: [Appvion Permit transfer Letter 06-13-18.pdf](#)

This Report Action Item was approved.

[18-0955](#)

Award SCADA System Improvement Project to Schneider Electric for a cost of \$92,260 with a 10% contingency of \$9,226.

Attachments: [SCADA Upgrade 2018.pdf](#)

This Report Action Item was approved.

8. MINUTES OF THE HUMAN RESOURCES & INFORMATION TECHNOLOGY COMMITTEE

[18-0988](#)

Request to update Recruitment Selection Policy.

Attachments: [Recruitment and Selection 7-1-18.pdf](#)

This Report Action Item was approved.

[18-0989](#)

Request to update the H.R. department table of organization to move the Risk Manager position to report directly to the Deputy Director.

Attachments: [Human Resources TO change.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

[18-0974](#)

Ordinances 63-18 to 66-18

Attachments: [Ordinances going to Council 7-18-18.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

Resolution #10-R-18 Wayne Street Parking

Submitted by: Vered Meltzer, District 2

Date: July 18, 2018

Referred to: Municipal Services Committee

WHEREAS parking solutions should proactively address needs instead of create problems, and

WHEREAS the 15 minute parking restriction on the east side of the 1300 block of Wayne Street creates problems for the business owner on the corner of Wayne Street and Wisconsin Avenue,

THEREFORE be it resolved that the 15 minute parking restriction be removed from that location.

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Alderson Baranowski moved, seconded by Alderson Croatt, that the meeting be adjourned at 7:38 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, Mayor Timothy Hanna, Alderson Keir Dvorachek, Alderson Bob Baker, Alderson Rachel Raasch, Alderson Vered Meltzer, Alderson Joe Martin, Alderson Matt Reed, Alderson Cathy Spears and Alderson Chris Croatt

Excused: 1 - Alderson Christine Williams

Kami Lynch, City Clerk