



City of Appleton

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

Meeting Minutes - Final-revised Common Council

Wednesday, April 5, 2017

7:00 PM

Council Chambers

A. CALL TO ORDER

The meeting was called to order by Mayor Hanna at 7:01 p.m.

B. INVOCATION

The Invocation was offered by Alderperson Mann

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. ROLL CALL OF ALDERPERSONS

Present: 16 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears, Alderperson Chris Croatt and Mayor Timothy Hanna

E. ROLL CALL OF OFFICERS AND DEPARTMENT HEADS

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

F. PUBLIC PARTICIPATION

*The following individuals spoke on Item #16-1536 Chickens:
Mendee Monfils, 1226 S Perkins St
Matt Lind, 314 S Badger Ave
Mary Williams, 2100 N Douglas St
Alex Schultz, 716 W Front St
Amy Dingel, 1325 N Oneida St
Shannon Kenevan, 908 N Fox St
Ronna Swift, 230 W Seymour St
Kate Gargo, 106 Foster Ct*

G. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

[17-447](#)

Common Council Meeting Minutes of March 15, 2017

Attachments: [CC Minutes 3-15-17.pdf](#)**Moved by Martin, seconded by Konetzke to approve the Minutes.****Roll Call. Motion carried:****Aye:** 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt**Abstained:** 1 - Mayor Timothy Hanna

H. BUSINESS PRESENTED BY THE MAYOR

[17-419](#)

Presentation of Autism Awareness Month and Day Proclamation

This Report Action Item was presented[17-394](#)

Presentation of Appleton North High School Girls Basketball Day Proclamation

This Report Action Item was presented[17-413](#)

Presentation of Arbor Day Proclamation

This Report Action Item was presented[17-393](#)

Announcement of the winning poems for the 2017 Sidewalk Poetry Program

This Report Action Item was presented[17-414](#)

Appointment of Peter Stueck to the Board of Review

Attachments: [APPT TO BD OF REVIEW PETER STUECK BIO EXPIRED TERM 040517.pdf](#)**Alderperson Baranowski moved, seconded by Alderperson Croatt, that the appointment be approved. Roll Call. Motion carried by the following vote:****Aye:** 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

I. PUBLIC HEARINGS

[17-395](#)

Public Hearing: Resolution 2-P-17 Concrete Pavement, Sidewalk Construction & Driveway Aprons

Attachments: [2-P-17 Public Hearing Notice.pdf](#)

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

J. SPECIAL RESOLUTIONS

[17-415](#)

Resolution 2-P-17 Concrete Paving

Attachments: [2-P-17 Concrete Paving Final Resolution.pdf](#)

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

Aye: 15 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

K. ESTABLISH ORDER OF THE DAY

Reconsideration of:

[16-1536](#)

Resolution #R-11-16 - Chickens

Attachments: [Resolution #R-11-16 - Chickens.pdf](#)
[VERSION A - Original DRAFT Mar 2017.pdf](#)
[Chicken Permit Application DRAFT.pdf](#)

Motion by Plank, seconded by Baranowski to reconsider Resolution #R-11-16 Chickens.

Motion carried by the following vote:

Aye: 14 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears and Aldersperson Chris Croatt

Nay: 1 - Aldersperson Vered Meltzer

Abstained: 1 - Mayor Timothy Hanna

Motion by Lobner, seconded by Reed to approve #R-11-16 with a notwithstanding vote.

No vote was taken on this Motion as the Motion to Hold (below) passed.

Alderson Lobner moved, seconded by Alderson Coenen, that the Resolution on Chickens be held until the next Council Meeting on April 19th.

Roll Call. Motion carried by the following vote:

Aye: 9 - Alderson William Siebers, Alderson Margret Mann, Alderson Patti Coenen, Alderson Kyle Lobner, Alderson Jeffrey Jirschele, Alderson Matt Reed, Alderson Vered Meltzer, Alderson Joe Martin and Alderson Chris Croatt

Nay: 6 - Alderson Kathleen Plank, Alderson Curt Konetzke, Alderson Ed Baranowski, Alderson Greg Dannecker, Alderson Christine Williams and Alderson Cathy Spears

Abstained: 1 - Mayor Timothy Hanna

[17-328](#)

Resolution introduced by Alderperson Jirschele at the March 1, 2017 Common Council meeting relating to Reid Municipal Golf Course:

Resolution #3-R-17

Jeff Jirschele, Alderperson, District 15

WHEREAS, Reid Municipal Golf Course in the City of Appleton has become a traditional feature of Appleton and has been recognized as such by the Appleton Common Council through commitments to its survival and growth, and

WHEREAS, Reid Municipal Golf Course has become a multi-feature, revenue-producing asset to the city, offering not only recreational opportunities but options to serve the city collaboratively through projects such as detention pond construction, cell tower emplacements, and future possibilities such as winter walking trails, and

WHEREAS, Reid Municipal Golf Course has begun a program of renovation and refurbishment, and has embarked on new construction and business processes aimed at increasing its capabilities and attraction as a top level golf course and multi-use, multi-season attraction within the city, in addition to increasing its long-term benefits to the city in areas such as tourism, economic development, sustainability through conservation of green space and habitat for wildlife, improved health/recreational opportunities and community building, and

WHEREAS, long-term debt is stifling Reid Municipal Golf Course's capacity to invest in itself and accelerate its ability to improve itself in a timely and productive manner aligned with its strategic plans to grow its potential to serve the city,

BE IT RESOLVED, that the city relieve Reid Municipal Golf Course of all its long-standing debt consisting of two loans within the enterprise fund established to administrate its operations.

Alderperson Baranowski moved, seconded by Alderperson Croatt, that the recommendation to deny the Resolution be approved. A notwithstanding vote was taken in which an 'aye' vote approves the Resolution and a 'nay' vote denies the Resolution. Roll Call. Motion failed by the following vote:

Aye: 4 - Alderperson Curt Konetzke, Alderperson Jeffrey Jirschele, Alderperson Joe Martin and Alderperson Cathy Spears

Nay: 11 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Greg Dannecker, Alderperson Christine Williams and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

[17-304](#)

Request to move the Diversity Coordinator position to report directly to the Mayor.

Attachments: [Diversity Coordinator Mayor memo.pdf](#)
[Diversity Coordinator job description.pdf](#)

Alderperson Croatt moved, seconded by Alderperson Lobner, that the Diversity Coordinator Reporting to the Mayor be approved. Roll Call. Motion carried by the following vote:

Aye: 12 - Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Nay: 3 - Alderperson Kathleen Plank, Alderperson William Siebers and Alderperson Greg Dannecker

Excused: 1 - Mayor Timothy Hanna

[17-374](#)

Request to award Heartland Business Systems the contract to purchase and implement a Meraki wireless environment within City buildings and Houdini Park.

Attachments: [Wireless Memo.pdf](#)

Alderperson Dannecker moved, seconded by Alderperson Plank, that the Heartland Business Systems Contract 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 Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams and Alderperson Cathy Spears

Abstained: 2 - Alderperson Chris Croatt and Mayor Timothy Hanna

L. COMMITTEE REPORTS

Balance of the action items on the agenda.

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

Aye: 15 - Alderperson Kathleen Plank, Alderperson William Siebers, Alderperson Curt Konetzke, Alderperson Ed Baranowski, Alderperson Margret Mann, Alderperson Patti Coenen, Alderperson Kyle Lobner, Alderperson Jeffrey Jirschele, Alderperson Matt Reed, Alderperson Vered Meltzer, Alderperson Joe Martin, Alderperson Greg Dannecker, Alderperson Christine Williams, Alderperson Cathy Spears and Alderperson Chris Croatt

Abstained: 1 - Mayor Timothy Hanna

1. MINUTES OF THE MUNICIPAL SERVICES COMMITTEE

[17-376](#) Approve sidewalk installation on the south side of the Northland Avenue south service road from Mason Street to Locust Street except at 1225 W. Northland Avenue where the sidewalk will be installed along the Northland Avenue right-of-way line.

Attachments: [Sidewalk installation from Mason St-Locust St..pdf](#)
[James Baumbach-memo.pdf](#)
[David & Dianne Dexter memo.pdf](#)

This Report Action Item was approved.

[17-377](#) Award parking meter pay-by-phone services to Passport for a \$2,500 initial set-up fee and merchant processing fees of 2.9% plus \$0.30 per transaction.

Attachments: [Award parking meter pay-by-phone services to Passport.pdf](#)

This Report Action Item was approved.

[17-378](#) Request from Aric & Molly Hanseter to be waived from the \$100 Residential Refuse Cart Exchange Fee.

Attachments: [Aric & Molly Hanseter-wavied fee.pdf](#)

This Report Action Item was approved.

[17-379](#) Approve Permanent Street Occupancy Permit for the Fox Cities Exhibition Center Skywalk to be constructed in the right-of-way of the 300 block of W. Lawrence Street.

Attachments: [Fox Cities Exhibition Center Skywalk.pdf](#)

This Report Action Item was approved.

[17-388](#) Request from ENVIRO forensics for a permanent street occupancy permit to install monitoring wells in Meade Street right-of-way to monitor ground water at the Luvata Site at 908 N. Lawe Street.

Attachments: [ENVIRO Forensics.pdf](#)

This Report Action Item was approved.

2. MINUTES OF THE SAFETY AND LICENSING COMMITTEE

[17-340](#) Secondhand Article License Renewal application of The Attique Resale, James A. Boylan, Applicant, 415 N. Oneida St., contingent upon approval from all departments.

This Report Action Item was approved.

[17-359](#) Operator's Licenses

Attachments: [Operator's Licenses for 3-22-17 S & L.pdf](#)

This Report Action Item was approved.

3. MINUTES OF THE CITY PLAN COMMISSION

[17-355](#) Request to approve the Affidavit of Correction for White Hawk Meadows III Extraterritorial Final Plat located in the Town of Grand Chute, as shown on the attached maps and documents

Attachments: [StaffReport_AffidavitofCorrectionWhiteHawkMeadowsIIIFinalPlat.pdf](#)

This Report Action Item was approved.

4. MINUTES OF THE PARKS AND RECREATION COMMITTEE

5. MINUTES OF THE FINANCE COMMITTEE

[17-384](#) Request to approve elevator services contract for inspections and maintenance services to Otis Elevator for \$49,140.

Attachments: [2017 Elevator Maintenance Repair Services.pdf](#)

This Report Action Item was approved.

[17-385](#) Request to approve HVAC services contract to Energy Control and Design for \$126,675.31 for HVAC maintenance and \$42,846.44 for HVAC Controls maintenance.

Attachments: [2017 HVAC Maintenance Repair Services.pdf](#)

This Report Action Item was approved.

[17-386](#) Request to award Unit C-17 sidewalk sawcutting to ASTI Sawing, Inc. in an amount not to exceed \$30,000.

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

This Report Action Item was approved.

6. MINUTES OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

7. MINUTES OF THE UTILITIES COMMITTEE

[17-366](#) Award Organic Recycling Contractor Services to Hsu Growing Supply for an initial term ending December 31, 2020 for a total not to exceed contract cost of \$315,000.

Attachments: [170306 UC Memo - Hsu Contract.pdf](#)

This Report Action Item was approved.

[17-367](#) Request to file Water Leak Policy with the Public Service Commission of Wisconsin.

Attachments: [Water Leak Policy.pdf](#)

This Report Action Item was approved.

[17-368](#) Approve City of Appleton Water Usage Monitoring Procedure.

Attachments: [Water Usage Monitoring Procedure.pdf](#)

This Report Action Item was approved.

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

N. ITEMS HELD

O. ORDINANCES

[17-403](#) Ordinances 27-17 to 30-17

Attachments: [Ordinances going to Council 4-5-17.pdf](#)

Ordinance 30-17 was referred back to the Board of Health by Alderperson Plank

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

City of Appleton – Resolution #4-R-17

April 05, 2017

Submitted by: Alderperson Edward Baranowski – District 5 & Alderperson William Siebers – District 1

Referred to: The Board of Health

Whereas more than 2/3 of the 100 crop species that provide 90% of the world's food are pollinated by bees,

Whereas bee populations have been declining at alarming rates for years,

Whereas it has been shown that it is not only possible to keep bees in crowded suburban areas, but also on rooftops of businesses in large and small cities without problem,

Whereas rooftops are a good place for urban beekeeping being that bees tend to fly up when exiting a hive thereby lessening interaction with people on the streets below,

Whereas city governments across the United States are lifting their restrictions on keeping beehives on rooftops in commercial districts – with City Hall in Minneapolis, Minnesota having bee colonies on its rooftop as an example

Therefore be it resolved,

That the City of Appleton, with input from the public along with those in the community with experience in beekeeping and with the assistance of professional beekeepers, reconsider the restrictions and then with appropriate guidelines allow beekeeping in commercial districts.

City of Appleton – Resolution #5-R-17

April 05, 2017

Submitted by: Alderperson Kathleen Plank – District 7

Referred to: Office of the Mayor

Whereas, on March 7, 2017, via referral from the Mayor, the Finance Committee was charged with addressing a resolution that was submitted to the Common Council on November 18, 2009 to address the boundary agreements between the City and surrounding municipalities,

And whereas, on March 7, 2017, upon addressing the resolution, the Finance Committee directed the Mayor to confer with his staff from the Attorney and Community and Economic Development office to provide a report and action plan on how they would address the serious ongoing issue of the city losing land to surrounding municipalities at an alarming rate,

And whereas, at the March 21st Finance Committee Meeting, a closed session took place that resulted in several members of the committee finding the report to be incomplete in addressing this issue,

And whereas, it is in the best interest of all City of Appleton taxpayers and critical to the stability of our future that the city maintain its growth areas for development of tax base,

And whereas, to date, the City of Appleton has lost over 669 acres of property resulting in over \$100 million dollars in assessed value,

*Therefor be it resolved that,
The Mayor lead the effort to immediately establish an action plan and the necessary financial and professional resources from inside and outside of the organization to assess and confront the past, present and future loss of the city's development and growth corridors. This plan will be reported out to the Finance Committee.*

R. OTHER COUNCIL BUSINESS

S. ADJOURN

Aldersperson Mann moved, seconded by Aldersperson Jirschele, that the meeting be adjourned at 8:51 p.m. Roll Call. Motion carried by the following vote:

Aye: 16 - Aldersperson Kathleen Plank, Aldersperson William Siebers, Aldersperson Curt Konetzke, Aldersperson Ed Baranowski, Aldersperson Margret Mann, Aldersperson Patti Coenen, Aldersperson Kyle Lobner, Aldersperson Jeffrey Jirschele, Aldersperson Matt Reed, Aldersperson Vered Meltzer, Aldersperson Joe Martin, Aldersperson Greg Dannecker, Aldersperson Christine Williams, Aldersperson Cathy Spears, Aldersperson Chris Croatt and Mayor Timothy Hanna

Kami Lynch, City Clerk